

MAPPING LGBTIQ IDENTITIES IN SRI LANKA



EQU  L GROUND

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ACRONYMS AND ABBREVIATIONS

| | |
|----------|---|
| AMAB - | Assigned Male at Birth |
| CEDAW - | Convention on the Elimination of All Forms of Discrimination against Women |
| CIHR - | Center for International Human Rights |
| CRC - | Convention on the Rights of the Child |
| DFAT - | Department of Foreign Affairs and Trade |
| FGD - | Focus Group Discussion |
| ICCPR - | International Covenant on Civil and Political Rights |
| ICERD - | International Convention on the Elimination of All Forms of Racial Discrimination |
| ICESCR - | International Covenant on Economic, Social and Cultural Rights |
| ILGA - | International Lesbian, Gay, Bisexual, Trans and Intersex Association |
| LGBTIQ - | Lesbian, Gay, Bisexual, Transgender, Intersex and Queer/ Questioning |
| MOE - | Margin of Error |
| SC - | Supreme Court |
| SOGIE - | Sexual Orientation and/or Gender Identity/Expression |
| UK - | United Kingdom |
| UN - | United Nations |
| UNDP - | United Nations Development Program |
| USA - | United States of America |

DEFINITIONS



Lesbian: A woman who is physically, emotionally and/or spiritually attracted to other women.

Gay: A person physically, emotionally and/or spiritually attracted to someone of the same sex. Usually used to describe men loving men and frequently used to identify the whole LGBTIQ community– as in ‘Gay Community’.

Bisexual: A person physically, emotionally and/or spiritually attracted to both men and women.

Transgender: A person whose sense of personal identity and gender does not correspond with their birth sex.

Intersex: A term to describe individuals born with any of several variations in sexual characteristics including chromosomes, gonads, sex hormones or genitals that do not fit the typical definitions for male or female bodies.

Questioning: A person who is questioning their sexuality or gender identity.

Queer: A word that describes sexual and gender identities other than straight and cisgender. Lesbian, gay, bisexual and transgender people may all identify with the word queer.

Non-LGBTIQ: A person physically, emotionally and/or spiritually attracted to someone of the opposite sex and whose personal and gender identity corresponds with the sex assigned at birth. Commonly known as cis-gender heterosexual.

Coming out: A process of self-acceptance by a LGBTIQ person. People first forge a lesbian, gay, bisexual or transgender identity to themselves and then they may reveal it to others. Publicly sharing one’s identity may be referred to as ‘coming out’.

ABSTRACT

The Lesbian, Gay, Bisexual, Transgender, Intersex and Queer/Questioning (LGBTIQ) population in Sri Lanka are subject to legal, political and social restraints. This results in gross marginalization of the community, pushing them towards the fringes of social hierarchy. Stigma and discrimination faced by the community in various settings, as well as in society at large, do not only pose barriers to access of services, but also makes them doubly vulnerable to social and economic exclusion. As a consequence, the LGBTIQ community is forced to hide their identities, as well as the exclusion and the violence, both physical and structural, that they face.

EQUAL GROUND believes that mapping LGBTIQ identities anonymously across Sri Lanka would be an effective, safe and nonintrusive method to shed light on the hidden LGBTIQ community and their issues in Sri Lanka.

This report includes the results of a study that Kantar Sri Lanka conducted in 2020 on behalf of EQUAL GROUND, Sri Lanka using a mixed method approach, including both qualitative and quantitative data collection techniques. The study helped to uncover not only the percentage of LGBTIQ individuals living in Sri Lanka, but also to understand their sentiments and challenges.

The quantitative component of the study was a large-scale national survey, covering all 25 districts of the country, with a sample size of 4500. Whereas, the qualitative component included 8 Focus Group Discussions (FGDs) conducted in the districts of Colombo, Puttalam, Rathnapura and Polonnaruwa.

Outcomes of the study are intended to assist future interventions and advocacy efforts by EQUAL GROUND, other Civil Society Organizations and stakeholders. One of the key outcomes of the study was quantifying the LGBTIQ community of Sri Lanka. Accordingly, the survey results show that 12% of the total population interviewed for the survey identified themselves as LGBTIQ which can be projected to a total of 1,469,574 individuals within the projected base of people between the ages of 18-65 in Sri Lanka.



EXECUTIVE SUMMARY

STUDY CONTEXT

Lesbian, Gay, Bisexual, Transgender, Intersex and Queer/Questioning (LGBTIQ) persons in Sri Lanka are subject to legal, political and social restraints, which result in discrimination and stigmatization. As a consequence, the LGBTIQ community remains hidden and discrete about their identities and the violence, both physical and structural, they face.

The study was carried out using a mixed methodology, which included both qualitative and quantitative research techniques. Kantar Sri Lanka conducted the quantitative study and the qualitative study fieldwork was conducted by Quantum Consumer Solutions (Pvt.) Ltd on behalf of EQUAL GROUND, Sri Lanka, to uncover not only the percentage of LGBTIQ people living in Sri Lanka, but also to understand their sentiments and challenges.

The qualitative phase comprised of 4 Focus Group Discussions (FGDs) each, with those who belong to the LGBTIQ community and those who belong to the non-LGBTIQ population. The qualitative phase was conducted in Colombo, Puttalam, Rathnapura and Polonnaruwa. The quantitative phase of the study was a large-scale national survey covering all 25 districts of the country with a sample size of 4500. The sample was gathered in 2 stages. In the first stage, the achieved sample was 4515. However, in the pilot study, it was observed that

in some areas, respondents were less willing to reveal information on sexual orientation, hence questions related to incidence generation were not filled in by respondents.

While redoing these interviews to fill out the missing information was considered, due to unforeseen and unavoidable circumstances that arose in Sri Lanka as a result of the COVID-19 outbreak, field work was suspended immediately. Thus, the sampling size was reduced to 4019.

QUANTIFYING THE NUMBER OF LGBTIQ PERSONS IN SRI LANKA

One of the key outcomes of the study was to quantify the LGBTIQ community of Sri Lanka. Accordingly, the survey results showed that 12% of the total population interviewed for the survey identified themselves as LGBTIQ, which can be projected to a total of 1,469,574 individuals within the projected base of persons between the ages of 18-65 in Sri Lanka. Among them, 8% identified themselves as bisexual, 0.5% as gay, 0.5% as lesbian, 1% as transgender and 2% as other. The highest number of those identifying themselves as LGBTIQ was found between the ages of 18 – 29. Moreover, regionally in rural areas and at province level, the highest percentage of LGBTIQ people were found in the North Western and North Central provinces combined.

EARLY CHILDHOOD AND GROWING UP AS AN LGBTIQ INDIVIDUAL

The study further identified the characteristics of the LGBTIQ population of Sri Lanka. Within the qualitative discussions it was revealed that for some, the process of self-realization started during their school days, where they first started acknowledging their differences with regard to Sexual Orientation and/or Gender Identity/Expression (SOGIE). For others, the self-acknowledgement occurred after migrating to foreign countries for employment. It was observed that the majority of LGBTIQ persons did not reveal their SOGIE to their families due to fear of rejection. While some of the respondents mentioned that revealing their identity to family members was done willingly, others mentioned being forced to come out at the workplace or to a few friends. The quantitative component revealed, a majority (37%) of the LGBTIQ community perceive that people in the LGBTIQ community will not reveal their identity to anyone due to fear of rejection, stigma and discrimination in mainstream society. 10% of the LGBTIQ respondents said that they would like to come out to a family member.

Childhood experiences of many community members indicated that they were subjected to bullying, alienation and loneliness at the time. This was expressed mainly by respondents assigned male at birth (AMAB) who identified as gay or transgender. They felt that, during childhood, a female child with masculine traits was regarded in a more positive light than a male child with effeminate traits.

The members of the LGBTIQ community had diverse interests, hobbies, aspirations, frustrations and personality traits – much like their heteronormative counterparts. However, they also faced some unique challenges due to their SOGIE and how Sri Lankan society views and treats the LGBTIQ community.

Some of the personality traits seen amongst the LGBTIQ community were resilience, purity, strength, perseverance and adaptability. They were also determined, eager to prove themselves and were good problem solvers.

The major hobbies and forms of leisure among the LGBTIQ respondents included music, reading, sports, modeling, fashion design and caring for their pets. Their aspirations range from acquiring more power through a vocation, being financially independent and living in another country with their partner. Their main fear was getting identified and being arrested by the police. The role models of the LGBTIQ community in Sri Lanka have been family or themselves, best friends and in particular, Bhoomi Harendran (a prominent Transgender activist in Sri Lanka) as per the data collected from the survey.

The survey has identified some areas of regret within the LGBTIQ respondents. A majority of them said that they want to go back in time and change their SOGIE. Some have regrets in not being able to fulfill their duties as a son or a daughter to their parents. 19% of the LGBTIQ respondents believe that they are abnormal, while 7% believe that they are psychologically unfit. This reveals the magnitude of mental health trauma and issues the members of the community face, on regular basis, due to the culture of non-acceptance and lack of understanding and education on diverse SOGIE, prevalent across the country.

CHALLENGES FACED

The study identified specific challenges and barriers faced by the LGBTIQ community. It was ascertained that 11% of LGBTIQ respondents had faced some form of abuse or discrimination due to their SOGIE. The most common challenges faced were verbal abuse, assault, discrimination and harassment by the police, by family and/or at work.

6% of the respondents identifying as LGBTIQ mentioned that they were refused medical treatment, while 10% said they have been refused employment and 12% have been forced out of work, education or their homes compared to only 7% of the non-LGBTIQ persons who have faced similar incidents. Furthermore, of the total LGBTIQ people interviewed, 25% mentioned that they have been discriminated in the past 12 months; 10% of them have faced physical assault and 17% of them have faced some type of harassment. As per the survey data, discrimination in workplaces have also been identified where they faced less harassment in private sector companies when compared to workplaces in the government sector. Thus, there is a need to push the employers to develop more inclusive policies for safeguarding the rights of LGBTIQ individuals in employment, develop non-discriminatory policies at workplace and sensitize employees to make workplace more inclusive for the community individuals.

PERCEPTION OF NON-LGBTIQ PERSONS ABOUT THE LGBTIQ COMMUNITY

The study compared the challenges faced by different minority communities in Sri Lanka, to extract the perceptions about LGBTIQ persons amongst the non-LGBTIQ community. A majority of the non-LGBTIQ respondents disagreed with the view that in Sri Lanka people in the LGBTIQ community hide their identity from people around them and 74% disagreed with the view that the idea of diverse SOGIE are frowned upon in Sri Lanka. For instance, in the Southern province, only 18% agreed that in Sri Lanka LGBTIQ persons hide their identity from the people around them such as friends, family and community members. Compared to other minority communities, it was clearly seen that the non-LGBTIQ community does not believe that the LGBTIQ community is accepted in society.

56% agreed that the LGBTIQ community does not receive fair treatment while only 23% believe that the LGBTIQ community receives fair treatment. The remaining 21% did not have any opinion on whether the LGBTIQ community receives fair treatment or not. The highest percentage who believed that the LGBTIQ community did not receive fair treatment was found in the North Western and North Central provinces. It was further seen that a lower number (20%) in the urban communities believed that the LGBTIQ community receive fair treatment, whereas in the estate sector 38% perceived that LGBTIQ people received fair treatment.

Based on the non-LGBTIQ public perception, it was ascertained that a higher number believed that the LGBTIQ community was not accepted in society, were treated unfairly and that they were facing consequences of the sins they had committed either in leading a perceived 'sinful lifestyle' currently or in a 'past life'.

When discussing non-LGBTIQ respondents' attitudes towards the LGBTIQ community as a whole, several key points need to be highlighted.

- 10% of the non-LGBTIQ respondents stated they personally know LGBTIQ persons and 56% said they do not personally know anyone who is LGBTIQ and would not like to associate with people from the community.
- The negative perception towards the LGBTIQ community mainly came from females, older respondents (45-65 years) and those residing in the North Central, North Western, Western and Sabaragamuwa provinces.
- A significantly higher number (72%) from the estate sector mentioned they do not personally know anyone from the LGBTIQ community but would not have an issue associating with them.

Cultural conflicts were also identified, where most of the respondents stated that the behaviours of the LGBTIQ community did not suit Sri Lankan culture and LGBTIQ rights were merely imported from western countries and had no part to play in Sri Lankan culture. However, as opposed to the above, many felt the need to empathize with those who identify as LGBTIQ;

the idea that an individual choosing to be transgender was associated with a birth or biological defect. Some respondents thought that LGBTIQ people suffered from a 'deficiency' or a 'birth defect' that can be corrected through medication or through psychotherapy and stated there needs to be medical institutes that offered conversion therapy. This again reflects the lack of knowledge and awareness on the part of the general population and mainstream society in this country, who are not aware of the different sexualities and gender identities within the spectrum of the LGBTIQ community.

Survey results shows that 50% of all respondents have mentioned they had a good understanding of human rights, while 37% have mentioned they have heard the words, but do not know what it is, another 13% have mentioned they have no idea at all what it is. 36% of the interviewed respondents also mentioned they have no idea of the universal documents outlining basic human rights, while 41% have mentioned that though they have heard of it, they do not know what it is and only 46% have mentioned they would support actions to achieve LGBTIQ rights in Sri Lanka.

Finally, most non-LGBTIQ respondents were of the view that if consenting same-sex sexual relations among adults were decriminalized, there will be an increase of people identifying as LGBTIQ in Sri Lanka. Some respondents also believed that same-sex sexual relations will inevitably be decriminalized in Sri Lanka, due to pressure from European countries. However, they still thought it did not suit the culture of Sri Lanka.



01. INTRODUCTION

1.1 Study Background

As a result of the legal framework in the country, particularly the criminalization of same-sex sexual relations between consenting adults, the LGBTIQ community remains largely hidden and discrete about their identities and the violence they face. Therefore, EQUAL GROUND believes that mapping LGBTIQ identities anonymously across all 25 districts in Sri Lanka through a study would be one of the most effective, safe and non-intrusive methods to shed light on the LGBTIQ population of Sri Lanka.

Kantar Sri Lanka conducted a quantitative study and a qualitative analysis of the data collected through fieldwork conducted by Quantum Consumer Solutions (Pvt.) Ltd. to uncover not only the percentage of LGBTIQ persons but also to understand their sentiments and challenges and to shed light on the hidden LGBTIQ community in Sri Lanka. The outcomes of this study

are intended to assist future interventions and advocacy by EQUAL GROUND and other Civil Society Organizations (CSOs).

1.2 PROJECT GOAL AND OBJECTIVES

This research study intends to assess the following research questions:

RESEARCH QUESTION 1

What percentage of the Sri Lankan community identify as LGBTIQ?

RESEARCH QUESTION 2

What are the characteristics of the LGBTIQ population in Sri Lanka?

RESEARCH QUESTION 3

What are the challenges and barriers faced by the LGBTIQ community?

RESEARCH QUESTION 4

Are the challenges and barriers faced by the LGBTIQ community unique to this community?

RESEARCH QUESTION 5

Are Sri Lankans supportive of LGBTIQ rights?

1.3 Study Design

The study was conducted in 2 phases.

Phase 1- The Qualitative Study

Phase 2- The Quantitative Study

1.3.1 The Qualitative Phase

1.3.1.1 METHODOLOGY

Data collection for the qualitative phase was conducted by EQUAL GROUND through the service of Quantum Consumer Solutions (Pvt.) Ltd. (Quantum) and the transcripts of the focus group discussions conducted by Quantum were shared with Kantar Sri Lanka for analysis.

The research findings of the qualitative phase were based on 8 focus group discussions that were conducted across 4 Districts of Sri Lanka: Colombo, Polonnaruwa, Puttalam and Rathnapura. There was a total of 20 respondents from the LGBTIQ community and a total of 24 non-LGBTIQ respondents.

1.3.1.2 SAMPLE COMPOSITION

| Group Location / | Colombo | Puttalam | Rathnapura | Polonnaruwa | Total |
|--------------------------------------|---------|----------|------------|-------------|---------------|
| LGBTIQ community | 1 FGD | 1 FGD | 1 FGD | 1 FGD | 4 FGDs |
| Non-LGBTIQ public | 1 FGD | 1 FGD | 1 FGD | 1 FGD | 4 FGDs |
| Total Focus Group Discussions | | | | | 8 FGDs |

Table 1 - Sample composition - Qualitative Phase

1.3.2 The Quantitative Phase

1.3.2.1 METHODOLOGY

A total sample of 4500 respondents was proposed for the quantitative phase. As the main requirement of the exercise was to map the size of the LGBTIQ community in Sri Lanka, the proposed target group was all adults between 18 and 65 years of age. Since the districts within each province is homogeneous in terms of demographic elements such as religion and ethnicity, the study and estimations were conducted at a provincial level and a stratified random sampling method was used.

Most recent population data available, published by the Census and Statistics Department of Sri Lanka in 2012 was used for sampling and projection purposes. The sample was first stratified by province and sector (urban 18.2%, rural 77.4%, estate 4.4%). Within each province, the sample was distributed across districts according to population proportion.

However, when allocating the sample for provinces, a statistically derived minimum sample size of 390 was allocated for each province which is representative at a 95% confidence interval with a maximum margin of error of 5%. Furthermore, as some provinces such as the Western province has a higher population (30% of total country population) and a more heterogeneous community, the sample for the Western province was increased to ensure inclusion of all social segments.

1.3.2.2 SAMPLE COMPOSITION

STAGE 01

The proposed sample and the achieved sample in the first stage of the Quantitative Study are shown below.

| Province | Proposed Sample | Achieved sample |
|---------------|-----------------|-----------------|
| Western | 910 | 922 |
| Central | 550 | 590 |
| Southern | 520 | 531 |
| Northern | 390 | 386 |
| Eastern | 400 | 281 |
| North Western | 520 | 535 |
| North Central | 390 | 423 |
| Uva | 390 | 416 |
| Sabaragamuwa | 430 | 431 |
| Total | 4500 | 4515 |

Table 2 - Sample Composition - Quantitative Phase – Stage 01

However, in the pilot study, it was observed that in some areas, the respondents' willingness to reveal information on SOGIE was low, hence questions related to incidence generation was not filled in by respondents. Therefore, a stage two of the qualitative study was conducted in order to capture data for the missing information.

STAGE 02

Although it was agreed that it was necessary to re-do the interviews with missing information, unfortunately due to unforeseen and unavoidable circumstances that arose in the country due to the COVID-19 outbreak, field work was suspended immediately. As a result, the sample below was the basis on which the sizing of the LGBTIQ community was arrived at.

| Province | Proposed Sample | Achieved sample | MoE at proposed sample | MoE at final sample |
|---------------------------------|-----------------|-----------------|------------------------|---------------------|
| Western | 910 | 849 | 3.25% | 3.37% |
| Central | 550 | 571 | 4.18% | 4.11% |
| Southern | 520 | 531 | 4.30% | 4.26% |
| Northern and Eastern | 790 | 503 | 3.49% | 4.37% |
| North Western and North Central | 910 | 718 | 3.25% | 3.66% |
| Uva | 390 | 416 | 4.97% | 4.81% |
| Sabaragamuwa | 430 | 431 | 4.73% | 4.73% |
| Total | 4500 | 4019 | 1.47% | 1.55% |

Table 3 - Sample Composition - Quantitative Phase – Stage 02

1.3.2.3 QUESTIONNAIRE

The draft questionnaire was designed by EQUAL GROUND, while Kantar with consultation of EQUAL GROUND modified the questionnaire to suit the local context. The translations in both local languages (Sinhala and Tamil) were provided by EQUAL GROUND.

1.3.2.4 PILOT STUDY

A pilot test was conducted from the 5th of December to the 10th of December 2019 to evaluate the questionnaire in terms of appropriateness of language, skips and logics and ease of comprehension. The goal of the pilot test was also to assess any gaps in the questionnaire based on how questions were formulated, and the responses given and to comprehend the difficulties encountered when the questionnaire was administered.

A total of 64 pilot interviews were conducted across Colombo, Kandy, Ampara, Batticaloa and Gampaha. The questionnaire was revised based on the gaps identified and data collection commenced.

1.3.2.5 SENSITIZATION TRAINING FOR ENUMERATORS

It was imperative for the researchers to be respectful and sensitive towards members of the LGBTIQ community. This meant confronting their own beliefs, feelings and values about LGBTIQ people, recognizing stereotypes and learning to interact openly and without prejudice with those whose lives are perceived to be different from ours. With this purpose in mind, a full day training was organized to prepare the interviewers with the relevant skills and knowledge needed to conduct the research with the LGBTIQ community. The training session was conducted by EQUAL GROUND's project officers and focused on diverse SOGIE and current laws relating to LGBTIQ people in the country, the stigma associated around the community, their experiences and challenges when working with the community. Further, the training also addressed how to maintain sensitivity and neutrality when administering questions.

A total of 50 Sinhalese interviewers and 20 Tamil interviewers took part in the training facilitated by EQUAL GROUND, to improve their knowledge and skills to correctly address the LGBTIQ community. The training took place on 28th November 2019 at The Center for Women's Research. The interviewers were advised not to use derogatory statements to describe anyone's SOGIE. This included humor and jokes that are in poor taste which may insult, emotionally injure or harass anyone based on their SOGIE. In addition, the interviewers were taken through a review of LGBTIQ laws to educate them on the legal issues that affect the community. Finally, the interviewers were trained to ask questions in a comfortable manner and to alleviate apprehension of the participants in the survey.

1.3.2.6 TARGET GROUP

The study was conducted at a household level using the left-hand rule. Random starting points were generated for the survey within each Grama Niladhari division. After each successful interview, a skipping pattern was followed. Three households were skipped after a successful interview in both urban and rural areas.

As an ethical measure, all interviewers and supervisors who participated in the survey were given a gender sensitivity training along with an in-depth training about the questionnaire and the scope of the study.

1.3.2.7 DATA WEIGHTING

As there was under achievement of the sample in certain provinces, the data was weighted based on population estimates for 2019 which was obtained from the Census and Statistics Department with the following criteria:

1. Province
2. Gender
3. Age

Weighted data have been used in the analysis of the study.

1.3.2.8. SCOPE LIMITATION

The following limitations and challenges were met when conducting both phases:

- Many respondents, especially from the North and East, expressed their unwillingness to take part in the study as they found the study to be irrelevant to that of their lives and to Sri Lanka.
- A significant number of respondents (496) had refrained from answering the questions in regard to sexual orientation. These respondents were taken out for an accurate representation of the LGBTIQ incidence in the country.
- The study examines responses that are claimed by respondents. There could be possibilities of concealing information even whilst self-filling parts of the survey.
- The achieved number (20) of the LGBTIQ respondents in the FGDs was lower than the original sample (24) as there were few last-minute absentees.

1.4 Literature Review

Globally, homosexuality is plagued by a plethora of writing and a paucity of knowledge. While professional pundits pontificate on their pet etiological theories, even clinicians or medical personnel, who should know better, politicize a scientific issue by deliberating whether homosexuality is an ‘illness’. Yeats’ observation that ‘the best lack conviction, while the worst are full of passionate intensity’ is nowhere more applicable. Considering this phenomenon, EQUAL GROUND initiated the current mapping study to estimate the size of the LGBTIQ population in Sri Lanka. It is necessary to gather such information to highlight the issues, barriers and vulnerabilities faced by the community as well as understand the opinion of majority on LGBTIQ identities and acceptance.

In the United Kingdom, the population identifying as lesbian, gay or bisexual (LGB) increased from 1.6% in 2014 to 2.2% in 2018 (Statistics, 2018). This gives a snapshot of a UK population more adamant in being their authentic selves than ever before.

Research from Gallup (2017) indicates that 4.5% of people identify as LGBT in the United States – or approximately 10 million Americans. However that number has increased dramatically in the previous few years, which means that there are likely more LGBT people than reported (Sage, 2020).

According to a Daily Mirror (local newspaper) article, in Sri Lanka, the number of LGBTIQ people could be around 5% of the population. Meanwhile, a mapping study by EQUAL GROUND (2017) noted 19.6% percent of people over 18 years of age living in Colombo, Matara, Nuwara Eliya and Galle, identify as LGBTIQ. This may seem a rather large proportion and the report does mention that this number may be slightly skewed for the simple reason that the enumerators conducting the mapping were LGBTIQ friendly and therefore, LGBTIQ people were comfortable disclosing their identities for the study (Daily Mirror, 2018). **It indicates that people still hide their SOGIE, and therefore, the number is always hard to pin down.**

RELEVANT HUMAN RIGHTS STANDARDS

Globally, there is no distinct human rights treaty focusing on sexuality and gender rights but LGBTIQ people have the right to enjoy all human rights available to other members of society. The equality and non-discrimination guaranteed by international human rights law applies to all people, regardless of sex, sexual orientation, gender identity or “other status.” There is no fine print, no hidden exemption clause, in any of our human rights treaties that might allow a State to guarantee full rights to some but withhold them from others purely on the basis of sexual orientation and gender identity. These non-discrimination provisions are in the International Covenant on Civil and Political Rights (ICCPR); the International Covenant on Economic, Social and Cultural Rights (ICESCR); the Convention on the Rights of the Child (CRC); the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Furthermore, in March 2007, a group of human rights experts developed and adopted what is known as the Yogyakarta Principles. The Yogyakarta Principles confirm that all international human rights laws apply to LGBTIQ people.

The United Nations General Assembly, in a series of resolutions, has called on States to ensure the protection of the right to life of all people under their jurisdiction and to investigate promptly and thoroughly all killings including those motivated by the victim’s sexual orientation and gender identity (resolution A/RES/67/168). In June 2011, the United Nations Human Rights Council became the first UN intergovernmental body to adopt a wide-ranging resolution on human rights, sexual orientation and gender identity. Resolution 17/19 expressed the Council’s “grave concern” at violence and discrimination against individuals, based on their sexual orientation and gender identity and commissioned a study on the scope and extent of these violations and the measures needed to address them. The requested study, prepared by the Office of the High Commissioner for Human Rights, was released in December 2011. It pointed to a pattern of violence and discrimination directed at individuals because of their sexual orientation and gender identity. Its findings and recommendations formed the basis of a panel discussion that took place at the Council in March 2012 – the first time a formal intergovernmental debate on the subject had taken place at the United Nations.

In addition to these international human rights documents, human rights courts and other international bodies have looked at various human rights issues concerning recognition of a person's gender or sex identity.

In the case of *Toonen v Australia* (*Toonen v Australia*, 1994), the UN Human Rights Committee ruled that laws criminalizing consensual same-sex activity violates the right to privacy and the right to equality before the law as expressed in articles 17(1) and 26 of the ICCPR.

In contrast, in November 2016, the Sri Lankan Supreme Court heard an appeal in which an accused appellant was charged along with another accused before the Magistrates Court for committing an act of gross indecency, under Section 365A of the Penal Code. The Magistrate had found the Appellant and the other accused guilty and imposed a term of imprisonment of one year and a fine of Rs. 1,500 with a default sentence of six months. The Supreme Court determined that the sentence of the one year term of imprisonment should be set aside and substituted with a sentence of 2 years rigorous imprisonment, suspended for a period of 5 years (SC Appeal, 2016).

RECENT COUNTRY DEVELOPMENTS

On 6th September 2018, the Supreme Court of India declared Section 377 of the Penal Code as unconstitutional (*Navtej Singh Johar v. Union of India*, 2018).

On 11th June 2019, the High Court of Botswana decriminalized consensual same-sex sexual acts. In reaction to the ruling, the UN Independent Expert on SOGIE stressed that “they are in a country in which their dignity and integrity are valued and effectively protected under the rule of law” (Mendos, 2019).

Good news also came from Hong Kong (China) when, after numerous litigation attempts, the High Court finally struck down and re-interpreted several provisions under the Crimes Ordinance that discriminatorily imposed higher penalties for offences committed by gay men.

Last, but not least, by mid-2019 encouraging news came from the Kingdom of Bhutan, where the National Assembly made a decisive step towards decriminalization of consensual same-sex intimacy when it approved the Penal Code (Amendment) Bill by an overwhelming

majority. The bill now needs to be approved by the upper house of Bhutan's bicameral Parliament (the National Council) before it comes into force (Mendos, 2019).

THE SRI LANKAN CONTEXT

The national legislation of Sri Lanka still regards sexual activity between two consenting adults of the same sex as a crime (Section 365 and 365A of the Penal Code 1883). In 1995, human rights activists attempted to repeal the Penal Code, which was introduced by the British in 1883. The attempt was met with hostility and disapproval. Instead of decriminalizing homosexuality, the amendment substituted the word 'males' in the original legal text with the gender-neutral term 'people', thereby criminalizing same-sex sexual activity between women as well.

A report for the UN Committee on Economic, Social and Cultural Rights regarding violations against LGBTIQ people compiled by EQUAL GROUND and the Center for International Human Rights (CIHR), dated May 2017, stated 'Although there have been no convictions under Section 365 and 365A since 1948, these laws (as well as Section 399 and the Vagrants Ordinance, under which there have been convictions) still have the effect of perpetuating discrimination, harassment, violence and unequal treatment of LGBTIQ individuals.' (EQUAL GROUND, 2017).

What is more, in a January 2017 interview the then-Minister for Justice, basing his argument on the religious nature of Sri Lankan society and referring to 365 and 365A, said "under no circumstance are we going to change that law." Elsewhere he had referred to "homosexuality" as a "mental disorder", a comment that initiated public outcry (ILGA, 2017). The same year, Sri Lanka's cabinet rejected a proposal to end discrimination based on sexual orientation because it could legitimize homosexuality. To this, Health Minister Rajitha Senarathne said "The government is against homosexuality, but we will not prosecute anyone for practicing it," adding that the island's conservative Buddhist clergy was also opposed to the provision (Wire, 2017).

The Department of Foreign Affairs and Trade (DFAT), of the Australian Government, observed that the vast majority of Sri Lankans holds conservative views about sexual orientation and

gender identity and many prioritize collective values over individual rights (DFAT, 2018). As Hillary Rodham Clinton emphasized, LGBT people are an “invisible minority” who are arrested, beaten, terrorized and even executed. Many “are treated with contempt and violence by their fellow citizens while authorities empowered to protect them look the other way or, too often, even join in the abuse” (UNDP, 2014).

Unlike countries like the USA or UK, it is difficult to collect data on sexual orientation in Sri Lanka where the LGBTIQ community is subjected to legal, political and social restraints. However, this mapping study has tried to shed light not only on the percentage of LGBTIQ people living in Sri Lanka but also to understand their sentiments, challenges and vulnerabilities.



02.

RESEARCH QUESTION 1

WHAT PERCENTAGE OF THE SRI LANKAN COMMUNITY IDENTIFY AS LGBTIQ?

This section quantitatively looks into the prevalence of LGBTIQ people within Sri Lankan Society. The survey respondents were provided with a questionnaire to self-fill about their sexual orientation and gender identity or expression.

2.1 Incidence

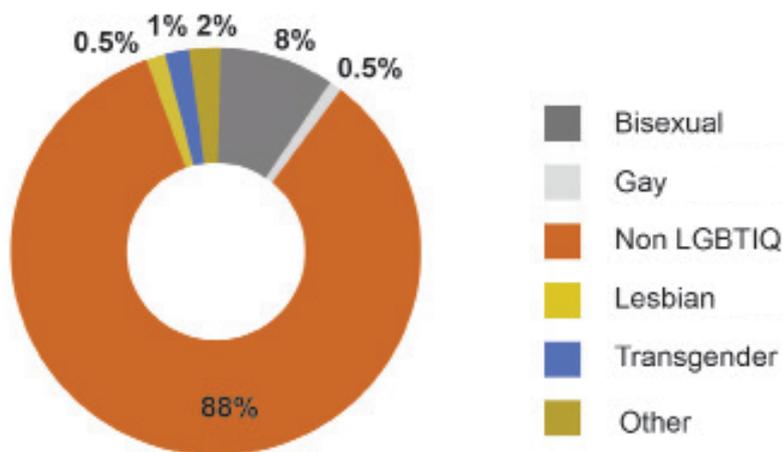
The study captured information on the SOGIE of 4019 people who self-filled information pertaining to this section.

The survey results show that in total 12% of the respondents have identified as being LGBTIQ. Of those, 8% identified as bisexual, 0.5% as gay, 0.5% as being lesbian and 1% as transgender. Another 2% have responded as 'other'.

The highest number of those identifying themselves as LGBTIQ was found between the age group of 18 – 29. Regionally, the highest percentage of LGBTIQ population was found in the North Western and North Central provinces.

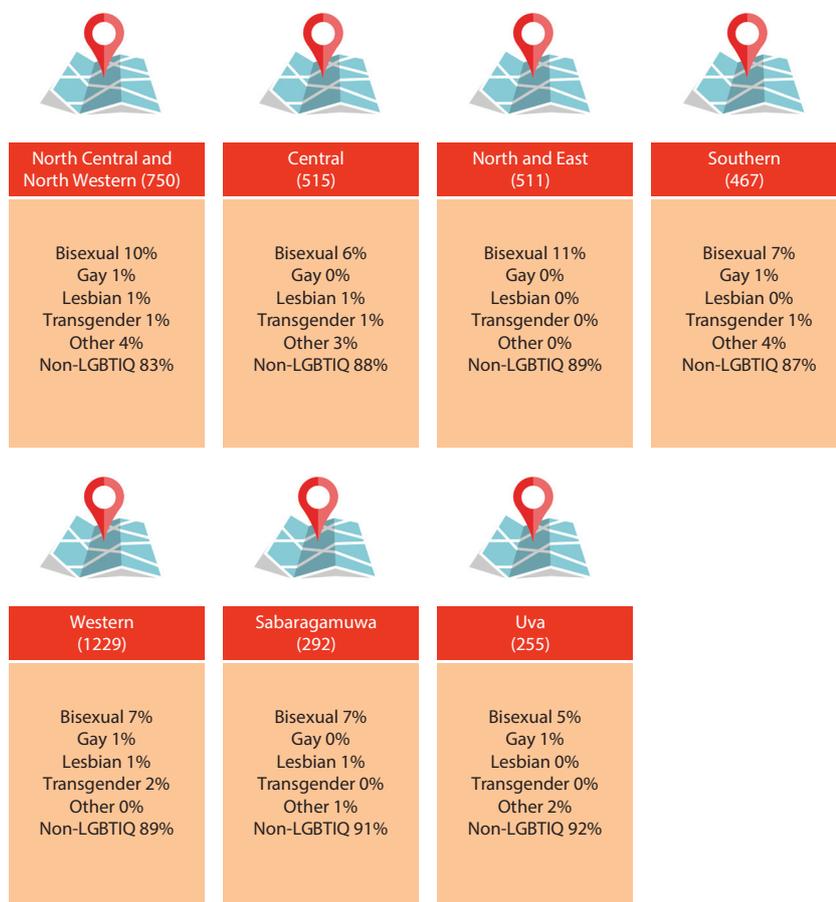
This was followed by the Southern province, where 87% have identified themselves as non-LGBTIQ. The highest percentages of non-LGBTIQ community members were seen across older age groups 45-65 years old (91%) and Sabaragamuwa (91%) and Uva (92%) provinces.

A summary of the LGBTIQ community representation has been graphically presented below.



| Base | Sample 4019 | Projected Base (Pop between the age of 18-65, 12,246,449) |
|-------------------|-------------|---|
| Non-LGBTIQ People | 88% | 10,776,875 |
| LGBTIQ People | 12% | 1,469,574 |
| Bisexual | 8% | 979,716 |
| Gay | 0.5% | 61,232 |
| Lesbian | 0.5% | 61,232 |
| Transgender | 1% | 122,464 |
| Other | 2% | 244,929 |

Figure 1 – LGBTIQ community representation: Full Sample



| Percentages are rounded off to the nearest number | Total | 18-29 years | 30-44 years | 45-65 years |
|---|--------------|--------------|--------------|--------------|
| Base | 4019 | 1198 | 1405 | 1416 |
| Bisexual | 8.0% | 10.4% | 7.5% | 5.9% |
| Gay | 0.5% | 0.9% | 0.4% | 0.3% |
| Lesbian | 0.5% | 0.3% | 0.9% | 0.5% |
| Transgender | 1.0% | 1.2% | 1.4% | 1.0% |
| Other | 2.0% | 2.4% | 1.4% | 1.7% |
| Non-LGBTIQ | 88.0% | 84.8% | 88.4% | 90.6% |

Figure 2 - LGBTIQ community representation - Provincial & Age Distribution



03.

RESEARCH QUESTION 2



WHAT ARE THE CHARACTERISTICS OF THE LGBTIQ POPULATION IN SRI LANKA?

This section of the report dives deep into the lives of the LGBTIQ community. It aims to explore their experiences from the time they came to terms with their sexual orientation and gender identity. It further seeks to understand the issues and the challenges faced by LGBTIQ individuals in Sri Lanka, who their role models or influencers have been, the discrimination they have faced based on their SOGIE and how they view other members of the LGBTIQ community.

3.1 The Process of Self-Realization and Coming Out

During the qualitative discussions, most of the LGBTIQ respondents revealed that they started acknowledging their sexual orientation and gender identities during their school days, particularly during their teenage years, when they started developing romantic feelings towards same sex individuals instead of those of the opposite sex. However, some respondents realized these differences at later stages in their lives.

For instance, one respondent said that she discovered that she preferred intimate relations with women when she migrated to the Middle East and had an affair with a Filipino housemaid.

“When I was working abroad in the Middle East, I had to live with a Filipino girl and we only had one bed and we slept together in it. This was before I got married. At first, I was scared when she wanted to have sex with me because I was far away from my own country and it was a different culture. But then I liked it. After I came back and I married, I still liked having sex with a woman than a man.”

-LGBTIQ respondent, Polonnaruwa

Another respondent said that he discovered his sexual orientation whilst he was abroad soon after he ended his first relationship. He further added that he felt lost and alienated in

the beginning since he had no one to confide in whilst living in a foreign country.

It was noted that LGBTIQ respondents have 'come out' at different stages to different social circles. For example, the majority of LGBTIQ respondents, interviewed in the qualitative discussions, have not come out to their families at the time the survey was conducted. However, some of them had come out or have been forced to come out at their workplace or to a few friends. Most have already come to terms with their respective sexual orientations and gender identities themselves, yet they still fear the backlash that they would receive when they come out to their families.

An example of a challenge faced in coming out to a loved one was expressed by one LGBTIQ respondent who identified as a transgender woman. She said that she jokingly talks to her mother about taking a hormone pill at night but added that her mother scolds her for such jokes.

"I'm still going through my transition. I'm in the first stages of my transition. I told my mother jokingly because she still thinks I'm joking about being trans, 'Mom, I have this hormone pill that I need to drink at night, remind me because I might forget,' and then she scolded me. She was questioning whether I was mad. But I try to tell her the truth at least through jokes. But it's obvious she doesn't want to accept it. So, you can imagine how she would react if she knew this whole thing is actually real."

-LGBTIQ respondent, Colombo

Another LGBTIQ respondent, who had strong religious views, had been forcefully outed by one of his managers at his workplace, who disliked him.

"I was always surrounded by women at office. But one of the managers got jealous of that and decided to tell them that I was gay. But they already knew it and were still friends with me. So, his plan to make all the girls despise me didn't work. In the end that manager himself had to leave."

-LGBTIQ respondent, Colombo

Certain respondents avoided talking about their sexual orientation altogether and instead referred to it as having certain ‘friends’ that they like to have a connection with. This was particularly prevalent in the Puttalam district. This was probably due to the social stigma they had to face if anyone in the area heard of their actual SOGIE. According to them, being identified as ‘homosexual’ would negatively affect their reputation.

Furthermore, there were also those who said that once others in their villages found out the nature of their sexual attraction and preferences, they were told to leave their village. One such respondent had left to work in a garment factory afterwards and had lived at a hostel nearby for a few years. She was worried about the fact that if she had children, it was highly likely that these children will be taken away, since the mother would be seen as a bad influence.

There were very few who had managed to explain their SOGIE to their family. According to one transgender man, his family eventually learnt to accept his identity out of love, even though they were initially not comfortable with it.

“We have to make them understand. Our family members are the people who love us the most. At the end of the day, even if they don’t agree with us, they will come to terms with it. For instance, I have only my mom and my sister and they have come to terms with the fact that I am different.”

-LGBTIQ respondent, Colombo

It was revealed that 37% (176 out 478 LGBTIQ persons) of the LGBTIQ community perceived that individuals who identify themselves as LGBTIQ will not reveal their identity to anyone. Whereas only 25% of those identified as non-LGBTIQ perceived that LGBTIQ people will not reveal their identity to anyone.

While 30% of the LGBTIQ respondents said they do not want to reveal their identity to anyone, 45% of them said that they do not know if they should reveal it to anyone. This indicates that the LGBTIQ community is still uncomfortable with and/or afraid of revealing their identity and therefore did not even think of coming out to anyone.

As Figure 3 depicts, nearly half of the LGBTIQ people (42%) have said they are unsure who they will hide their identity from. However, 7% of the LGBTIQ people said they will hide their identity from friends and 10% they will hide their identity from immediate family – compared to the only 7% who said they will hide it from extended family and the 5% who said they will hide it from work colleagues. This shows that LGBTIQ people are most likely to hide it from those who are closest to them (friends and immediate family).

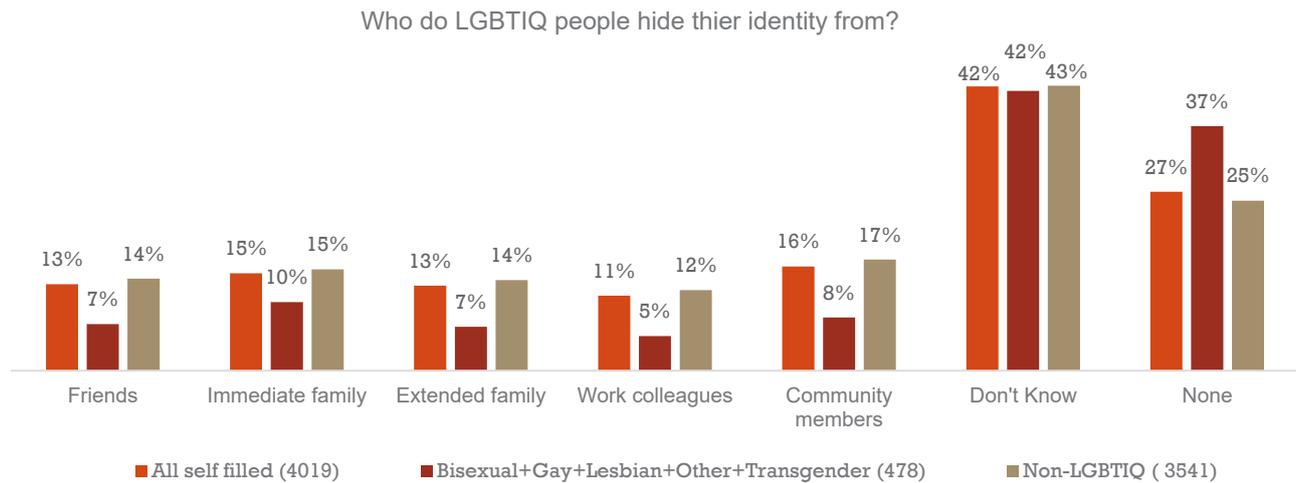


Figure 3—Who do LGBTIQ people hide their identity from?

(Individuals were able to provide more than 1 response. Hence percentages add up to more than 100%)

According to the LGBTIQ individuals covered in the survey, LGBTIQ people who hide their identities do so in fear of non-acceptance in society (according to 36% of the LGBTIQ respondents) and embarrassment (according to 23% of the LGBTIQ respondents). They are struggling for acceptance, especially when it comes to close friends and family members with traditional expectations. The key prerequisite for coming out is being granted the freedom to live freely without being discriminated against (22%). 12% said the imposing of strong laws and giving back their human rights to live the way they are would be helpful. While 7% stated that equal acceptance from society and country would be helpful. They said, these would make the LGBTIQ community feel they can disclose their sexuality or gender without the fear of being labeled as deviating from culture, tradition or what is perceived as ‘normal’.

3.2 The Role Models and Key Influencers

Most of these respondents listed family, friends or themselves when asked for role models in their lives. Some also said that they did not have such a person in their lives and that they only had themselves to look up to. One of the main reasons for this is possibly because there is only a handful of famous figures within the country that are open about their SOGIE and most of these figures are based in Colombo. There is also very little media attention given to them, especially in the more traditional Sinhala and Tamil media.

There were some who said the most inspiring role model in their life was their mother and admired the strength and perseverance that their mothers showed throughout their lives. They also said that they, themselves, would require those qualities to move forward in life and face its many obstacles.

“For me, it’s my mother. She is a Muslim woman, but she was the one who planned her own wedding had made her own wedding dress. She married through a love affair. She made her own wedding cards and wedding cake by herself. So, I think she has a lot of guts. She is very stern and I’m still scared when she is mad. But I admire her as well.”

-LGBTIQ respondent, Colombo

There were others who said that their best friend, to whom they confided their SOGIE to, was their role model. According to one respondent, he was not in Sri Lanka when he realized his sexual orientation. He had just broken up from his first partner and had no one to confide in and felt alienated. It was his best friend that had listened to his problems without laughing at him or passing judgment. Therefore, he added that his role model was his best friend who acted as his confidant in his time of need. There was however one recurring LGBTIQ role model named amongst the respondents in Colombo: an LGBTIQ activist and popular transgender personality Bhoomi Harendran.

“I think for me it is Bhoomi Akka (a common term in Sinhala to refer to an older female/older sister). Even before my parents, if I had to name someone who has really helped me in life, it would be Bhoomi Akka. Even now if someone threatens me on the road and or if I face a

problem, I will call her and tell.”

-LGBTIQ respondent, Colombo

3.3 The Regrets

When probed on what they would like to have changed if they had the chance to go back in time, many said that they would go back in time and change their SOGIE. They believed that life would be far less complicated if they were born as the ideal heteronormative male or female. Some also referred to their SOGIE as ‘something wrong’ or a ‘deficiency’ and said that they would ‘correct what’s wrong’ about them.

This shows that there is high level of self-imposed stigma among the LGBTIQ people in the country, largely due to the culture of non-acceptance in the Sri Lankan society and stigma and discrimination faced by individuals of the LGBTIQ community. Although, further studies are needed to understand the impact of these psychosocial issues within the community in greater detail, it is clear that it has impact on their mental and emotional well-being resulting in various kinds of manifestations such as depression, anxiety and stress.

“It’s like this, society looks at us differently. We’re not exactly men to them neither are we women. They look at me like that sort of character. If I had a time machine like that I will go to my mother’s womb and change my genes to make sure I’ll be born as either a man or a woman.”

- LGBTIQ respondent, Colombo

A respondent, who had a strong religious background, believed that he has failed his duties as a son, since he could not offer his mother the satisfaction of seeing him getting married and producing grandchildren. He was under the impression that he was ‘incomplete’ somehow since he does not feel any attraction towards a woman, as all men of his religion should.

“If I can go back in time and correct something, it would be to be born a complete man. There are certain duties that I must do as a son in a religious family, but because of this condition, I can’t give the satisfaction of grandchildren to my mother.”

-LGBTIQ respondent, Colombo

There were also those who believed that they would have attained their goals and ambitions much more readily if it was not for their different sexual orientation. One respondent said that she wanted to be a nurse when she was young and believed she did not make it through because she was a tomboy, since she thought being a nurse required more feminine mannerisms. Since society viewed her gender expression as a weakness, she herself viewed it as something that hindered her life and blamed her failures on her gender expression.

“I wanted to become a nurse when I was little. Perhaps if I wasn’t such a tomboy, I would have actually made it.”

-LGBTIQ respondent, Polonnaruwa

3.4 Self-perceptions of People Belonging to the LGBTIQ Community

Compared to those who identify themselves as non-LGBTIQ, a higher number of people who identified as LGBTIQ had negative perceptions about themselves. Among the LGBTIQ respondents, 19% believe that they are abnormal while 7% believe that they are mentally ill, which mirrored sentiments of internalized homophobia expressed in the qualitative interviews.

Table 4 - Expressions on Sexual Orientation and/or Gender Identity/Expression (% who agreed given below)

| Q: Thinking about your sexual orientation and/or your gender identity and/or expression; Do you agree with these statements? | | | |
|--|------------------------------|-------------------------------------|--|
| Expression | Total who self-filled (4019) | Those who identified as LGBTIQ(478) | Those who identified as non-LGBTIQ(3541) |
| I am abnormal | 12% | 19% | 11% |
| I am mentally ill | 5% | 7% | 5% |
| I should be punished by law | 3% | 5% | 3% |
| I deserve to be treated unfairly and discriminated against | 6% | 5% | 6% |
| I am going against my religion | 2% | 3% | 2% |

A question was asked from the respondents: “Do You Think the Stigma Can Be Reduced By Using Politically Correct Terms?” To which 64% of the LGBTIQ respondents said they believed the stigma attached to the LGBTIQ community can be reduced by using politically correct terms.

3.5 Their Childhood

Childhood and formative youth years have a strong bearing in the lives of those in the LGBTIQ community as it does for anyone else. The recurring sentiment among LGBTIQ respondents was that their childhood was an oppressive time in which they were bullied. The flaw in the value system and education system of the country greatly hindered their childhood. In contrast, there were only a handful of notable exceptions where peer support was given to them at the time of need.

Amongst feelings of alienation and loneliness, there were many respondents who reported

of being bullied at school. School was described as an oppressive environment, rather than a supportive learning environment. Respondents even recounted incidents where even school principals took the side of their aggressors when reporting incidents of bullying in the schools.

“I want to write about my school life. Usually everybody likes their school days. But that is the part of my life that I hate. From grade 1 to 11, that was the part of my life where I suffered a lot. I was the prey for all the other kids. I was like the ‘water boy’ for everyone. It was because of school that I wasn’t able to learn. In the morning when we are worshipping everyone pushes me to the front. I was considered a really lame kid. And even the principal misunderstood me. Since I hate school, I didn’t even go back there to do my A levels, even though my mother begged me.”

-LGBTIQ respondent, Colombo

However, most of the LGBTIQ respondents who spoke of having a difficult, lonely childhood riddled with bullying and harassment, were biologically male and identified either as gay or male to female transgender.

In contrast, most biologically female respondents, who identified as lesbians or as female to male transgender, stated that they had a relatively carefree childhood. One respondent who identified as a female to male transgender stated that he was never bullied in his school life as he had two male friends who protected him. There was also a lesbian female who said that her childhood was spent relatively carefree, as she was a tomboy.

“If I could go back in time, I would go back to my childhood. I went to school, I used to play a lot with all the boys and I was practically a boy playing with them. I liked playing and being with them. I used to even go to school and come back home with the boys. It was fun. I could be like a boy and no one saw anything strange about it,”

-LGBTIQ respondent, Polonnaruwa

Due to the patriarchal nature of Sri Lankan society where being a “man” is given more regard than being a “woman”, in general a woman can get past as a tomboy, whereas if

a man displays effeminate traits, they are often looked down upon and most often, even harassed. Similarly, support from friends and peer has been identified as a positive influence which made life relatively easier for those who had such support systems available during school times.

3.6 Their Personality

Respondents were asked to describe their own personalities and characteristics through symbols to which they can relate. Through the process of the symbolization, it was revealed that implicitly, all of them showed a sense of perseverance through challenges and obstacles faced in their journey towards and beyond realizing their sexual orientation. They were as follows;

TRANSFORMATION, RESILIENCE, PURITY

One respondent identifying as a transgender woman saw herself as a lotus that was born in the mud and was trying to rise out of the mud (a lotus flower in bloom). To her, the flower resembled her journey and her struggle as she tried to attain the body that ultimately coincides with her mind and heart. The peace and serenity associated with the flower to her, was reminiscent of the serenity she would attain once she completes her transition.

STRENGTH AND PERSEVERANCE

Another compared himself to possessing the strength and perseverance of a land rover. According to him, his journey as a gay man in a country, which looks down upon anything other than a heteronormative relationship, requires great strength and perseverance.

ADAPTING TO CIRCUMSTANCES

In a society that refused to accept their true identities, some have had to adapt to circumstances. One respondent drew a snake, which according to him could shape-shift similar to the popular character of 'Shivanya' in the Hindi dubbed TV series Prema Dadayama. He drew similarities between Shivanya and how he, like her, had to hide his true identity.

DETERMINED, EAGER TO PROVE ONESELF

Another respondent compared himself to a cell, the smallest basic part that formed all living

organisms. He saw himself as a person of many talents in fields, such as fashion design and event management. He also added that he was on a journey to prove his worth to the world. Like the cell, he wanted to be something that society cannot do without.

CONFLICTED, PROBLEM SOLVER

Having a different sexual identity from the norm often comes with confusion and conflict. One respondent compared himself to a ball of thread, which had so many tangles and were equivalent to the problems that he had to face in life because of his sexual orientation. However, he noted that as of now, he has managed to untangle many of his problems.

ADVENTUROUS AND DARING

Another female respondent claimed that she always liked a challenge and preferred to take up things that others would not dare to do. As a self-defense instructor, she described herself as someone who never stepped down from a challenge and did not care for the opinion of others. She drew a plane to signify her adventurous nature as well as her love for travel.

GENEROSITY, HELPFULNESS

Another who worked as a social worker stated that his goal in life is to be a light to others, by helping society as much as he can, regardless of how society treats him in return. He drew similarities between himself and the sun, just like the sun lights up the world he wanted to be a light in the lives of others.

The results of this exercise showed that the LGBTIQ community, even after facing various challenges, hurdles and non-accepting behavior from society, handles issues with great strength and perseverance and emerges triumphant.

3.7 Their Hobbies and Forms of Leisure

There seems to be a deeper connection and purpose between the hobbies and forms of leisure and the LGBTIQ community. It was observed that LGBTIQ respondents used hobbies and leisure activities as a form of self-expression. Some respondents preferred to listen to classical songs, for the reprieve that they offered from their everyday life and the challenges that they faced. One transgender respondent said that she preferred to read books that

taught important life lessons and to spend time alone in self-reflection. This is possibly due to the internal conflicts that she underwent as a transgender woman.

There were respondents who also preferred sports activities such as martial arts. According to them, it gave a sense of purpose to their life, as well as an outlet for their frustrations on how society view their identity.

“I was a very aggressive person when I was doing wushu, but my brother-in-law was very spiritual and he introduced me to bible reading, as well as prayer, so now I enjoy doing that as well.”

-LGBTIQ respondent, Rathnapura

Some preferred spending their free time modeling and engaging in fashion design. One respondent stated that they preferred to dress according to different styles and trends. Dressing differently gave him a sense of control in his appearance, which he never had in other areas of his life because of his gender and sexual identity.

There was also another respondent who stated that he had an interest in fashion design and designed sarees for many of his female friends and colleagues. To him fashion design was a mode of self-expression as well as a way of conveying his self-worth to society. Furthermore, being busy with many activities and hobbies distracted him from the pressures he faced from society for being gay.

“I’m designing a wedding frock for a really good friend of mine. I believe I have many talents. I do costume design, hairdressing, decorations, event management etc. I don’t waste my time. I never stay idle; I always do something. That is my happiness.”

-LGBTIQ respondent, Colombo

Some also said that they enjoyed caring for their pets, such as birds, dogs and rabbits. To these respondents, their pets offered unconditional love without any prejudices or hate. Pets would often be their silent allies and offer comfort to help them through tough times.

3.8 Their Aspirations and Fears

Some of their aspirations were related to acquiring more control and influence through a vocation that they deemed powerful. It was believed if a person was deemed powerful, society would not question what they did in their romantic or sexual lives.

It was also thought that once they reach a position of power, the legality of their SOGIE would not pose an issue. Being arrested by the police was one of the main fears that respondents voiced, as sexual acts between consenting same sex adults is illegal in Sri Lanka. This is possibly because there is preferential treatment towards powerful figures in the justice system of Sri Lanka whilst the poor are often not favoured.

“I want to go to Law College, so I can speak out confidently and people will actually listen to me because I’m a lawyer.”

- LGBTIQ respondent, Puttalam

For example, an LGBTIQ respondent from Puttalam said that it was a well-known secret that a senior member of the police force was gay. However, he added that no one ridicules or harasses him out of fear due to his position of power. According to him, it was important for the LGBTIQ community to be well educated and occupy positions of power in order to live the lifestyle they want, without ridicule and hate from society.

“I know that a senior member of the police is gay. He had a partner. But nobody talked about him because of his high position. He had no problems. He was not isolated. But I have noticed that most LGBTIQ people are not that educated, so they can’t climb up the ladder. That is the main weakness.”

-LGBTIQ respondent, Puttalam

Some also sought independence and expressed a desire to live in Western countries where the LGBTIQ community enjoyed equal rights. Some wanted to be financially independent so that they can prove to their parents that they are just as capable and as responsible as a non-LGBTIQ person. For some, financial independence would also lessen the pressures they received from family, so that they would no longer have to rely on their family’s finances.

Some also expressed their desire to live in another country with their partner. This was because most respondents did not have the ability to go out on dates with their respective partners in public neither could they introduce their partner to their parents. Most of their families were also unaware of their sexual orientation or gender identity. They expressed a fear of being forced into marriages as well. Therefore, migrating to a country that allowed marriages between same-sex partners with their partner was seen as the best option, to live a life free from fear and forced life choices.

“In my family there’s me, my mom and dad and my two elder brothers. My brothers were always together, whilst I was mostly by myself and alone and I was closer to my mother. A lot of problems arose for me during that time period. I questioned myself. There were all sorts of issues for my mind. I don’t know how to explain it.”

- LGBTIQ respondent, Colombo



04.

RESEARCH QUESTION 3

WHAT ARE THE CHALLENGES AND BARRIERS FACED BY THE LGBTIQ COMMUNITY IN SRI LANKA?

An objective of the quantitative survey was to assess to the types and levels of violence faced by the LGBTIQ community in Sri Lanka. A question asked was “Have you experienced any of the following because people were aware of your sexual orientation and/or gender identity and/or expression?”. The question was self-filled by a sample of 4019 and the responses have been disaggregated by those who identified themselves as Non-LGBTIQ or LGBTIQ to gain an understanding of the issue.

4.1 Challenges Faced

When looking at the data, 92% had mentioned that they had not faced any type of abuse or discrimination listed due to sexual orientation and/or gender identity/expression. However, when it comes to the LGBTIQ respondents, 11% had faced some type of discrimination due to their SOGIE. The abuse faced by a highest number were physical abuse or assault (3%), verbal abuse or assault (2%), discrimination, assault or harassment by the police (2%), by family (2%), by friends (2%) or at work (2%).

Q: Thinking about your sexual orientation and/or your gender identity and/or expression; Have you experienced any of the following because people were aware of your sexual orientation and/or gender identity and/or expression?

| Experiences | Total who self-filled (4019) | Those who identified as LGBTIQ (478) |
|---|-------------------------------------|---|
| Have not experience any of the mentioned challenges (listed below) | 92% | 89% |
| Has experienced at least one of the mentioned challenges (listed below) | 8% | 11% |
| Physical assault or abuse | 1% | 3% |
| Verbal abuse or assault | 2% | 2% |
| Discrimination in religious places | 1% | 1% |
| Discrimination, assault or harassment by the police | 2% | 2% |
| Discrimination, harassment or assault by family | 2% | 2% |
| Discrimination, harassment or assault by friends | 1% | 2% |
| Discrimination, assault or harassment by medical professionals | 1% | 1% |
| Assault, harassment or discrimination at work | 1% | 2% |
| Harassment, assault and discrimination in education | 1% | 1% |

Table 5 - Experiences faced

4.2 Experiences of the LGBTIQ Community

Compared to those identifying themselves as non-LGBTIQ, a higher number of LGBTIQ people have been refused common services available in society. 6% of the LGBTIQ respondents mentioned that they were refused medical treatment while 10% mentioned that they have been refused employment.

Further, 12% of LGBTIQ people surveyed mentioned that they have been forced out of work, education or home compared to the 7% of non-LGBTIQ people who have faced similar incidents. The highest forceful removal has been out of work where 7% of the surveyed LGBTIQ people have faced such an incident.

Harassment, discrimination and assault were also faced by a higher number of LGBTIQ people in the survey, compared to non-LGBTIQ people. Amongst these issues, discrimination has been the highest. 25% of LGBTIQ respondents mentioned they have been discriminated within the past 12 months. This is in comparison to 18% of non-LGBTIQ people who have faced some type of discrimination in the same period. Additionally, 10% of LGBTIQ people have faced physical assault while 17% of them have faced some type of harassment.

Most LGBTIQ people had faced harassment, discrimination as well as physical assault by law enforcement officials, family and government officials.

Table 6 - People who have harassed, discriminated and physically assaulted the LGBTIQ Community

(Individuals were able to provide more than 1 response. Hence percentages may add up to more than 100%)

| Harassed (478) | | Discriminated (478) | | Physically assaulted (478) | |
|---------------------------------|----|-------------------------------------|----|---------------------------------------|----|
| Others | 1 | Others | 0 | Others | 1 |
| Not faced any harassment at all | 83 | Not faced any discrimination at all | 75 | Not faced any physical assault at all | 90 |
| Religious places / clergy | 0 | Religious places / clergy | 1 | Religious places / clergy | 0 |
| People in the community | 3 | People in the community | 3 | People in the community | 1 |
| Other government officials | 3 | Other government officials | 7 | Other government officials | 1 |
| The police | 6 | The police | 8 | The police | 3 |
| Friends | 3 | Friends | 4 | Friends | 2 |
| Family | 4 | Family | 7 | Family | 3 |
| People at work | 3 | People at work | 4 | People at work | 1 |
| Medical professionals | 1 | Medical professionals | 3 | Medical professionals | 0 |

4.3 Discrimination in Society and the Workplace

Most respondents who were working and were seen by their co-workers as 'effeminate' or 'looking homosexual' admitted to having suffered discrimination at their workplaces.

For example, one respondent said that soon after finishing their school Ordinary Levels Examination, he was sent to work at an office where he underwent a lot of harassment and was teased by his co-workers for his effeminate appearance.

“After exams my mother sent me to some office until results came. This is a place in my religion, it's a Muslim office, there were so many rules in that office. A lot of stuff I wear are like four quarters, shorts. But they told me not to wear those, that I should wear shirts and long trousers and not to dress in flowery shirts. My co-workers also asked me, 'why are you so fair, why are you doing all these hairstyles? What have you applied under your eyes?' But I can't stop that just because they don't like it. This is how I am. So, they purposefully bump onto me when they are coming and going and tease me. I don't like people like that. I feel like slapping them when they do that. Soon after I left that place saying I was sick.”

-LGBTIQ respondent, Colombo

There was also an opinion that offices in the private sector harassed LGBTIQ respondents comparatively less when compared to Government offices as the private companies usually had more inclusive cultures.



05.

RESEARCH QUESTION 4

ARE THE CHALLENGES AND BARRIERS FACING THE LGBTIQ COMMUNITY UNIQUE TO THIS COMMUNITY?

In this section, the study attempted to identify the perception of non-LGBTIQ community on different types of issues faced by the general population in Sri Lanka. This section investigates the perceptions about the LGBTIQ community and the challenges faced by them compared to other minority communities.

5.1 Challenges Faced by the LGBTIQ Community

The respondents were provided with different statements and their responses were recorded. It was noted that a majority (69%) disagreed with the view that in Sri Lanka, people in the LGBTIQ community hide their identity from people around them. Further, 74% also disagreed with the notion that people with different SOGIE are frowned upon in Sri Lanka.

Q: I would first like to ask you about some current challenges and issues face by the community in Sri Lanka. When I read out each statement please let me know to what extent you agree or disagree with.

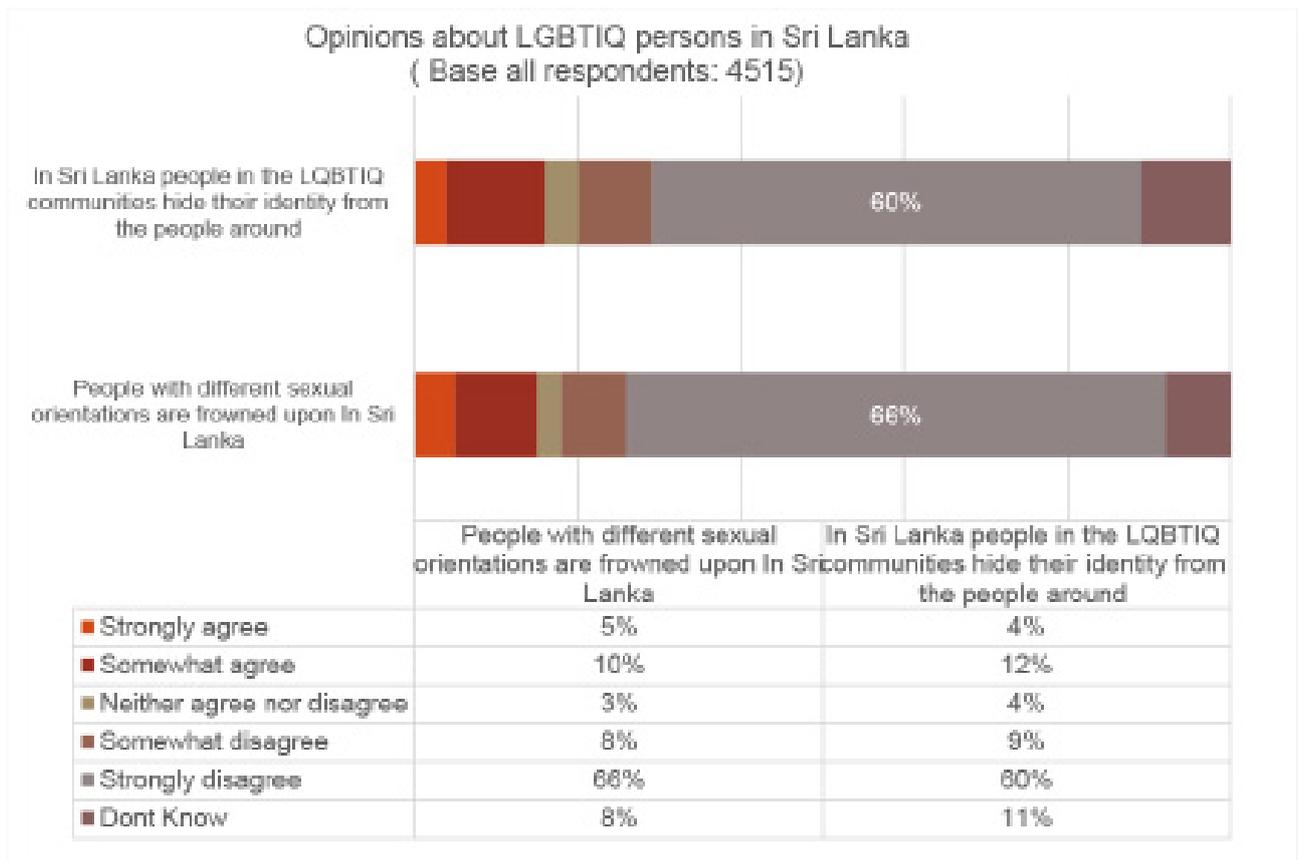


Figure 4 -Opinions about LGBTIQ community in Sri Lanka

Q. To what extent do you think the LGBTIQ community is accepted in the society?

Acceptance of LGBTIQ community
in society - in %
(Base all respondents: 4515)

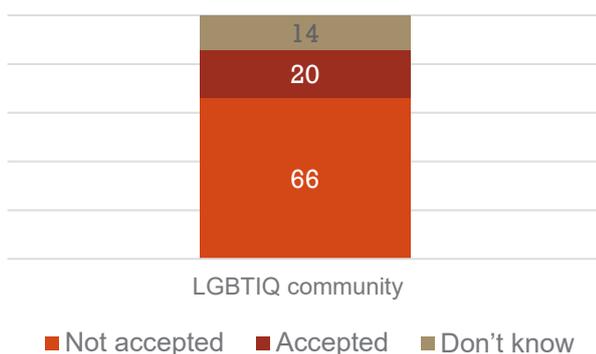
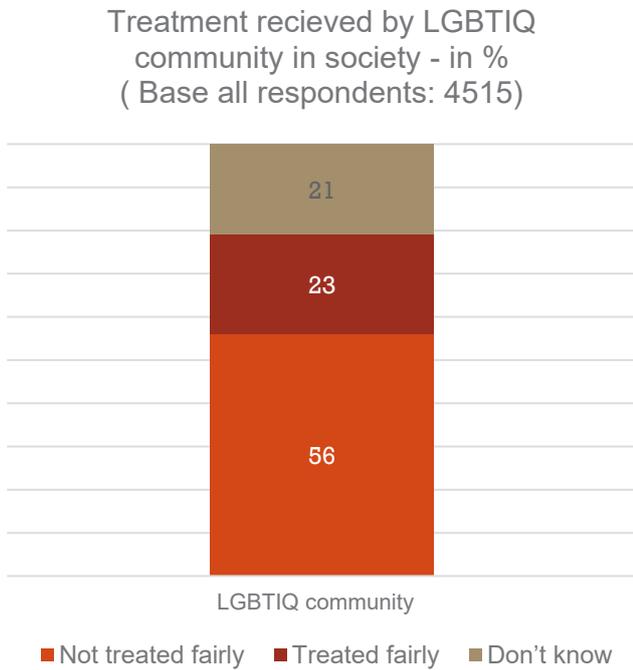


Figure 5 - Acceptance of LGBTIQ Community in Sri Lanka

The higher number who believe that ‘LGBTIQ people are not accepted in society’ was seen in North Western, North Central, Central and Sabaragamuwa provinces and urban areas. The North and East were less open to respond to the statement and 39% have declined providing a response.

Q. To what extent do you think the LGBTIQ community is treated fairly in society?



It was also a common perception in society that LGBTIQ people did not receive fair treatment in society. 56% have agreed that the LGBTIQ community does not receive fair treatment while only 23% believe that the LGBTIQ community receives fair treatment. 21% respondents said they are not aware.

Figure 6 - Treatment received by LGBTIQ Community

Trends similar to the perception of acceptance of the LGBTIQ community were seen for the treatment received by the LGBTIQ community as well. The highest percentage who believed that the LGBTIQ community did not get fair treatment was found in the North Western and North Central provinces (64%). Further, a higher number in the Northern and Eastern provinces have refrained from responding to this question (44% did not respond).

It was further seen that the urban communities (61%) believed that the LGBTIQ community did not receive fair treatment compared to the rural (56%) and estate (44%) sector.

Q. Now I would like to talk about some minority groups in the country. To what extent do you think the LGBTIQ community is harassed by other communities in the society?

Harrasement faced by LGBTIQ community in comparison to other minority communities in society - in %
(Base all respondents: 4515)

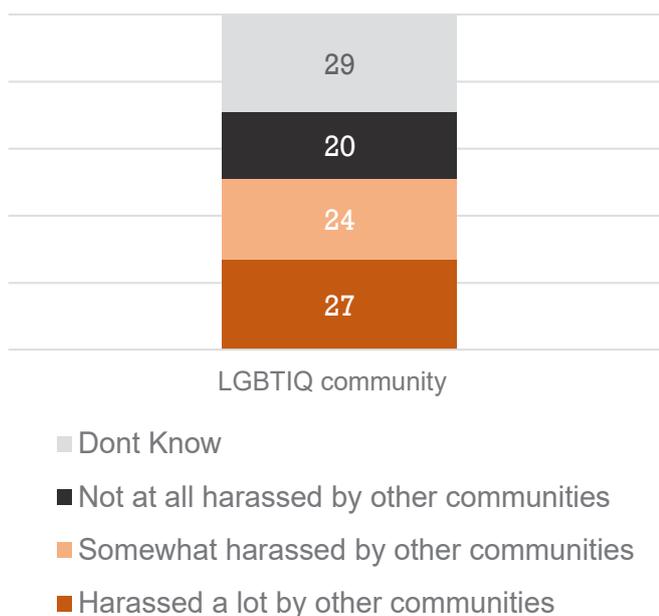


Figure 7 - Harassments faced by LGBTIQ Community in the Society

In terms of harassment faced by different minority communities, the non-LGBTIQ public perception was that the LGBTIQ community was harassed by other communities. That is 51% of the interviewed respondents believed that LGBTIQ people were harassed by other communities compared to the 20% who said that they are not at all harassed. However, 29% had responded 'don't know' to this question which shows their lack of awareness and knowledge regarding the LGBTIQ community or it could be that they are consciously dismissing the fact that society treats them differently.

To further validate the perception of the non-LGBTIQ public, few statements were given where the respondent had to select one or more minority community applicable to them. Based on the reflections of the non-LGBTIQ community, it was ascertained that a higher number believed that the LGBTIQ community was not accepted in society (65%), were treated unfairly in society (44%) and faced the consequences of sins they had committed (36%). Furthermore, 58% of the non-LGBTIQ public had the view that LGBTIQ people should be treated fairly in the eyes of the law. However, only 28% believed that 'the Government and authorities should give them special attention and help them more'.

Q: I have with me a few statements people have said about different communities in Sri Lanka. When I read out each statement let me know if each statement applies to any community. You can also mention if it does not apply to anyone.

Note: The question was asked regarding different communities, but comparisons have not been analyzed.

(Individuals were able to provide more than 1 response. Hence percentages may add up to more than 100%).

| | LGBTIQ community | Don't Know / Can't Say | None of the above |
|---|-------------------------|-------------------------------|--------------------------|
| They Are Treated Unfairly in Society | 44% | 12% | 12% |
| The Government and Authorities Should Give Them Special Attention and Help Them More | 28% | 4% | 2% |
| They Should Be Treated Equally in The Eyes of The Law | 55% | 8% | 4% |
| Facing the Consequences of The Sins They Had Committed | 36% | 21% | 22% |
| They Are Not Accepted in Society | 65% | 9% | 13% |

Table 7 - Analysis of Statements regarding communities



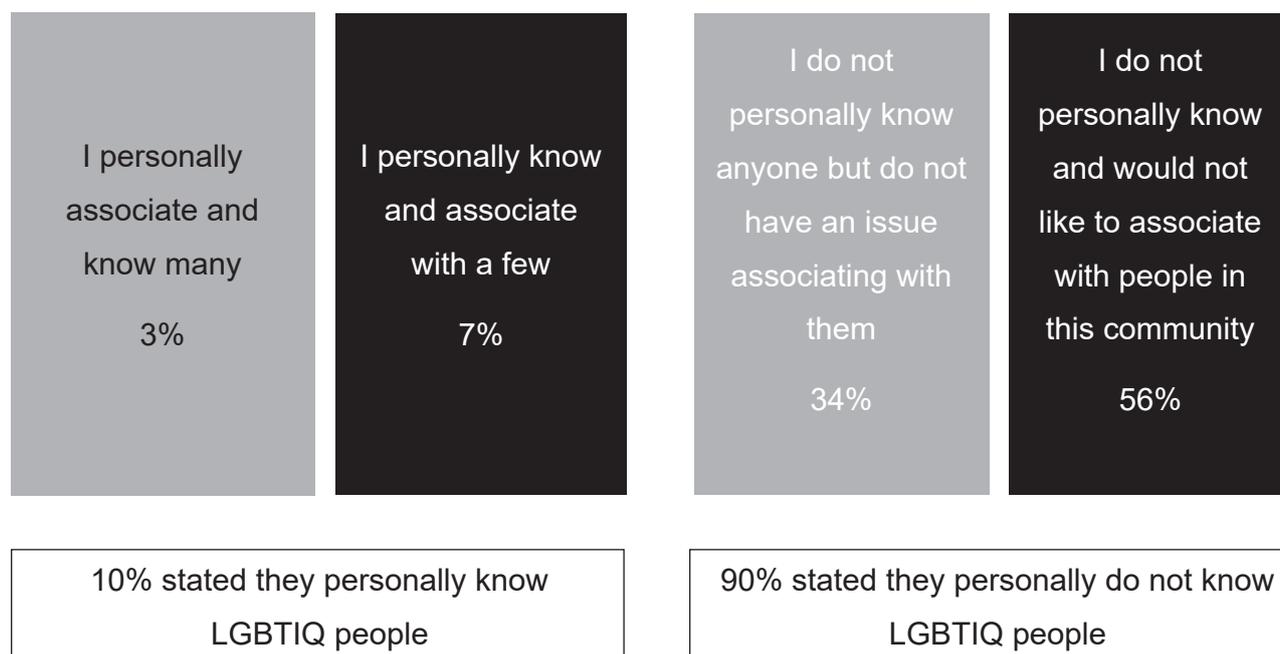
06.

RESEARCH QUESTION 5

ARE SRI LANKANS SUPPORTIVE OF LGBTIQ RIGHTS?

The non-LGBTIQ community plays a pivotal role in Sri Lanka when determining the status of the LGBTIQ community. Therefore, this section uncovers the different views and attitudes the non-LGBTIQ community has towards the LGBTIQ community and examines how close or far they are to recognizing and accepting the rights of the LGBTIQ community and the decriminalization of same-sex sexual relations among adults in Sri Lanka.

6.1 Non-LGBTIQ respondents' perceptions towards the LGBTIQ community



Q: Do you know anyone who belongs to each of these communities?

The survey findings showed that a majority (90%) of the non-LGBTIQ community did not personally know or associate with anyone who belonged to the LGBTIQ community. 56% of them also stated that they would not like to personally associate with anyone from the LGBTIQ community.

The negative perception towards the LGBTIQ community mainly came from females, elderly (aged 45-65 years) respondents and those residing in the North Central, North Western, Western and Sabaragamuwa provinces. Compared to other areas, a significantly higher number from the estate sector have mentioned that they do not personally know anyone from the LGBTIQ community but would not have an issue associating with them.

However, it was evident throughout the focus group discussions that their ideas and perceptions of the LGBTIQ community of Sri Lanka were tangled with Sri Lankan culture, religion and their personal beliefs.

While it is commonly believed that the non-LGBTIQ community tends to look down upon those who are LGBTIQ, there was a significant level of acceptance tied to their skepticism and conservative mindset regardless of their geographic location in the country. It could be debated that those belonging to the Colombo district would be more exposed to progressive culture and by extension be relatively more accepting of the LGBTIQ community. However, as the discussions proceeded, it was evident that the age and influence from various media and individuals associated by different age groups had a greater impact and this was not always restricted to the geographic location and the culture

6.2 The Cultural Conflicts

Amongst the many negatives associated with the LGBTIQ community, the most prominent one stated by respondents was that; it did not suit Sri Lankan culture which revolves around the traditional values of marriage or union between a man and a woman. One older respondent in Colombo stated that LGBTIQ rights were merely imported from Western countries and had no part to play in Sri Lankan culture. She was of the opinion that the LGBTIQ community

was the result of the lack of proper parenting in Western cultures which led to children feeling alienated and seeking sexual gratification with the same sex. However, she believed the bond between parents and children were strong in Sri Lanka and therefore, LGBTIQ rights were not necessary.

“These kinds of things are the norms in Western countries. Because after a certain age those children’s parents just stop getting involved in their life. But I don’t think these things suit our culture where the bond between parents and children are very strong.”

-Non LGBTIQ respondent, Colombo

Some respondents in Polonnaruwa also thought that LGBTIQ community only emerged recently and did not exist in the past. Whilst it was acknowledged that there might have been those that identified with different sexual orientations in the past, it was added that these were lesser-known facets of society and some respondents were of the opinion that when such differences came out in the open and were more discussed, more people were likely to identify as LGBTIQ.

“These kinds of people were there in villages back in the day. But those days these things were not spoken of.”

-Non LGBTIQ respondent, Polonnaruwa

The impact of location and culture, in shaping one’s ideas, is recognized when we compare the difference of perception between those in Colombo, Polonnaruwa, Puttalam and Rathnapura. The non-LGBTIQ focus group in Colombo was comparatively more accepting of LGBTIQ people as opposed to the focus groups of Polonnaruwa, Puttalam and Rathnapura. When looking at the community as a whole, of the aforementioned districts, Colombo is seen as a more progressive and modernized community, as a result of urbanization and globalization. Whereas, Polonnaruwa, Puttalam and Rathnapura belonging to fairly rural communities, people are likely to stand by their cultural values alongside the parasitical influence that urbanization and globalization has on them. The point of commonality in all of the focus groups was the role of conservative culture and traditions which is closely tied to

the daily life of a Sri Lankan.

6.3 The Biological Defects

Many felt the need to empathize with those who are LGBTIQ and the idea of an individual choosing to be transgender was associated with a birth or biological defect.

Respondents in Colombo had a more positive view about transgender people and were more willing to accept that they were born in the wrong body. Being transgender was not seen as a choice or deviant behaviour but rather a birth defect, which can be corrected through surgery and hormone therapy. It was viewed that after the surgery transgender youth can live a 'straight' life.

Some respondents had heard of Bhoomi Harendran, who they knew as a 'famous award-winning model' and stated that like her, other transgender people would be accepted in society after surgery, as people in society will not see any physical differences between them and an average cisgender male or female. For them, 'surgery' was a way that a transgender person would be corrected, after which they can fit into the norms of society. Some also suggested that Sri Lanka needed a facility to do such operations.

"Since they are born in a different body, they cannot live like this for years and years, so they need a facility in Sri Lanka to do operations. Because after they do the surgery and become a very good-looking person of the opposite sex, no one can tell or say anything."

- Non LGBTIQ respondent, Colombo

On the other hand, some respondents thought that LGBTIQ people suffered from a 'deficiency' or a 'birth defect' that can be corrected through medication or through psychotherapy and stated that there needs to be medical institutes that offered conversion therapy.

"I feel that they could be taken to psychiatrist and explain it to the doctor and give her some treatment and maybe 80% will be successful..."

-Non LGBTIQ respondent, Polonnaruwa

6.4 The Faults of the Society

Some assumed that women might prefer a same-sex relationship with another woman out of fear of men, since men might have been portrayed as being violent in their minds. For instance, there were respondents who said that parents could have subjugated their daughters to a sort of mental conditioning, by telling them to ‘avoid boys’ and or ‘not look at men’ which is frequently given advice when a girl comes of age. It was their opinion that this fear and avoidance would have led to women having sexual relations with other women for their own safety.

Respondents in Polonnaruwa were also more ready to accept cisgender females of the LGBTIQ community who displayed masculine traits as in a traditional patriarchal society, a ‘man’ is considered to be far better than a woman. Therefore, a woman displaying qualities often associated with a man, such as physical strength and assertiveness is considered ‘manly’ and therefore acceptable. However, a man who digressed from these standards and displayed feminine qualities and effeminate traits was considered inferior.

“A girl becoming a boy is different from a boy becoming a girl. No one looks in a bad way at them. You see them dressed like men, but it’s not an issue and they sometime ride bikes and do it better than us. Everything men do they do as well, and the society doesn’t corner people like that. `It’s a good thing and wearing shorts, trouser or shirts for a woman is fine it doesn’t make a big impact on the society.”

-Non LGBTIQ respondent, Polonnaruwa

There were some who were also under the impression that by associating with someone who identified as LGBTIQ, a straight person would be coerced or influenced to become the same way and so they would not let their children associate with the LGBTIQ community.

6.5 Awareness on Human Rights

Out of the 4019 respondents who self-filled the sexual orientation section, 50% mentioned they had a good understanding of human rights while 37% mentioned they have heard the words but were not sure of what it is. Another 13% mentioned they have no idea what Human Rights is.

The figures of the non-LGBTIQ community and the LGBTIQ community when it comes to the understanding of human rights is more or less the same, which may indicate that the understanding of human rights of society in general is reflected among the LGBTIQ community.

| | Base | LGBTIQ | Non-LGBTIQ |
|--|------|--------|------------|
| Base | 4019 | 478 | 3541 |
| Yes, I have a good understanding about it | 50% | 51% | 50% |
| I have heard of it but don't know what it is | 37% | 31% | 37% |
| No, I have no idea | 13% | 18% | 13% |

Table 8 - Awareness of Human Rights (by percentage)

Even though a majority of respondents claimed to have a good understanding about human rights as depicted in table 8 above, when asked specifically about the universal document outlining basic human rights (The Universal Declaration of Human Rights), only a few people claimed to have a good understanding of it or had heard about it (Table 9). 36% of the interviewed respondents (including both LGBTIQ and Non-LGBTIQ) mentioned they have no idea of it while 41% have mentioned that even though they had heard of it, they did not know what it was.

Q. Are you aware of the universal document outlining basic human rights?

| | Base | LGBTIQ | Non-LGBTIQ |
|--|-------------|---------------|-------------------|
| Base | 4019 | 478 | 3541 |
| Yes, I have a good understanding about it | 23% | 23% | 23% |
| I have heard of it but don't know what it is | 41% | 33% | 42% |
| No, I have no idea | 36% | 44% | 35% |

Table 9 - Awareness of the Universal document on Basic Human Rights (by percentage)

Despite their awareness, respondents (including both LGBTIQ and Non-LGBTIQ) were asked if they believed that all human beings in Sri Lanka should have a right to life, dignity, education etc. and almost all of them believed that all people deserved these rights. When questioned about basic human rights, it was universally agreed across all ages, gender and regions that ‘humans in Sri Lanka should have the right to life, the right to dignity, the right to education, the right to freedom of thought, the right to protection and the right to have a nationality’.

However, at the same time, when asked about the rights of the LGBTIQ community, 63% respondents (including both LGBTIQ and Non-LGBTIQ) agreed that LGBTIQ people should have the same rights. Further, only 46% mentioned they would support actions to protect LGBTIQ rights in Sri Lanka.

Among the 151 (4%) individuals who provided reasons on why they oppose granting human right to the LGBTIQ community, the most (42%) opined it is not suitable to the country’s culture and tradition. Another reason given was that there is no recognition for such groups currently (15%). They also mentioned that LGBTIQ people were a menace to society (4%) and that being a person of such nature is dishonorable and shameful (2%)

6.6 Perceptions towards Legalization

When it came to legalization of same-sex sexual relations between consenting adults in Sri Lanka, most respondents (including both LGBTIQ and Non-LGBTIQ) were under the view that if it was made legal, there will be an increase of people identifying as LGBTIQ in Sri Lanka. This means that the respondents are aware that there is a significant number of LGBTIQ population living in the shadows, due to the current laws and the lack of acceptance in society. Respondents also mentioned low birth rate as well as population decline as an issue that can possibly arise as a result of legalization.

Respondents (including both LGBTIQ and Non-LGBTIQ) thought same-sex relationships were quite futile, since traditionally a person would get married in order to have children and to have a family. Therefore, a union that did not procreate life was seen as ineffective. The same respondents also thought that Sri Lanka's population would decline if society ever came to accept same-sex marriage. While this is a common view in society, there is no actual evidence to show that birthrates have declined when same-sex unions have been legalized.

“If they bring this as a law, we will not be able to move forward as a country. Half the country might end up being like this and if they are allowed to marry, they will not have kids and then the country's population will reduce.”

-Non LGBTIQ respondent, Polonnaruwa

Some respondents also believed that LGBTIQ rights will inevitably be decriminalized in Sri Lanka, due to the pressure from European countries. However, they still thought it did not suit the culture of Sri Lanka. One respondent claimed that if Sri Lanka was to receive support from countries of the European Union, Sri Lanka would be forced to decriminalize LGBTIQ rights as the country is heavily dependent on foreign aid.

Some stated that the LGBTIQ community were also human and empathized with their situation and stated that they should also have human rights, even if the average straight community could not relate to their sexual orientation. This was said by certain younger

respondents who were exposed to more progressive forms of media. One even quoted a YouTube personality and said just as he does what he likes, he could not wrong other people for having different likes and wants.

“They also have rights in this world. They are also human. Even if I don’t like that. That is their wish. We can’t control someone else’s wish. Even I got angry by hearing about these sorts of relationships in the past. But then I heard a popular YouTuber talk about this issue. He said that while he might not like such relationships, those people are also human. So, I think there’s a truth to it, I do what I like, but I can’t say other people are wrong for liking something else.”

-Non LGBTIQ respondent, Colombo

There were also respondents who empathized by putting themselves in the place of the LGBTIQ community and stated that if they were born in the same circumstances, they would not think they were wrong to have such orientation, as to an LGBTIQ person it would be ‘their normal’.

In Puttalam, there was also one young respondent who thought that LGBTIQ people deserve rights. The respondent claimed to be educated in a Western country and therefore was exposed to the LGBTIQ community. According to him, it was the lack of education in sexuality, gender and rights amongst Sri Lankan citizens that lead to the discrimination of the LGBTIQ community. It was his belief that if Sri Lankans were to receive proper education with regard to the subject, they would be able to empathize more with those of different sexual orientations. It is also possible that this respondent was able to empathize more with the community since he claimed to have a friend who identified as a gay man.

“He is still my friend, so I will defend him...” -Non LGBTIQ respondent, Puttalam

There were also those who said that since life was short, LGBTIQ community should also have a chance to live the way they wish to.

One respondent expressed the need for a different term to refer to the LGBTIQ community rather than the Sinhala term ‘samalingika’, similar to the word ‘gay’ in English. Since some

people were bound to see this term as only referring to sex and not love and would be under the presumption that there was no love involved in a same 'sex' relationship and that it was only physical attraction.



07.

CONCLUSION

To conclude, the objective of the study was to quantify the LGBTIQ Community of Sri Lanka and according to the survey results, 12% of the sample population identified to be in the LGBTIQ community. To further breakdown; 8% identified themselves as bisexual, 0.5% as gay, 0.5% as lesbian, 1% as transgender and 2% as other. This study unraveled that many people empathize with LGBTIQ people because, according to them, LGBTIQ people are born with some sort of defect. This clearly reflects the lack of knowledge and awareness on part of general population and mainstream society in the country, where the larger society is not aware of the different sexual orientations and gender identities. Here, it is important to note that global institutions like WHO have declared that homosexuality and transgender are no longer classified as a disorder.

Many respondents (and in most of the instances) have the inaccurate perception that LGBTIQ is an imported Western culture and that it is a Western phenomenon which is in direct conflict with Sri Lankan culture. It shows that people are under a false assumption that a person may start to follow such Western culture and become gay, lesbian, bisexual etc.

Majority of the respondents agreed that LGBTIQ community is not accepted in the society and consequently do not receive fair treatment. Despite their awareness, when asked about the rights of the LGBTIQ community, a lower number agreed that LGBTIQ people should

have the same rights. This is bound to happen in a society where the culture of stigma against a specific group subsists, where people are ill-treated based on their individual/personal characteristics such as race, religion, gender etc.

It can also be stated that the younger generation, in comparison to the older generation, is more open and positive towards accepting the LGBTIQ community due to increased availability of information, awareness raising and exposure to progressive ideas through media outlets such as social media, movies, music as well as exposure through traveling abroad.

Additionally, LGBTIQ respondents face workplace discrimination, which indicates that there is a clear need to sensitize the work force in Sri Lanka to safeguard the rights and dignity of LGBTIQ individuals. Some multinational companies have realized the need for an inclusive workforce and are gradually taking steps towards creating a more inclusive and safe work environment. To this, EQUAL GROUND's work is noteworthy since they are proactively conducting sensitization programs with various companies, organizations and businesses in the tourism and leisure industry to ensure a discrimination free space for LGBTIQ people.

Due to punitive and discriminatory laws, the authoritarian nature of society and government and the undue importance given to cultural appropriateness, the LGBTIQ community faces high levels of self-imposed stigma and related psychological and psychosocial issues. Therefore, the LGBTIQ community will continue to face discrimination, harassment and rights violations until the laws that criminalize their SOGIE are repealed and there is adequate awareness and education about the LGBTIQ community, which will take away the prejudices in the minds of the non-LGBTIQ community of Sri Lanka.



08.

RECOMMENDATIONS

This study reveals that the LGBTIQ population not only face hurdles at public level, but also have to deal with major challenges in the private sphere as well. Considering the findings of this study a few suggestions been made in order to safeguard the rights and ensure better treatment of the LGBTIQ community:

1.LAW REFORM:

LGBTIQ respondents talked about experiencing harassment, discrimination as well as physical assault by law enforcement and government officials. While there's been moderate progress in Sri Lanka such as the provision of a legal gender recognition certificate for transgender people, Section 365 and 365A of the Penal Code still remain in effect and consequently LGBTIQ people continue to struggle for acceptance. It also violates their inherent human rights and fundamental rights. Therefore, these draconian sections should be repealed, and the law should be reformed to be inclusive.

2.REFORM IN EDUCATIONAL INSTITUTIONS:

Many LGBTIQ respondents talked about the traumatic experiences during their childhood, including bullying, harassment and discrimination at educational institutions, which is

unacceptable. Educational institutions should develop strong anti-harassment and anti-bullying policies to safeguard LGBTIQ students. Moreover, schools and other educational institutions should host sensitization programs with students and teachers on sex education, sexual and reproductive health rights (SRHR) issues and gender and sexuality issues for example. Often, students who are struggling with their sexuality, cannot or hesitate to talk about these issues to anyone because there's no safe space for them. Therefore, schools should have a professional mental health counselor with whom these issues can be discussed.

3. EDUCATIONAL INTERVENTIONS:

This study showed that LGBTIQ people find it difficult to get access to various services. Moreover, they faced discrimination at the workplace, government institutes, hospitals etc. Therefore, sensitization programs both for public and private sectors are necessary. Government and private companies and organizations should sensitize their employees about SOGIE issues to ensure an inclusive and safe space for LGBTIQ individuals.

4. CREATE INCLUSIVE JOB MARKETS:

During the survey, many LGBTIQ respondents showed interest towards fashion and design as a profession because there they can be themselves and show their creativity without any judgment. LGBTIQ people have potentials which are often ignored by employers. Such exclusion can generate economic costs through several important channels like lower productivity, diminished human capital development and poorer health outcomes etc. Many multinational businesses are gradually recognizing the links between the inclusion of LGBTIQ employees and business outcomes and have taken voluntary steps to end discrimination against LGBTIQ workers in order to maintain a competitive workforce. Thus, the corporate sector of Sri Lanka should take similar measures as well. While some corporate sectors have availed themselves of Diversity & Inclusion (D & I) trainings for their staff through EQUAL GROUND's D & I Program and included nondiscrimination policies within the work sphere, these companies are few and far between. The necessity, therefore, to have policies in place at Government level to engage and encourage businesses to aim for Diversity & Inclusion in the workplace can go a long way in closing the gap for the LGBTIQ community.

5.LGBTIQ FRIENDLY HELPLINE:

In Sri Lanka, there are a few helplines for women (to report violence), children (under The National Child Protection Authority) etc., however, to date, no such initiative been adopted solely to report harassment and discrimination. If such an official inclusive helpline can be developed, victims of harassment including LGBTIQ individuals will be able to report these incidents.

i. Section 365 of the Sri Lankan Penal Code makes it a criminal offense to engage in “carnal intercourse against the order of nature and the penalty for violation of Section 365 is up to ten years imprisonment and a fine; And Section 365A of the Penal Code criminalizes “any act of gross indecency with another person.” Violation of Section 365A is punishable by up to two years in prison, a fine, or both.

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