

LISTENING TO MULTIPLE VOICES

Sexual Minority Activists speak

East Indian Community Consultation
By Avinaba Dutta





Introduction

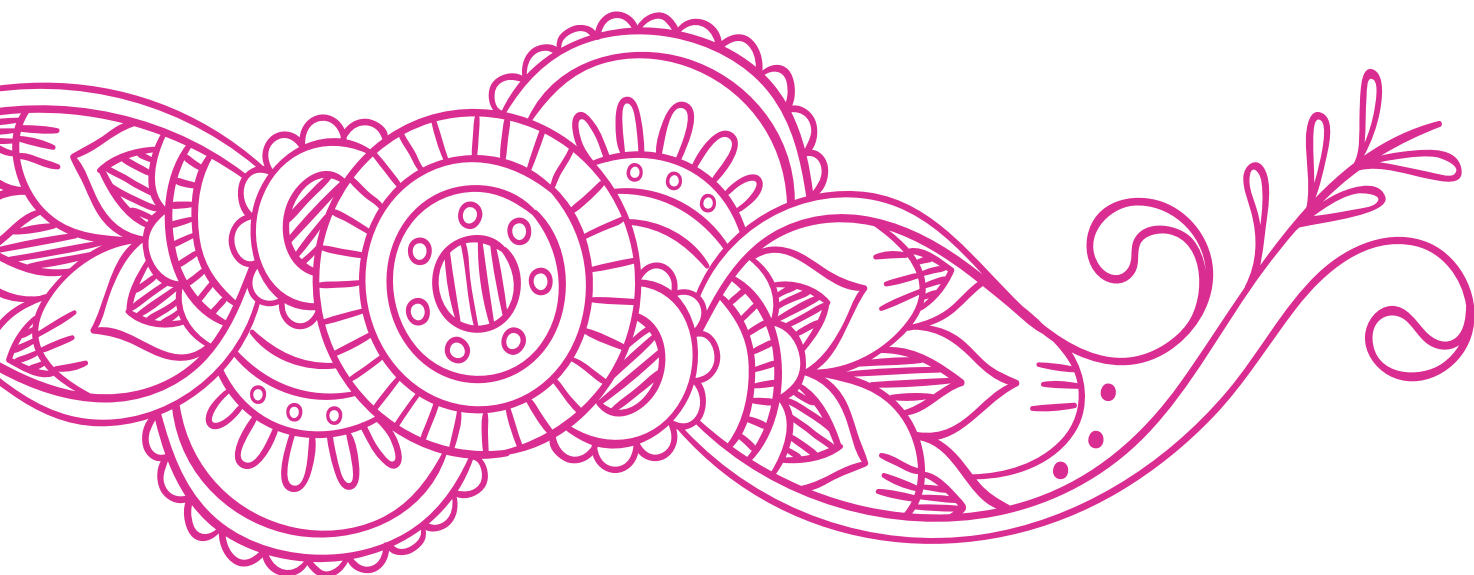
On 19 November, 2016 Solidarity Foundation held a consultation in Kolkata with gender and sexuality activists, researchers and lawyers hailing from India's Eastern and North-eastern states. Several individuals from Assam, Bihar, Manipur, Meghalaya, Odisha, and West Bengal participated in the day long consultation. The Kolkata consultation was a part of the series of consultations held by Solidarity Foundation to understand the ground realities in different regions of India and to align their vision and work with the same.

Opening Remarks

After a round of introductions, Shubha welcomed the gathering and briefed them about the work of Solidarity Foundation and the purpose of the Kolkata consultation. She was also encouraged by the wide variety of people present at the consultation.

Activists from north-east region of India, especially those who came from Assam, Manipur and Meghalaya reached Kolkata a day early and she thanked them profusely. She specifically thanked Pawan Dhall, Varta Trust, their help to put Solidarity Foundation in touch with different individuals working towards sexual and gender minority rights in the eastern and north-eastern regions of India.

Later she thanked everyone for turning up despite the chaos which demonetisation had caused.



Solidarity Foundation and its past engagement

Shubha spoke about the work which Solidarity Foundation has been engaging in, in terms of supporting small groups of community activists who are from the sexual minority groups or sex worker communities in south India. The organisation supports the group towards realising their vision by providing both material and non-material resources.

One of the reasons to start Solidarity Foundation was to support leaders from non-urban non-privileged queer spaces. The organisation currently supports two sex worker organisations in Raichur and Bangalore; two sexual minority organisations in Warangal and Karimnagar; and is in the process of finalizing support for two more groups in Andhra Pradesh. Apart from this, Solidarity Foundation also runs a fellowship program for individual leaders from the community.

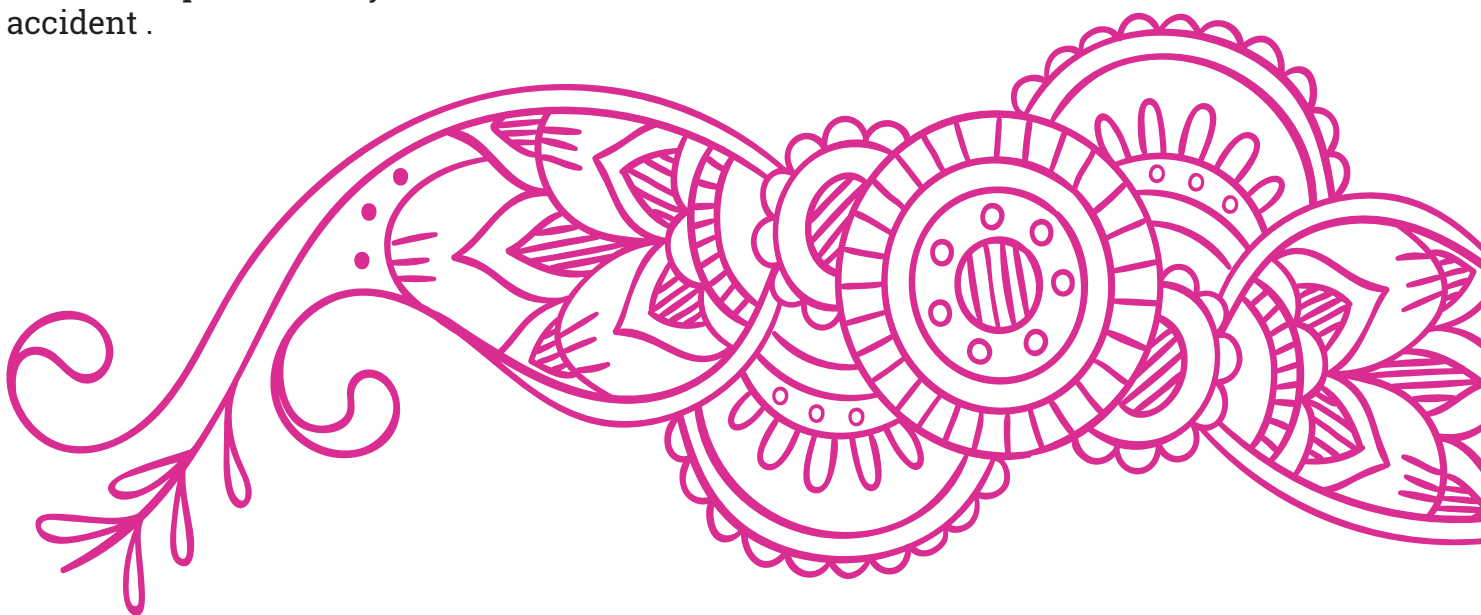
Kiran is one of the fellows who works in the area of disability in Chikaballapur. One of the other fellows, Prabhavathi is now hired as a consultant researcher at Azim Premji University thus breaking some of the barriers in the academic universe. One other fellow Soni, a Jogappa from North Karnataka passed away in a freak train accident .

Purpose of the Kolkata Consultation

The consultation was being held to help the organisation understand if they were on the right path with respect to their vision and the support they were offering. To do this, they felt it is important to understand what is happening in different parts of the country around the rights of gender and sexuality minorities.

Kolkata consultation was a part of a series of consultations held across the country. Shubha mentioned that although the work of Solidarity Foundation is largely South India-based, it was however important to come to the eastern region and learn from several activists and other individuals working relentlessly towards a more equal society. The decision of leaving the comfort zone in South India was, however, not an easy one – language was a barrier, also that the organisation does not have a presence in the eastern, northern, north-eastern and western parts of India.

But the quest for learning from others in order to enhance the organisation's work as well as strategy in South India was the motivator to come to Kolkata.





Formation of Groups

In order to gain a more nuanced understanding of the issues faced by the community and to allow for deeper communication the participants were split into different groups based on the languages they are comfortable with and the geographical areas they hailed from and were asked to reflect on the situation on ground in their presentations.

Discussion Points

The reference point for the discussion was the Delhi High Court judgment of 2009 and the participants were asked to speak about the changes they have seen since. These changes were in three broad heads:

State

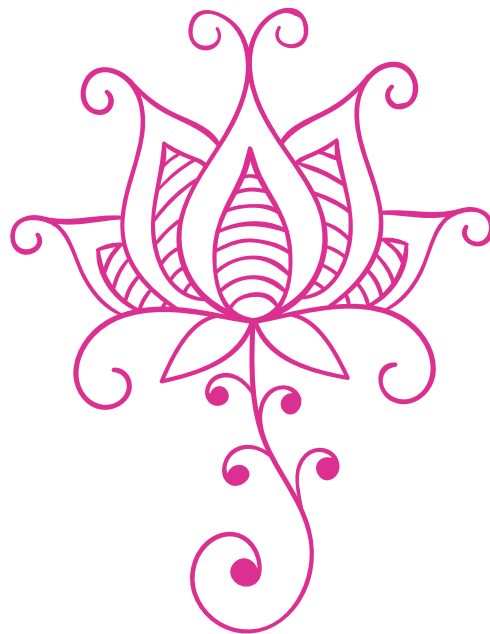
This encompasses the law, policy, government department schemes, judiciary, police and other state machineries.

Society

This reflected, but was not limited to, family, popular culture, media, religious bodies, education, medical establishment and healthcare facilities public spaces and workplaces. The idea of family was not limited to the biological family.

Community

The final head looked at the changes happening within the community since 2009. The community was also linked with other organisations as well and this was also included in discussions on the community.



Presentation by four different groups

The groups had their discussions and convened to present to the larger group



Group 1

This group comprised of participants who came from the North-Eastern states of India

Delhi High Court's verdict vs. "gay marriage"

Immediately after the Delhi High Court's verdict in *NAZ vs. Government of Delhi* NCT in 2009, a non-heteronormative marriage took place in Manipur. The group noted that the marriage was more social in nature, and no legal marriage certificate was issued after the marriage. The event was celebrated as victory across north-eastern region and in West Bengal.

One of the group members felt that due to lack of awareness, 2009 verdict of Delhi High Court reading down Section 377 of the IPC was perceived as legalisation of gay marriage in India by many queer individuals belonging to India's north-eastern region.

Immediate changes in Meghalaya

Soon after that, on July 2, 2010, the MSM and Transgender project was launched in the state of Meghalaya, the first of its kind in the state and in the entire North-east region of India.

Many small informal/social groups across the state popped up, people started coming out of their closets and talking about identities more openly. A group called *Seringue* has been launched in 2010 in Shillong. The organisation works towards the rights of lesbian and bisexual women and transmen. They have held several programs with *Sappho for Equality*

Immediate changes in Assam – visibility vs. intolerance vs. awareness

One of the only changes that came in Assam after the 2009 verdict was that the community of gay men in different cities across the state became more visible. One of the group members noted that after 2009 verdict, the four groups which used to organise social gatherings of queer individuals before that path-breaking verdict became bolder.

However visibility doesn't always ensure safety – so the more visible the community became, the greater was the harassment and backlash from different conservative groups. In order to counter this, the groups started taking up awareness campaigns in several universities. They provided other groups with advocacy material and conducted sensitisation programs which in a way helped many queer individuals identify themselves as queer.

The mobilisation of community in Assam was, however, slower as compared to Manipur and Meghalaya. According to the participants from Assam this is due to the strong presence of right-wing organisations across the state. Instances of violence and ransacking of NGO offices by the right-wing students' organisations have been witnessed in few parts of Assam. After 2013 there was a focused effort towards collectivisation of the communities in the state and this resulted in reduction of such instances.

The role of media after 2009 verdict

The group felt that local newspaper and television channels had always highlighted topics around sexuality in a negative or sensational manner. People were ignorant about Section 377 of the IPC and how the law criminalises a series of sexual behaviours irrespective of an individuals' sexual orientation. They felt that since many people who were not very aware of issues like Section 377 were only exposed to the media's negative portrayal of the issue.

This led them to develop more prejudices against the community. However, the media also helped the issue gain more visibility as well. One of the members from Meghalaya shared how media helped her become more popular after Delhi High Court verdict in 2009. She mentioned that although she had started working on issues of gender and sexual minorities' rights much before the verdict was delivered, but the 2009 verdict was a turning point for her. The flip side, she said was that the visibility invited unwanted attention towards her, making it difficult for her to continue the work she was doing, i.e. sensitising various government officials.



(contd.)

GROUP 1 (contd.)

Religion

Parts of the North-Eastern region of India are dominated by churches. Immediately after the 2009 verdict, various faith-based organisations (FBOs) took a stand against homosexuality or didn't want to talk about Section 377 of the IPC or the plight of the community. The peer groups and the women's groups hesitated to take a stand on this issue citing the pressure from the FBOs and the churches.

In order to sensitise the FBOs, several CBOs and individuals launched a joint effort to bridge the gap between the churches and the community. In May 2013, as a part of that joint effort, many individuals met leaders from all India Churches initiative a series of dialogues. One of the results of that process was that after a period of two years the Church leaders agreed to launch a book on indigenous trans culture in theological studies. These discussions also fed into another initiative at national level from National Council of Churches in India (NCCI) where they had invited several transwomen from across India to understand how to incorporate transgender culture within the popular church culture. Several workshops have been held in the recent past in different parts of India on the issue of sexuality and the church through NCCI.

Immediate effects of Supreme Court's 2013 verdict and NALSA verdict

Collaboration with the national and international agencies has increased by many folds since the verdict. This could be because of the consistent work by several CBOs and increased attention to these issues. However, as far as policies are concerned there was no policy, scheme or law to protect gender and sexual minorities against societal atrocities. After the Supreme Court judgements of 2013 and the NALSA judgement – national media reporting has become quite positive, whereas local media is still way behind.

People in the media tended to use insensitive and hurtful languages while describing the plight of the community. Several groups working for the rights of queer individuals in that region start taking up regular media advocacy work. They observed that with time local media's attitude towards the community has also begun to change.

LGBTQ+ Pride Walk and family support

Guwahati witnessed its first pride in February, 2014 followed by Imphal in March 2014. More families started waking up from the deep-rooted prejudices against sexual minorities in India and began openly supporting their family members.

One participant from Assam shared his experience working with biological families and other relatives of four gay men and one transgender man. Due to the steady engagement with these families, they not only accepted the members of their family but they also came out in support of the other queer individuals in their respective localities. The participant from Manipur shared that now a greater number of families have started to accept their transgender children in the state. For instance, in the case of the first transwoman who applied to have her name changed in her legal documents, the affidavit was endorsed by her biological mother. Due to the family support, an initiative called Empowering Trans Ability (ETA) was formed immediately after the NALSA verdict. Many transgender men also started reaching out to different organisations working across the region.

Dialogue with the healthcare providers

After the NALSA verdict, dialogue with the healthcare providers have been initiated by the community in many parts of the region. One such initiative has taken place in Manipur where the Assistant Medical Director assured the community that SRS would be included in the health schemes.

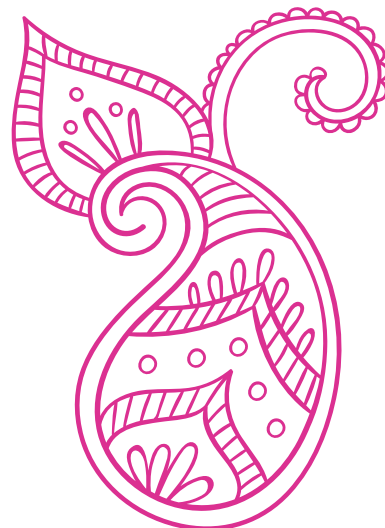
In Assam, in the wake of reports on counsellors and psychiatrist misleading individuals and their family members regarding issues of gender orientation and

sexual orientation (that it could be changed etc), the CBOs started to seek reach out to several medical health professionals and other healthcare providers in order to sensitise them and make a directory of LGBT-friendly psychiatrists and psychologists. A similar approach has been taken up in the state of Manipur as well.

Using local languages

In all the north-eastern states, one of the biggest drawbacks in advocating queer rights was the lack of materials in their own languages. Most of the materials they were able to access was from Kolkata, West Bengal. In order to bridge that gap and bring up more local vocabulary, several individuals were encouraged to start writing on their day-to-day issues.

A multi-lingual e-zine for the diverse queer community in Assam has been launched in 2013 and this year they came up with their third edition on issues concerning the queer population in Assam in many different languages spoken in the state. One of their primary goals is to create a vocabulary around the popular terms such as 'gay', 'sexuality', 'sexual orientation', 'gender identity', 'queer', etc. in the local context.



Queer support group and crisis intervention centre

Support system in Assam has improved over the years in the region. Xukia, a LGBT support group in Assam has already started a helpline for the community members. Through the helpline, Xukia provided training to many young students and counsellors to work with the Xukia team as part of their projects. Xukia gives ownership to different teams comprised of psychologists, counsellors, young university students and community members to deal with the helpline for six months.

After the term gets over, they dissolve the old team and form a new team with several other enthusiastic and trained individuals. It helps others understand the sexual and gender minority community in many ways. One of the group members observed that the initial responses were not very encouraging as several threat calls and lewd calls had been received by various teams dealing with helpline calls.

With time this has stopped. Right now, the team tries to engage callers

through conversation about their lives and tries to calm them as most of the callers are in severe distress because of their non-normative identities and loneliness. They have attended several cases where there was a need for immediate intervention. However, they do not have any crisis intervention centre; neither do they have any strategy to approach the many young and old gay men facing violence.

They collaborated with other rights-based organisations, such as feminist organisations or child rights organisations, working in the state in order to provide the necessary help to callers. One such case was that of a lesbian woman from Silchar who reached out to Xukia as she was facing severe violence at home from her own family members. Xukia put her in touch with a feminist organisation working in that geographical area and she received appropriate support.

Transgender Welfare Board in Manipur

A Transgender Welfare Board has been formed in Manipur. The state also registered few successful stories after the formation of the transgender welfare board. Some educational institutions have also started thinking of inclusive policies to address the struggle of transgender students in the state.

Manipur State Education Board started consulting community members on including sexuality and issues surrounding different sexual and gender identities in the upcoming curriculum. Santa Kurai, a noted activist received her passport in the state with “others/transgender” as her legal gender – two other transgender individuals are now trying to also get a similar passport. The strong presence of transmen in the Welfare Board has received appreciation from the other parts of the country. Participants also spoke of a case of a transwoman who was unable to get the appropriate documents to get admission in the desired university. The community organisation was able to take up her case, put pressure on the college and ensure that she was admitted in the course of her choice.

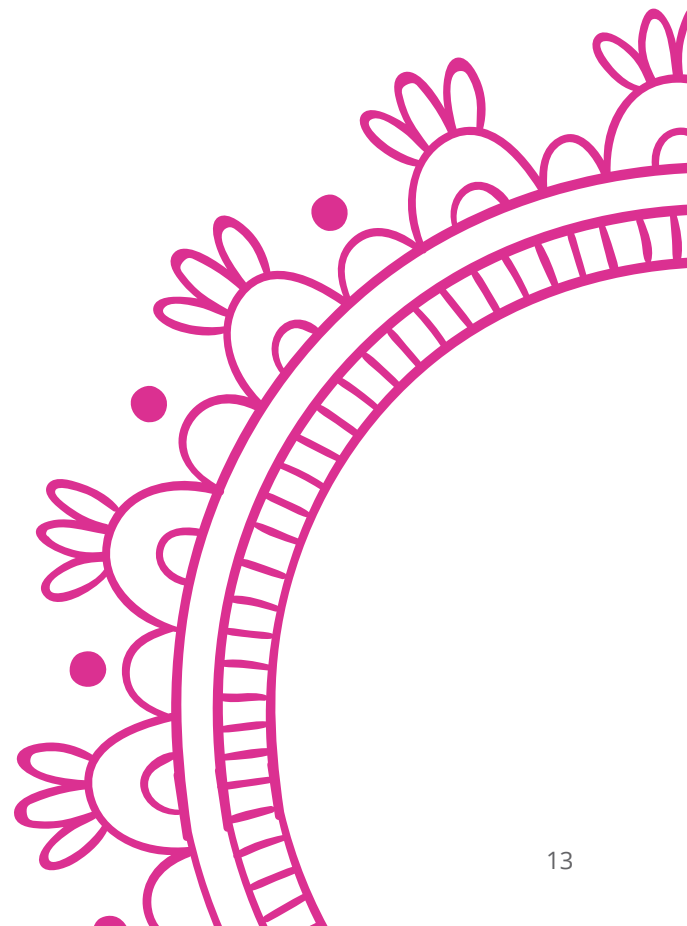
Legal awareness camps

The group also talked about their experiences of conducting legal awareness programs among transgender communities in several North-Eastern states. In Manipur, the collaboration between Manipur State Legal Services Authority and the CBOs resulted in many workshops regarding the legal challenges faced by the transgender community members who desired to change their names and gender in their official documents; as well in accessing various entitlements.

The state also witnessed the first inter-departmental state level consultation workshops that brought together several government departments and community members to discuss the NALSA verdict. The state governments in Assam and Meghalaya didn't accept having these kinds of state level consultations. They did support the idea of building a network that would provide free legal services to the community members in those two states.

Matrilineal Society of Meghalaya and trans-rights

Many of the tribes in Meghalaya are matrilineal and the property generally goes to the youngest daughter of the family. There are then particular issues related to the gender identity of that youngest daughter and the property rights. This includes questions such as what happens when the youngest child is a transwoman. The member felt that since the customary laws are very strong, strong advocacy work needs to be done in this regard.



Group 2

This group had participants from Odisha and West Bengal

Changes within the government

In terms of changes in policies, the major development in that area was formation of West Bengal Transgender Development Board after NALSA verdict. In Odisha, an independent department was formed named Department of Social Security and Empowerment of Person with Disability.

The mentioned department works towards empowerment of transgender individuals along with other marginalised groups including persons with disability and elderly persons in the state of Odisha. The aforementioned department was earlier a part of Department of Women’s and Child Empowerment. But advocacy efforts with the government by several right-based groups, including the transgender community, witnessed the formation of a separate department to address the need of different marginalised groups including transgender individuals

Translation of policy into action

One member shared an incident where the Calcutta High Court passed a verdict in favour of a transgender man. He had faced some serious problems because the West Bengal Board of Secondary Education (WBBSE) and West Bengal Council for Higher Secondary Education (WBCHSE) refused to change his name and gender in all of his certificates including state board examination admit cards and report cards .

These are other examples, the group observed, showed that the desired changes

directed by the Supreme Court of India in its NALSA verdict, to accommodate transgender individuals in the so-called mainstream system has been largely missing. In a handful of cases the court has stepped in to remind the state of its duty towards making institutions such as educational ones, inclusive of people from all genders. The group also observed that although in few universities across the country transgender individuals can enroll themselves in their desired gender; the educational space is still largely inaccessible for many transgender individuals.

The glaring absence of protection law to safeguard the community from bullying and other atrocities is also a deterrent for those wishing to pursue their educational goals. Also, it is due to lack of government’s initiative many government officials are still denying the rights of transgender individuals to change their name and/or self-identified gender in their legal documents. The Election Commission of India recruited a transgender woman as a polling officer in the 2016 West Bengal State Assembly election and initially two transgender women were thinking of filing their nominations in the state assembly election and fighting the election as independent candidates; they however had to back out because of the tremendous political pressure on them.

Different Schemes

As far as the schemes are concerned, the group felt that West Bengal had scored poorly when compared to Odisha, where many schemes have already been announced and some implemented to some extent. The participant from Odisha

mentioned that there were efforts to make some of the schemes like the National Food Security Act, Pradhan Mantri Awaas Yojna, Biju Pattanaik Awaas Yojna transgender-inclusive under the leadership of Chief Minister of the state. However, the drawback in the housing scheme, which the group observed, is the fact that to avail such housing schemes the person must have land on their own name, which cannot be applied to most of the transgender individuals who leave or are forced to leave their parental houses at a very early age.

The group also observed one very important positive change under the policy of Panchayaati Raj Department of Odisha Government – where the department officials amended the 5 auto-inclusive criteria for deciding on those who would fall into the BPL category to include the transgender individuals. This socio-economic census was started in the year 2011 and those would allow those in the BPL category would be able to access various schemes. In Odisha, one of the district collectors has issued notifications to different nationalised banks to cover the transgender community in Odishahisa under Differential Rate of Interest Loan (DRI Loan) scheme where individuals belonging to the marginalised community are provided loan at the rate of 4% of annual interest rates. These were some positive steps that the government had started to take.

However, the group also observed that the impact of all the projects depended upon the presence of the CBOs at the grassroots level and how sensitised the government officials are. Many Government officials do not have co-ordination among themselves regarding the rights of transgender individuals; neither do they have any uniform knowledge on the legal changes around transgender individuals' rights. For example, many of the government officials are not aware of the rules for transgender government employees to change their names and gender on their legal documents– thus resulting in more

harassment. The group felt that while these were good changes, the process to change the system so that it is sensitive to the rights of transgender community is a long one and we need to keep at this task.

Police and courts

The group observed that although the attitude of the police towards the transgender community has not changed much, police and many others continue to harass those transgender individuals who perform challah, badhai and other traditional options for their livelihoods.

The police are often of an opinion that transpeople have now received all their rights. Therefore they question the need for them to continue with the traditional/cultural performances for their livelihoods. Actually, the group observed, there are very few alternative option has been created for the transgender community. Few organisations, NGOs have taken up sensitisation programs for Calcutta Police; however, this has limited impact, the districts still pose severe threat to the dignity and safety of the transgender community living in those parts. One of the group members shared his experience with Kolkata police where the officials were more interested in knowing the number of hijras on the streets of the city, than coming up with a solution to stop police harassment.

One of the members currently undergoing Hormone Replacement Treatment process shared his negative experience at the District Magistrate Court at Barrackpore in the district of North 24 Parganas in West Bengal. The judge refused to entertain an affidavit filed by him on behalf of another transman. The judge also allegedly passed transphobic comment and expressed her shock seeing a transman for the first time.

(contd.)

GROUP 2 (contd.)

Media

The group observed that the number of reports and stories in the media are increasing, but often the quality is dismaying. Ignorance and prejudices against LGBTQ+ community still plays a large role in the mainstream media; however, on social media platforms like Facebook, many queer persons are coming in touch with several Facebook-based support groups which in a way are helping the community connect with each other and learn more about events.

“Bhalo Achhi Bhao Theko”, a weekly mental health program run on Tara Muzic, a Bengali music channel, had several episodes on the issues faced by people who are considered queer and how that affects their mental health. The group also observed the positive impact of one of the episodes of ‘Satyamev Jayate’, which had dealt with the issues of queer community and broke several myths/stereotypes built on the lives of queer people in India, on many families of queer Indians and how after telecasting that episode, families accepted their LGBTQ+ children. A number of good movies on this issue from West Bengal were released in last few years.

All the members of group-1 pointed to the movies made by late Inopportune Ghosh, a national award winning queer movie maker who directed three movies based on the issues faced by several gay men and transgender/transsexual women.

Public Spaces

The group recognised harassment, teasing and unnecessary staring are some of the major problems faced by many non-binary queer Indians in the public space. One of the members shared his experience about being harassed at a hospital while visiting his mother admitted in the female ward of the same hospital.

Many night clubs and restaurants are transphobic – they don’t allow any transgender guests or guests with genderqueer expression (non-binary) citing that they need to “maintain decency” inside the restaurant or the night clubs. While many such incidents have happened in Kolkata in the recent past, the group also observed that not much success could be achieved in terms of dealing with such behaviour; as it was passed off as the rights of a private place to decide its policies.

One of the group members also thanked the owner and employees of the Kolkata consultation venue and the Hotel which has been hosting Kolkata Rainbow Pride Festival fund raising party. There has been support that spaces have been offering to the community even much before issues around the rights of transgender individuals’ could hit the headlines. Support from the intelligentsia is also increasing which leads to positive dialogue between the queer community and various students’ bodies at various universities across India. Many technological institutions are opening up towards LGBTI+ students.

Medical Establishment

In the medical establishment, the acceptance in the mental health sector has increased substantively. One of the group members spoke about a psychiatrist in Odisha who wrote an article strongly criticising the practices of conversion therapies in India. Many of the groups and organisations have been working with mental health professionals, clinical psychologist in several mental health institutions and due to the continuous dialogue between the community and mental health professionals, Odisha has recently mooted the idea of establishing special centres in hospitals for transgender individuals.

However, as far as the gender and sexual health of LGBTQ+ people are concerned, the current level of services available has been less than satisfactory. The project on the sexual health of MSM and transgender community in various districts of West Bengal and Odisha has been cut down. One of the group members observed that in one of the northern districts of West Bengal some government hospitals have started “suraksha clinic” which is primarily meant for transgender individuals and hijras. These are about two years old. This is a result of the advocacy efforts by the CBOs with the district magistrate.

Family

Many families have started accepting their children’s gender identity and sexual orientation. The group thinks that the positive impact of Delhi High Court was that it encouraged many LGBTQ+ individuals to talk about their identity without fearing persecution by the State. In some case the media too played a strong role in increasing family acceptance.

National Council of Churches in India – religious community

One of the group members shared his experience of working with the NCCI in the Eastern region of India. NCCI internally started bridging the gap between them and the sexual minority community way back in 2001.

They also published a document welcoming the Delhi High Court verdict in 2009, after holding a round table meeting at the Srerampore College where the representative of the Christian community of Kolkata had been present. After 2013 verdict of the Supreme Court of India, while the some members of Christian community and some of the churches were in dilemma regarding their next step, NCCI didn’t hesitate to condemn the Supreme Court’s verdict.

Community Building

The group also observed that since 2009, the two eastern region states, i.e. Odisha and West Bengal have several CBOs in almost all the districts. The group also acknowledged the positive role played by Pehchan Project and that they provided all the CBOs with several projects on the sexual health of MSM and transgender community. This helped several CBOs grow and eventually reach out to the community members living in several districts of West Bengal and Odisha.



Group 3

The group clarified at the very beginning that they wouldn't go into specific details of changes that took place since Delhi High Court's 2009 verdict on the constitutionality Section 377 of the IPC, as it was already covered, but were happy to clarify any doubts. The group was comprised of those from West Bengal and Bihar

State

Group-3 divided the whole presentation into two broader columns:

- 1. Changes happened in the larger scale;**
- 2. Changes precipitated down because of the larger changes.**



Changes happened in the larger scale:

- 2009 – Delhi High Court read down Section 377 of the IPC.
- 2013 – Supreme Court overruled Delhi High Court's earlier verdict and the constitutional validity of the provision has been upheld by the Apex Court
- 2014 – Supreme Court of India given its verdict upholding the constitutional rights of transgender individuals in NALSA vs. Union of India (popularly known as NALSA verdict) and Tiruchi Shiva's private member bill on protection of transgender individuals from societal atrocities has been passed in the rajyasabha, the upper house of Indian parliament.
- 2016 – Curative petition on Supreme Court's earlier verdict on the Constitutionality of Section 377 of the IPC has been admitted by the Supreme Court and a 5-judge constitutional bench would be formed to decide the fate of the matter.
- 2016 – Clarification sought by Government of India on NALSA verdict on whether gay, lesbian and bisexual individuals would fall under transgender or not had been rejected by the Apex Court.
- 2016 – United Nations Human Rights Council adopting a separate mandate to protect individuals from violence and discrimination on the basis of their sexual orientation and gender identity (SOGI). Few countries challenged the mandate holder's position at the UN Third Committee which had been pending in time of the consultation happened.

Changes precipitated down because of the larger changes

- Transgender identity has been included in the voter ID card, adhaar card and passport.
- During the West Bengal State Assembly Election in 2016, the Election Commission of India appointed a transgender woman as a polling officer at one of the polling booths. Transgender Development Board has been formed in the state; however, the group observed that the board had a very negligible impact on state police force and other government officials of the advocacies that have been done. The group also felt that there was very little dissemination on the NALSA verdict has been witnessed.
- One of the group members shared his experience of training of 135 DALSA lawyers in the state on behalf of NALSA and disseminating NALSA verdict to them. However, prior to the training on the rights transgender individuals to the West Bengal State DALSA lawyers, none of them were aware of NALSA verdict of the Supreme Court. The group felt that there are existences of stigma in different levels which is preventing the actualisation of rights at the grassroots level. They also felt that due to the sheer apathy on the part of the West Bengal State Government as well the Government of India, the stigma against transgender community and other gender and sexual minorities is still very much present at every walk of life.
- On the part of the community, there is lack of documentation to create evidence of the rights violations that they face and also practical issues of trying to establish their identity. Due to previous negative experience with the government officials there is a strong resistance in approaching the State machineries for any benefits or entitlements.

GROUP 3 (contd.)

Society

Under the column of 'society', the group broadly divided this section into below mentioned categories and listed the changes below.

Media

The group felt that mainstream media lacks sensitive reporting on the plight of the LGBTQ+ community. Although, they noted that media has been fairly sensitised since 2009 through media advocacy provided by several organisations/groups/individuals, the sensitisation effort doesn't reflect in their reporting always. For example, media has tagged Section 377 of the IPC as "gay sex law", while the group categorically mentioned that Section 377 does affect everyone irrespective of their gender identity and sexual orientation.

The group was also vocal about the increasing amount of negative reporting on LGBTQI+ issues, where the entire community is being blamed for the wrongdoing of one individual. For example, the reporting on few hijra individuals harassing people on the streets was done in manner that it suggested that all of them are criminals. Similarly when the wife of a married gay man committed suicide it was portrayed as a case of gay men regularly "cheating" their wives.

A mainstream local media houses in the recent past came up with bizarre articles on "how to identify gay men or lesbian women" which, according to the group, could fuel prejudice and violence. The group was, however, more enthusiastic about the reporting and articles on online media. They felt that social media has been more both sensitised and sensitive while publishing articles on the plight of the LGBTQ+ community and about their identities.

Religion

The group observed that in the recent past many Hindu religious bodies and other FBOs had been accepting of the kinnar akhara. One of the group members shared their experience on working with All India Muslim Personal Law Board and Sikh community in West Bengal and providing advocacy materials on the plight of LGBTQ+ community.

Many religious leaders seem to understand the issues of the community and do believe that sexual and gender minorities should get included by religious leaders; however, those religious leaders hesitate to speak up when the time requires them to take a stand. The group feels that a strong advocacy program must be taken up by several organisations working for the rights of the LGBTQ+ community to bridge the gap between religious organisations and the community.

Mental health professionals

The group noted that as a result of steady advocacy work, several mental health professionals have stopped treating homosexuality as a mental disease. Many of them do provide counselling to transgender individuals before and during their Hormone Replacement Therapy (HRT).

However, they still label transgender individuals as those who suffer from gender dysphoria, this sometimes makes the families of those transgender individuals feel that the person should be "treated" to become "normal". But overall, mental health professionals over the years became more sympathetic towards the community. The group also noted despite several CBOs in West Bengal and Bihar working towards providing advocacy to several other individuals/organisations including mental health organisations; most of those CBOs do not cooperate or consult other CBOs and are more interested in getting projects.

Visibility within the family

The group noted that visibility of the community within their immediate as well as extended families has increased by many folds since 2009 and that gender and sexuality-related discussion within the families have been steadily increasing over the years. Even the families of non-queer persons are seen bringing up this topic.

The discussion doesn't always necessarily include positive opinion about LGBTQ+ individuals, but the fact that they are recognising the non-binary sexual and/or gender identities is itself a positive sign for the community. Increasing number of straight allies – parents, siblings, friends, allies – are coming out in support of LGBTQ+ Indians. However, increasing visibility doesn't always secure safety, especially in an extreme homophobic/transphobic environment. The overall homophobic/transphobic comments/acts have also increased since 2009. Due to the possible backlashes, many gay men or lesbian women do not want to come out to their families, but often transgender individuals have no choice but come out to their families at an early age.

Caste

The members of the group felt that the recognition of Dalit-queer and Dalit-trans identities are important milestones for the community. However, one group member representing Bihar shared how caste equation plays a role in larger gender and sexual minority communities in Bihar.

For example, most of the visible transwoman and hijra individuals do belong to the socio-economically backward classes/castes. Due to the rampant practice of untouchability and the deep-rooted caste-based prejudices, many upper-caste transgender individuals feel that the embracing their gender identity might force them to leave their upper-caste privileges. There is also subtle discrimination among other sexual

minorities from the other castes to dalits and others who are not from a "high" caste background.

Corporate spaces

The group member didn't witness any changes in the transgender employment policies by various sectors including corporate sector. They noted a phenomenon among visible transgender and other gender minorities where they hide their gender identity while attending any job interviews or working at corporate spaces. Many LGBTQ+ individuals do not want to come out at work fearing the backlash they may receive.

Movies and documentaries

More regional language-based films and documentaries on the plight of the queer community are coming out these days. In DIALOGUES, Calcutta International LGBT Film and Video Festival, many queer movies and documentaries in different regional languages are being screened every year. The group also mentioned how movies made by Bengali director, Late Rituporno Ghosh, have started conversations on the lives of LGBTQ+ Indians.

University spaces

Many informal LGBTQI+ support groups have been forming in different universities and colleges since 2009. Many young students are coming out and forming support groups for their peers within the university premises.

This attempt helps bring a sense of belongingness to many queer students. During the pride march those students are coming out along with the straight allies which is, in a way, helping the community grow and keeping the space for engaging dialogues between the straight allies and the queer community open.

(contd.)

Within the Community

Intersectionality

The group felt that with time intersectionality, the systematic study of the ways in which differences such as religion, race, caste, gender, sexuality, class, ethnicity, disability, language, and other inter-related socio-political and cultural movements coexist and fight against oppression together, has been getting more importance than ever before.

For example, Namma Pride of Bengaluru and Kolkata Rainbow Pride Festival of Kolkata have successfully adopted issues related to disability and religious minorities within their pride agenda which was essentially aimed for creating space for queer individuals. Other queer groups are also reaching out and building networks with social movements like women’s movement, disability movement, dalit movement. The group lauded the idea of bringing most of the similar issues of oppression under one umbrella, however, warned that every movement should retain their identity and focus.



Conflicts and conflict resolutions within the queer community

The group observed that many queer support groups and new spaces have been witnessing an increasing amount of biphobia and transphobia within their space. They felt that many young gay men have started distancing themselves from any non-binary identity and expression. For an example several gay dating applications and websites are getting increasing number of profiles which are putting offensive biphobic/ageist/transphobic write-ups. They have also felt that class conflict within LGBTQ+ community is very visible lately.

Blackmailing and extortion

The group observed that an increasing number of cases of blackmailing and extortion have been registered with several support groups by the victims, mostly by closeted gay men. However, they felt that with Section 377 of the IPC been upheld as constitutional by the Apex Court, not much things could be done apart from making the queer individuals aware of the possible ramifications of their experimental attitudes on dating sites with strangers. In the discussions this was countered saying one can file a case against blackmail.

Paradigm shift and decentralization of queer movement

The group observed a paradigm shift in the queer movement in India – that the HIV-centric movement is finally shifting its focus from HIV related issues towards broader human rights violations against gender and sexual minorities. Several groups are now more interested in addressing the violence and discrimination queer Indians face on a daily basis because of their real/perceived sexual orientation and gender identity.

However, the members of the group refused to speculate about what caused the shift in queer movement. They have also noted that the queer movement which was largely in metropolitan and was city-based has now spread to districts and smaller towns. Many queer groups and individuals are now giving more importance to the regional language-based interaction. Creation of “swar”, a Bengali-only online queer forum formed in 2015, has been very popular in west Bengal as well as in Bangladesh. The group is also translating several important documents in Bengali in order to educate the group members.



Group 4

Three major policy reforms

Group-4 was comprised of people from West Bengal. They felt that the three major developments i.e. NALSA verdict, the formation of West Bengal Transgender Development Board and the Transgender Persons Bill, 2016 which was tabled at the Lok Sabha have the potential to change the face of LGBTQ+ movement in India. However, in line with the previous groups, the group also observed that so far policies haven't translated into implementation and that more community engagement and advocacy is needed to realise the fruits of these positive developments in the arena of policy making. One of the group members observed that there have been changes in the official papers of identity documents and in some educational institutes where "others/transgender/third gender" category has been included.

Human Rights based approach

Some CBOs/NGOs are receiving more funds compared to what they used to receive in the era of HIV-centric community build-up; but not all. Rights-based activism is slowly replacing the HIV-based activism and this might be due to the fact that people have become more aware and vocal about human rights violations.

Fractures and collectivization within the community

The group felt that as a movement, within the community, people have become more elitist. Identity-based fractures are slowly breaking the umbrella called “LGBT”. This is hampering collectivisation efforts to fight against oppression. Different identities are not willing to work together. The group noted that the movement is dominated by those who in the cities, and there were questions of what different identities can be now included in that umbrella. The Indian gender identities, which cannot always be fitted into the western boxes, are now very much part of the movement. Pride walks, which can be seen as collectivisation of the movement, are now taking place in non-metro cities as well.

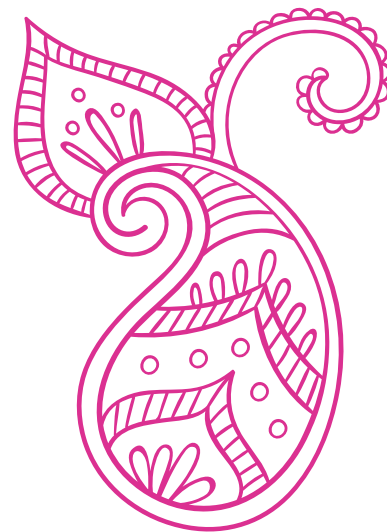
Mobilization of transmen and lesbian women

One of the group members observed that the number of transmen coming from the districts and smaller towns and reaching out for help has been increasing quite steadily. Some transmen are seeking counselling support and are getting some help from members of the community in order to get their SRS process done. She felt that because of this fracture in the movement, many of the transmen are now

more visible and there is also a separate coming together of transmen and female-born sexual minorities in West Bengal. The group felt that the NALSA verdict and right to self-identification of one’s gender had given the confidence to many transmen and helped identify them the way they want. Sappho is working with single women in Howrah and other districts where they are bringing the sexuality component to understand whether staying single could be seen as a queer practice or not.

Crisis intervention centre by Sappho for Equality

One of the group members shared her experience working with the crisis intervention centre of Sappho for Equality in Kolkata. She observed that the number of people coming to Sappho’s drop-in centres and seeking Sappho’s assistance and help in order to resolve issues related to their identities and coming out to their families has increased by many folds in recent years. Sappho’s crisis intervention centre provides assistance in the following areas; having a long conversation with the person coming to the drop-in centre, counselling support and reference support if needed.



(contd.)

GROUP 4 (contd.)

Intimate partner violence and formation of Consent Collectives

In recent years there has been some research that has been happening around intimate partner violence in queer relationships. Varta in Kolkata has been trying to generate a dialogue on how to combat such violence. A consent collective has been formed in Kolkata in the year 2016. Organisations like Varta Trust, Kinky Collective, Amitie Trust, Civilian Welfare Foundations and Sunday Adda came together to form the consent collectives and they are organising panel discussions, workshops and art workshops on the issue of consent – how to give and receive consent within the intimate partnerships. At one of their workshops, they conducted a short survey asking people about their understanding of 'consent'. The group noted that majority of those filling up the survey forms were college going students. This is an important issue that needs more focus.

Advocacy efforts by the community

Various organisations have now initiated advocacies at schools, universities, health departments and hospitals. In some cases, government colleges are now reaching out to several organisations like Sappho in order to make their students aware about different sexual and gender identities.

One of the group members shared her experience of working with several doctors and other medical staff like nurses, counsellors, lab technicians, anwasha clinic staff, etc. in the districts of Hoogly and Howrah, where she had to organise sensitisation workshops once every month. She observed that most of the transgender individuals and few other sexual minorities avoid going to hospitals due to fear of harassment from the hospital staff. In few

cases, some transwomen were not allowed to get admitted in the female ward. She felt that their efforts had resulted in some positive changes in two of the districts in West Bengal, i.e. Howrah and Hoogly.

Publications within the community and usage of local languages

There has been a profusion of publications within the community in recent years. Many organisations are coming up with material in regional languages which are now sold in several book fairs across West Bengal and this has helped create a new space for LGBT people. Many more people are also writing about the subject.

Alliance building

There is a greater alliance building and engaging in a dialogue with the feminist groups has been happening. One of the group members mentioned that a Kolkata-based organisation named “das theke das hazar” has been promoting dialogue between feminist movement and queer movement.

The platform created by the organisation is now being fully utilised by both the movements where they often invite people from across West Bengal to share their stories. Within the universities as well, several students' group have started organising workshops on different rights-based movements. All India Students Association (AISA), the student wing of Communist Party of India Marxist and Leninist (CPIML), regularly holds such dialogues at several university campuses across West Bengal. Many students also participate in the Kolkata Rainbow Pride walk that happens every year.

Changes in perspectives from a psychologist's point of view

One of the group members who has been practising in Kolkata as a clinical psychologist, has observed a change in people's perspectives after the two landmark judgements – Delhi High Court's 2009 judgement and Supreme Court's 2013 judgement.

After 2009, the kind of queries people were coming out, especially the family members of LGBTQ+ individuals and people from the community itself, were mostly related to why somebody has to be LGBTQ+. Many individuals asked her whether being queer is a disease or not. Family members sought her help in fight against the society and its prejudices.

However, after 2013 most people asked questions like "now if it is recriminalised, how I will restructure my life?" Many who came out after 2009, were fearing for their lives – as the Supreme Court's verdict in a way validated their families' prejudices against queer people. In her words, "the situation was extremely unsafe for many of my clients and their general queries about being queer and how to identify as queer have been replaced with how not to be seen/known as queer." She also observed that 2013 verdict had a devastating impact on many queer individuals who came to seek her help – it instigated people's psychological problems.

Effect of NALSA verdict on SRS

The group felt that after the NALSA verdict, many people have started opting for SRS. In this process, several medical as well as legal professionals got sensitised as they had to provide the necessary medical and legal help to transgender individuals while they either undergo SRS or get their affidavit done and change their names and gender in their official documents.

So the group observed that it required activists, legal professionals, medical professionals, counsellors, endocrinologists, surgeons, government officials –all coming together to provide the necessary help to the transgender community. The group hoped that the scenario which is currently rather ad-hoc will be better in the future.



Group Discussion

After the presentations, the larger group came together to discuss some issues which had emerged from the previous presentations.



Identity conflict within the transgender community

The Kolkata consultation witnessed a fair amount of debate around conflicts in different gender identities and identity-based politics. In 2016, Ministry of Social Justice and Empowerment (MSJE) of the Government of India tabled Transgender Persons (Protection of Rights) Bill 2016 where the ministry was accused of forming a committee of gatekeepers entrusted with the right to determine the gender of a person and thereby taking away the right of a person self-identify according to their sense of gender.

Several transgender and other rights-based activists across India registered their protest with the ministry at a national-level consultation arranged by the concerned minister in New Delhi. However, few participants also felt that in order to sensitise the government and the ministry who have been thoroughly ignorant about non-binary gender identity, transgender community should stick to their trans identity, rather than self-identifying as man/woman.

Some transgender individuals often tend not want to be identified as a transwoman or a transman but as woman or man. This, some activists said creates confusion within the government bureaucracy. For instance, one of the participants shared her experience at a workshop in New Delhi where few transmen and transwomen refused to be called by transgender; they preferred 'men' and 'women' instead. There are then questions then what protections and benefits should flow to these people? How can benefits earmarked for transpeople be given to these people.

Others recounted another unpleasant incident when the MSJE had refused to let anyone identifying by any other identity other than transgender to attend the

workshop. This manifests into politics, which often gets translated into chaos, over transgender identity within the community and government of India's ignorance about the directives of NALSA verdict as well as the issue of gender identity of individuals. One of the participants however felt that it would not be very wise to blame the government or other stakeholders before educating the community about claiming their gender identity and Constitutional rights.

Gender gate-keeping

Many participants felt that the spirit of the NALSA judgement is being blatantly disregarded by tabled Transgender persons Bill, 2016. Referring to the provision that says a state-level authority will issue a certificate that a person is transgender, they felt that the gate-keeping of transgender identities is facilitated and institutionalised by the ministry in its Bill.

One of the participants questioned why a similar screening committee cannot be formed to certify cis gendered identities. He also observed if someone who was born with a penis feels that his penis is a completely non-essential part of the body and wants to remove it, he has to file an affidavit; while if he wants to remove his appendix which is again a non-essential part of the same body he doesn't need to file an affidavit.

He felt that the doctor or the government had no business in that process. Few participants also felt that gender gate-keeping is a harmful practice done by few transgender leaders from the trans community as well. In the recent past, few transmen reported being verbally harassed by few leaders of the sexual minority community who refused to identify them as trans people. The idea of the "true" trans person was absurd.

(contd.)

GROUP DISCUSSION (contd.)

Transgender identity vs. entitlements

Kolkata consultation also witnessed a thorough debate on transgender identity vs. entitlements. Many participants felt that although the draft bill tabled in the Lok Sabha had said that transgender people would be given OBC status, it was also confusing on the matter of affirmative action. This bill takes away incentives for private sector reservations, which the Tiruchi Siva's bill had included. It also does not specify how reservations will be allocated. In the same bill there is no reservation for education, but there is one for employment.

Few participants wondered how anyone would access employment without access to education. One of the participants pointed out what happened if a transgender person is dalit – so do they get two sets of reservations? He also wondered about OBC transgender persons: do they get a further set of entitlements? Few participants put up a hypothetical scenario where they requested others to assume that there was a reservation system for transgender persons in line with the NALSA verdict.

They asked the group who would be allowed to avail such entitlements and on what basis? While answering this question one of the participants felt that those who get their transgender certificates from the government should be allowed to avail entitlements. One of the participants noted that many men and women (who do not identify as trans) are acting like hijras and participating in the traditional occupations of the hijra community.

They are ready to take up all the risks because they feel that there is guaranteed income in that profession. So if there is any entitlement on the basis of one's gender identity and transgender certificate, that has to be implemented keeping the possible misuse of the system in mind. It was felt that it is the duty of the government, not of

the community, to ensure that others are not misusing the system.

Few felt that there has to be a clear distinction between individual's identity and the basis of the entitlements they can avail. Many transgender or other gender variant persons do not want to avail the entitlements provided by the government, but still they are also asked to get their transgender certificate.

They felt that the formation of screening committee mentioned in the MSJE's bill should not be meant for all – that everyone should be given the rights to self-identify them the way they want; however for availing the entitlements they must follow the process. One of the participants observed that in India nobody makes caste certificate unless they get some benefits from the caste certificates. So nobody would voluntarily get their transgender certificate done if there are no entitlements announced for the marginalised transgender individuals.

Others brought up specific difficulties that prevented them from wanting their identity as trans people to be registered in all their identity documents (like voter id cards, aadhar etc). They said that as these documents were used in a number of situations, and that for transmen, keeping their gender as "others/transgender" might invite unnecessary harassment, as many transmen are being perceived as women by the society. He pointed out that transmen are victims/survivors of rape and having "transgender" in their ID card will only instigate that violence.

Legal realities around different other gender identities

One of the participants felt that after NALSA verdict, other gender identities such as genderqueer, gender non-confirming, bi gender, agender, etc. have started asking for their rights which in a way is stalling implementation of NALSA verdict.

She observed that those different identities had largely been silent or invisible till 2014 and didn't file any PIL. In her words, "The case in NALSA vs, Union of India was largely fought by transwomen because transwomen mobilised themselves and filed a PIL before the Apex Court, so if others want similar verdict for them they should file similar PIL before the court and follow the footsteps of transwomen. We will not stop them."

She was later contradicted by another participant who reminded her of the intervention filed by Lawyers Collectives on behalf of Laxmi Narayan Tripathy. He felt that NALSA verdict doesn't only speak in favour of transgender women and hijras, rather by upholding individuals' right to self-identify their gender identity, the verdict gave voices to the thousands of individuals who do not identify with the gender binary construct.

Transgender Protection Act vs. Women's Protection Act

One of the participants wondered if a biological male wants to identify herself as woman, would she fall under provisions to protect transpeople or those for women.

For that many felt that these things are debatable as we cannot destabilise a system which protects a vulnerable group, i.e. cisgender women, in order to protect another vulnerable group, i.e. one who is assigned male at birth but identifies as woman and does not want to be called or identified as a transwoman.

Few felt that if such policy is implemented, many dishonest men would take advantage of that system and the safety and rights of women will be compromised. One of the participants wondered why there is no protection for transmen who identify as men – to which people felt that the answer will be in having a broad act on transgender protection.



(contd.)

GROUP DISCUSSION (contd.)

Transgender census

One of the participants felt that unless the transgender community can show numbers and collectivise the efforts to end the struggle, government might not step forward to act on the NALSA verdict. She gave an example of West Bengal Transgender Development Board where the board has not been functional for more than a year.

She felt that due to the NGO/CBO politics in the state, the transgender community in West Bengal has largely been fragmented and it is not possible to impress on the government their strength. In her opinion, the recent concluded transgender census was a sham since the government came up with astonishingly low figures for the total population of transgender individuals living in India – it was 6,000 for India and around 500 for west Bengal.

She was backed by another participant who also seemed to build her argument on the point discussed above – that transgender individuals should come under one umbrella and should not call themselves man/woman. She also observed that the government won't spend a huge amount of money to form boards and put out policies etc if it is seen as benefiting only a handful of Indians.

Another participant felt that the last census was faulty in nature as in the given transphobic and extremely violent environment, no transgender person would voluntarily come out as transgender when the census officials are visiting every household to count how many transgender individuals do exist. For that she said, "Government must consult the community leaders to get the number, because we know how many transgender individuals live in one area."

SRS, HRT and HIV intervention

Regarding Sex Reassignment Surgery many participants felt that the doctors responsible for SRS and HRT process, which many transgender individuals undergo, are not well trained. Many transgender participants who had already undergone HRT and SRS procedures felt that due to lack of guidelines and training most of the doctors in Kolkata and elsewhere experiment with different transgender individuals' bodies and the medical staff has no idea about the hormone doses and how those doses work differently on different bodies.

HRT process is very body-specific and the doctors need to have thorough knowledge about it. One of the participants said, "Our bodies might look similar but they are very different. So a doctor without having thorough knowledge on these issues cannot tell how one dose of testosterone/oestrogen is going to act on two different bodies." The participants also felt that many endocrinologists in Kolkata and elsewhere couldn't come out of gender binary construct, which often lands the transgender individual in difficult situations and make them shy away from most of the endocrinologists.

Two of the participants suggested that the Government could also utilise the infrastructure built for HIV intervention at various state medical colleges and hospitals to include SRS and HRT related complications transgender individuals face while undergoing. One of the participants observed that the Expert Committee report had suggested something similar. She also noted that Expert Committee report recommended the government to appoint at least one transgender counsellor at every ART centres which the government is yet to implement.

Section 375, Section 376 and Section 377 of the Indian Penal Code

One of the participants noted that since section 377 punishes “unnatural sex” (non peno-vaginal carnal intercourse) between any two individuals, the Criminal law Amendment Act 2013, or popularly known as anti-rape law, which had amended Section 375 to include non-consensual “unnatural sex” between a man and a woman is futile because Section 377 already covers the offence.

This points to the fact that against the backdrop of the Apex Court’s observation in *Koushal vs. Naz* – that despite Law Commission of India’s strong recommendation to delete Section 377 of the IPC from the statute book, “Parliament, which is undisputed the representative body of the people of India, has not thought it proper to delete the provision”. The same Parliament, however, thinks that Section 377 is not meant for non-consensual “unnatural sex” between a man and a woman. So, by default, from the Parliament’s point of view, section 377 is meant for consensual “unnatural sex” between a man and a woman; consensual/non-consensual sex between two men or sex between a human and an animal.

The participants felt that a thorough comparison between Section 375 and Section 377 might make a good case for the community while they are fighting the curative petition before a Constitutional bench of the Supreme Court of India comprised on 5 judges.

Single women and their sexuality

One of the participants observed that in our culture, a single woman is always looked down upon. She is currently a part of a research team that is working with single women in the two districts of West Bengal.

Through this research they are trying to establish that the status of any woman may or may not be her choice, but her singlehood should not necessarily be seen as a painful situation for her. And then again through the gender and sexuality discussion with those single women we are trying to understand whether for any of them staying single is a queer practice or not.

She felt that through this kind of research and training in colleges; with female bodied doctors, lawyers; and in the districts with housewives and working women they are trying to bring about a discussion on sexual orientation and gender identity. Another participant felt that bringing sexuality component in this kind of research might face challenges in the future.

She shared her experience being part of few organisations working with single women. She pointed out that many of these organisations were not willing to talk about the singlehood of the sex-workers many of whom were single. This is because some of the discourse around single women is to fight the idea that single women are prostitutes. They wanted to show that they were actually respectful.

(contd.)

GROUP DISCUSSION (contd.)

Political advocacy

In order to protect and promote LGBTQ+ Indian's human rights, monitor policies and legislations; establish national and regional networks of queer Indians; mobilise the support for LGBTQ+ Indians' rights at grass-root level through networking and empowerment of CBOs, most of the participants felt that this is the right time to engage with several lawmakers and politicians across different ideologies.

Few of the participants had their reservation in engaging with any of the right-wing political parties; however, many felt that selective approach while engaging with the political parties might not be beneficial for the community as right-wing political parties might harden their anti-LGBT stands if we fail to engage with them. Two of the participants shared their previous experience working with few political leaders in West Bengal and Bihar; while the rests agreed that it was an important activity to consider.

LGBT-specific anti-discrimination or protection law:

One of the participants was of an opinion to start a parallel campaign in order to have a LGBT-specific anti-discrimination or protection bill in order to protect queer Indians from violence and discrimination on the basis of their sexual orientation and gender identity.

Few felt that the legal realities around S.377 of the IPC is being used as a smokescreen by the lawmakers to hide their prejudices against LGBTQ+ Indians and a thorough campaign would be helpful. There is already work being done on linking different discrimination that people face and to build a broader framework.

Mobilization of transmen, lesbians, bisexual and queer women

One of the participants felt that in the recent years the visibility of this group has increased quite a bit and the issues faced by them is becoming more accepted/understood within the queer community. Initially, the discussion within the community used to revolve around gay men followed by transwomen.

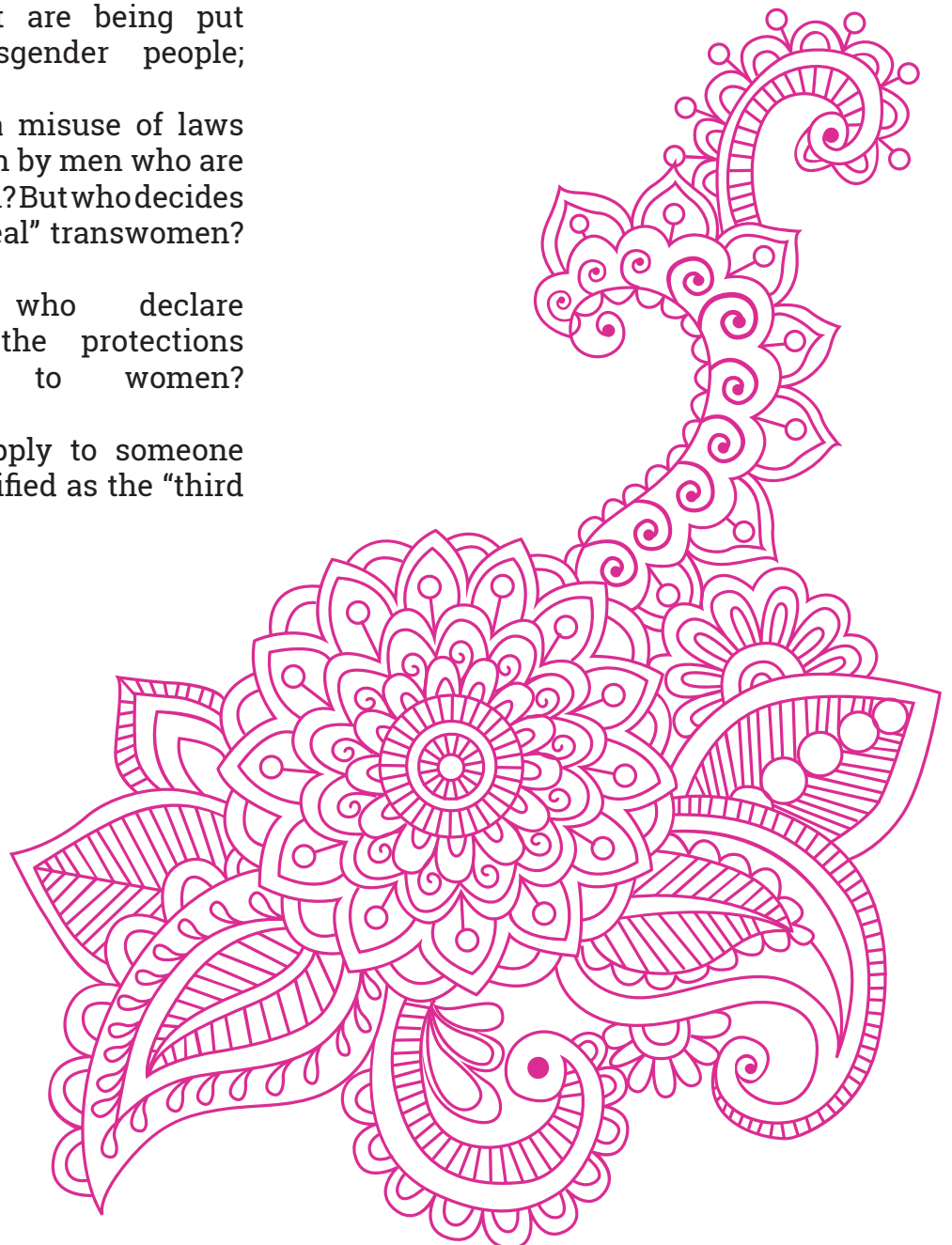
She felt that as far as transwomen and groups that came under the MSM category are concerned there was a whole HIV program that had funding, staff, CBOs, drop-in centres, etc. Also the cruising spots played an important role for them to build a network of gay/bisexual men and of transwomen and this helped build the connections. It is different for transmen, lesbian, bisexual and queer women.

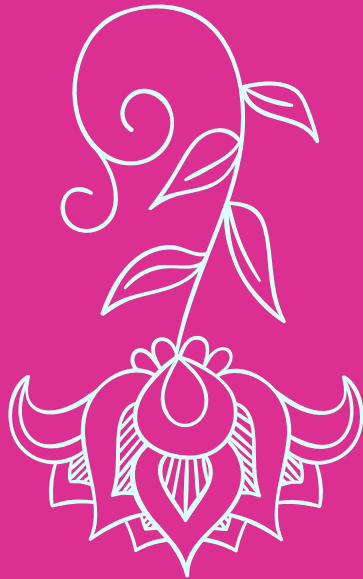
Another participant shared her work with Sappho that they have been organising trans meetings in several universities and colleges in various districts of West Bengal. Also, the transmen who are in touch with Sappho inspire their friends who are also transmen to be in touch with other members within the community so that they can talk to their friends and build up network. Many of such network of female-born sexual minorities have now been built without the direct help of Sappho's support system in several districts of West Bengal.

Further debate

There were some issues that clearly needed further discussion. The practical as well as the import of each stand should be considered as also the lived realities of a large group of people. This included

- Gender certification process by a third party like a screening committee. Is this necessary? At what stage should it come into the picture? What should be composition of the screening committee?
- The paradox that arises when trans persons want to identify as men or women for various reasons and still need benefits that may flow from the special measures that are being put into place for transgender people;
- Is there potential for a misuse of laws meant to protect women by men who are merely posing as women? But who decides if they are posing or “real” transwomen?
- Would transmen who declare their identity lose the protections offered by law to women?
- How do other laws apply to someone who choose to be identified as the “third gender”?





:QUEER SPACES: the old ones & new ones

The next part of the consultation explored spaces which had opened up for the community as well as those which had shut down.



New spaces

District level work

Many participants felt that the decentralisation of the queer movement opened up spaces for dialogues at several districts and smaller towns. Several informal groups have been formed where queer individuals organising informal meet-ups. Few districts in West Bengal witnessed rainbow pride walk.

Other Organisations

There are many other organisations which have come up and have been directly or indirectly working on this issue. Many felt that the multiplicity of voices is extremely important thereby not allowing any one organisation to monopolise the discourse.

Online dating apps

There has been an increase in the number of apps specifically focussed on dating and hookup opportunities for persons from the community. These apps are being used in small towns as well. However, many participants noted that most of those online dating apps are created for gay men. Those spaces are also very discriminatory in nature. While some people feel that there is a loss of a sense of community because of these apps, others feel that they are in fact able to find more spaces because of these apps. However, because of the hookup culture these online spaces offer, cases of blackmailing and unnecessary exposure through the online dating apps cannot be ruled out.

Campuses

Many campuses now have informal support groups for persons from the LGBT community. These groups organise discussions, events, workshops and movie screenings. Many of them also participate in rainbow pride walks along with the other LGBTQ+ community members.

Online blogs

Several online blogs and online media have their gender and sexuality section and they invite members of the community to talk about their plight. Youth ki Awaz, a popular online magazine does have their queer feminist section, namely 'the cake', where they come up with articles on the LGBTQ+ lives and issues faced by them.

Social Media

Social Media, especially Facebook, has become one of the driving forces behind collectivisation of the queer movement.

Corporate Space

Corporate sector is opening up to accept people from the LGBT community. Few of them have started creating policies in order to protect them from LGBT-specific discrimination within their workplace. However, the workplace still largely excludes transpeople. The focus of the corporate sector is to support their LGB employees.

Spaces within other movements

Women's movement, disability and mental health movement, Muslim women's movement, Dalit movement included issues of gender and sexuality in recent years.

Government departments and jobs

There has been an increased access to government departments and jobs offered by them in the recent past.

Religious organisations

Some religious organisations have also become more accepting as already discussed.

Cultural spaces

This included spaces like theatre, film, book fair and other kinds of cultural events, spaces opened up by consulates of other countries which would host events related to the sexual minority community.

Leadership Program

Many leadership programs have started including LGBT-related issues in India. The Youth Parliament in West Bengal has recently included a separate leadership summit only for queer related issue.

Spaces closing down

These were a list of the spaces which the participants felt were closing down:

Cruising spots

With changes in the urban spaces and demolition of certain structures; as well as increased policing, certain traditional cruising spots are closing down in the cities.

DICs and TI programs

The HIV intervention programme that support these spaces has changed quite dramatically and these interventions and physical spaces are also disappearing.

Care and support centres

Despite sexual minorities communities being considered a “high risk group” the community care and support centres have been starved of funds and most have shut down. This is a huge disservice to the community.

Physical meet ups

We are often unable to meet together, share and bond like we used to. This is a severe limitation to people’s well being and to the movement itself.

Participants

1. **Ankan Biswas, Sappho for Equality, Kolkata, WB**
2. **Avinaba Dutta, Independent gender and sexual researcher, Kolkata, WB**
3. **Sohini Boral, Amitie' Trust, Sreerampore, WB**
4. **Biswajit Barai, Kolkata Rista, Kolkata, WB**
5. **Arghya Roychowdhury, Nadia Ranaghat Sampriti, Ranaghat, WB**
6. **Santa Kurai, AMaNA, Imphal, MN**
7. **Pawan Dhall, Varta Trust, Kolkata, WB**
8. **Rudra Kishore Mandal, Kolkata Rainbow Pride Festival, Kolkata, WB**
9. **Santosh Giri, Kolkata Rista, Kolkata, WB**
10. **Saidul Haque, Samporko Birbhum and Burdwan Swapnil, Birbhum and Burdwan, WB**
11. **Srabasti Majumdar, Sappho for Equality, Kolkata, WB**
12. **Oinam Hemabati, ETA, Imphal, MN**
13. **Rebina Subba, Samakami, Shillong, MG**
14. **Avishek Divyam, Xukia, Guwahati, AS**
15. **Biswa Bhusan Pattanayak, SAATHII, Bhubaneswar, OR**
16. **Kaushik Gupta, Varta Trust, Kolkata, WB**
17. **Pompi Banerjee, Kinky Collective, Kolkata, WB**
18. **Joyita Mondal, Dinajpur Notun Aalo Society, Islampur, WB**
19. **Reshma Prasad, Dostana Safar, Patna, BH**
20. **Ranjita Sinha, ATHB, Kolkata, WB**