UNDERSTANDING LGBT
- An Ally's Perspective

BeyonDiversity

FOUNDATION

Introduction

India culturally is an amalgamation of diverse regions, geography, language, topography, cuisines, weather, religion and people. We have co-existed with each other over centuries in spite of invasions and crusades leading to one unique culture. By bringing in influences including law that was made necessary considering the thought and decision making at that point of time, we have adapted to newer thinking and relevance, shaping our existence as Indians. The scriptures continue to guide our tradition bound mindsets due to years of conditioning. Interestingly, the same scriptures can also guide us to the existence of diverse individuals with unique thoughts, caliber and sexual orientation.

As we take out this report, we have witnessed the reading down of the iconic Section 377 of the Indian Penal Code by the Supreme Court. The 158-year-old law introduced by the British that made 'same sex carnal intercourse against the order of nature' a criminal offence was as good as weeded out; 72 years after the British quit India, and 51 years after the UK scrapped it from the statute book. The decriminalization of Article 377 is just the latest change among many to happen.

Tradition and modernity are clashing over same-sex relationships, seen largely as an invasion of decadent western culture, although historically present across the board in India. In a country where law guides the movement of acceptance and belief, it is also important for individuals to go a little deeper to understand the context than accepting everything at face value. Preferences and identities have acquired a new legitimacy which need to be understood and given a meaning which makes every individual feel safe for his thoughts and for what he or she is.

"I am what I am" is something which each of us need to decode, understand and respect the equality that is rightfully ours being citizens of India. The study below helps us decode it by

| Giving a Context from History and Society | Showcasing best practices by forward looking organizations | Tools and Techniques to help us become Inclusive Individuals |

This paper takes the best practices from organizations in India acting as true Allies to the LGBTQ community. It also breaks down methods, captures thoughts that can be the first step in building an equal and just world.

Context

Gender is no longer Binary. By the time we go to print we have the following 10 Gender types that have been identified – LGBTQQIPAA
– An alphabet soup of identities that has acquired a new legitimacy and there will be more to come. L – Lesbian, G – Gay, B – Bisexual, T – Transgender, Q – Questioning, Q – Queer, I – Intersex, P – Pansexual, A – Androgynous, A - Asexual ……and more

Supreme Court has declared 7-8% of population as LGBTQ however survey by independent agencies has given that number at about 16% (India Today survey 2008). We can safely assume that the LGBTQ population is anywhere closer to 15-20%. In a situation where one among 5 of us identifies himself or herself in the gender context, it is time that we stand up, recognize and give the identity and respect without prejudice and judgement

The cardinal four corners of the Indian Constitution and the premise of the reading down of Section 377 are mainly (i)Individual autonomy (ii) Liberty (iii) Equality (iv) Recognition of identity with dignity and privacy. It is clear that the verdict and the law also endorses the right to personal autonomy and choice.

This is in conjunction to the guidelines provided by other bodies and scientific developments including guidelines by the American Psychiatric Association, the Word Health Organization and a 2018 Position statement by the Indian Psychiatric Society, all of which state that homosexuality is no longer considered to be a mental health disorder, and can not be altered by any treatment.

| L	G	B	T	Q	Q	I	A	A	P
LESBIAN	GAY	BISEXUAL	TRANSGENDER	QUEER	QUESTIONING	INTERSEX	ALLY	ASEXUAL	PANSEXUAL
A woman who is primarily attracted to women.	A man who is primarily attracted to men, sometimes a broad term for individuals primarily attracted to the same sex.	An individual attracted to people of their own and opposite sex.	A person whose gender identity differs from their assigned sex at birth.	An umbrella term to be more inclusive of the many identities and variations that make up the LGBTQ+ community.	The process of exploring and discovering one's own sexual orientation, gender identity and / or gender expression.	An individual whose sexual anatomy or chromosomes do not fit with the traditional markers of Female and male.	Typically a non-queer person who supports and advocates for the queer community; an individual within the LGBTQ+ community can be an ally for another member that identifies differently than them.	Someone who is not sexually attracted to anyone or doesn't have a sexual orientation nor identifies with either man or woman.	A person who experiences sexual, romantic physical and / or spiritual attraction to members of all gender identities, not just people who fit into the standard gender binary.

Contents

What is LGBT+?

Definition, Perceptions, History and the Law

Meaning and Cultural Background in India

As per Wikipedia, LGBT is an initialism that stands for lesbian, gay, bisexual, and transgender. In use since the 1990s, the term is an adaptation of the initialism LGB, which was used to replace the term gay in reference to the LGBT community beginning in the mid-to-late 1980s. Activists believed that the term gay community did not accurately represent all those to whom it referred.

This initialism has become adopted into the mainstream as an umbrella term for use when labeling topics pertaining to sexuality and gender identity. It is also intended to emphasize a diversity of sexuality and gender identity-based cultures. It may be used to refer to anyone who is non-heterosexual or non-cisgender, instead of exclusively to people who are lesbian, gay, bisexual, or transgender. To recognize this inclusion, a popular variant add is the letter Q for those who identify as queer or are questioning. The sexual identity; "LGBTQ" has been recorded since 1996.

Those who add intersex people to LGBT groups or organizing use an extended initialism LGBTI. The two acronyms are sometimes combined to form the terms LGBTIQ or LGBT+ to encompass spectrums of sexuality and gender. Other, less common variants also exist, motivated by a desire for inclusivity.
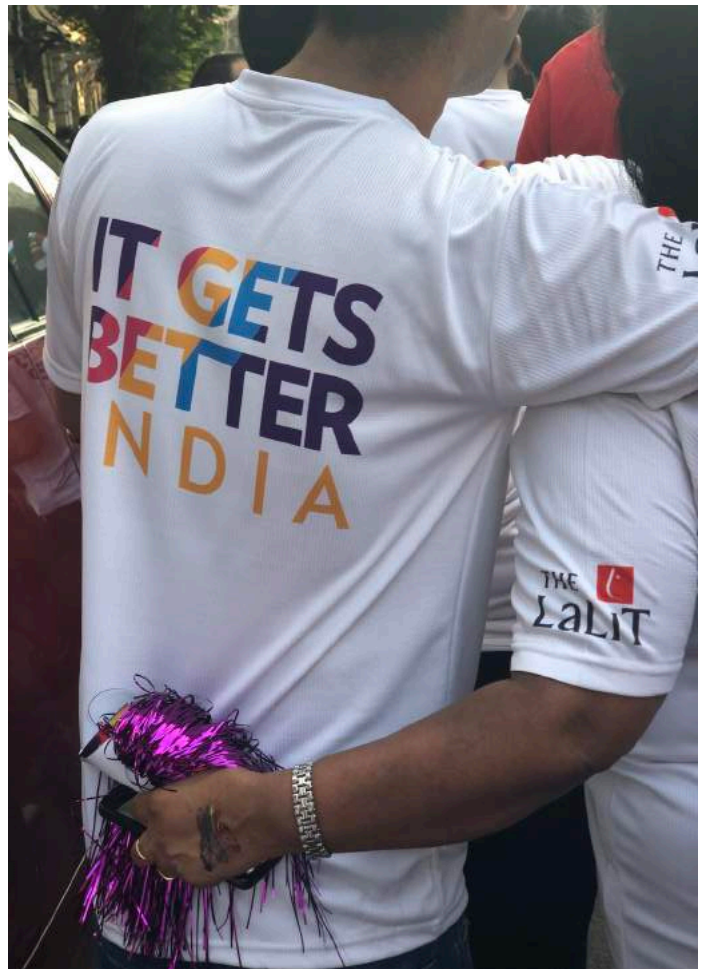
Know The Terminology

Ally: A person, regardless of sexual orientation, who has the back of the LGBTQIA community on all fronts. A (typically cisgender) person who supports and respects members of the LGBTQ community.

Asexual: Someone who is not sexually attracted to anyone or doesn't have a sexual orientation nor identifies with either man or woman.

Bigender: a person who fluctuates between traditionally "woman" and "man" gender-based behavior and identities, identifying with both genders.

Bisexual : Someone who is attracted to both men and women.

Cisgender: a gender identity, or performance in a gender role, that society deems to match the person's assigned sex at birth.

Closeted: an individual who is not open to themselves or others about their sexuality or gender identity.

Coming Out: the process by which one accepts and/or comes to identify and make public one's own sexuality or gender identity. Cross-dresser: someone who wears clothes of another gender/sex.

Gay: Someone who identifies as male and is attracted to other males. More commonly used to refer to men who are attracted to other men but can be applied to women as well.

Gender binary: the idea that there are only two genders and that every person is one of those two.

Heterosexual: a person primarily emotionally, physically, and/or sexually attracted to members of the opposite sex.

Homophobia: an umbrella term for a range of negative attitudes (e.g., fear, anger, intolerance, resentment, erasure, or discomfort) that one may have towards members of LGBTQ community.

Homosexual: a person primarily emotionally, physically, and/or sexually attracted to members of the same sex/gender.

Intersex: term for a combination of chromosomes, gonads, hormones, internal sex organs, and genitals that differs from the two expected patterns of male or female or whose , or genitalia does not meet medical criteria for either male or female.

Lesbian : Some who identifies as female and is attracted to other females.

LGBTQ : shorthand or umbrella term for all folks who have a non-normative (or queer) gender or sexuality. LGBTQ is Lesbian Gay Bisexual Transgender and Queer and/or Questioning (sometimes people add (+) at the end in an effort to be more inclusive.

Queer: used as an umbrella term to describe individuals who don't identify as straight. Refers to all LGBTQ people as well as an identity which advocates breaking binary thinking and seeing sexual orientation and gender identity as potentially fluid.

Straight or Hetrosexual : a person primarily emotionally, physically, and/or sexually attracted to people who are not their same sex/gender

History of Multiple Sexualities in Ancient India

Gender variance and alternative sexualities once formed an integral part of the socio- cultural and religious fabric of India. Whilst attitudes towards those with alternative sexualities were spread over a wide spectrum from condemnation to acceptance, they were not seen as anomalies to the norm. In some communities, this behavior was lightly punished, but there was hardly any criminalization for gender variance. Homosexuality and transgenderism has been widely recorded across different periods in ancient India. The ancient Indian texts, including the Ramayana, Mahabharata, Rig Veda, Kamasutra etc, are replete with examples of individuals with gender variance and illustrate their commonness.
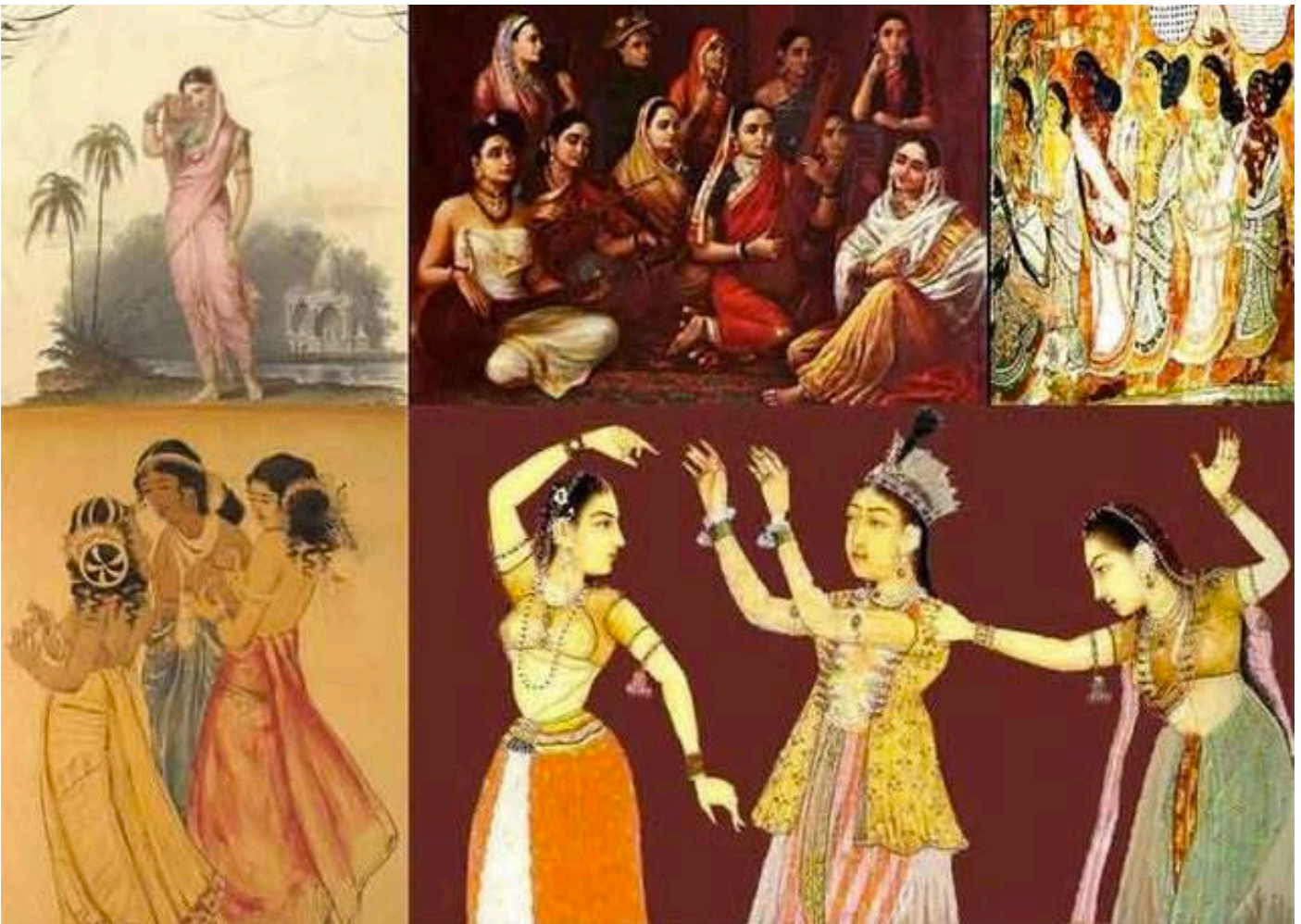
Transgenderism in Indian Mythology

Indian mythological texts have a special mention towards the prevalence of transgenderism in ancient India. These texts that legitimize the existence of transgenders or 'hijras/enuchs', did not originate only out of the Hindu texts, but also have Islamic references. As far as the Hindu mythological texts are concerned, arguments supporting the existence of transgenderism throw light on 4 principal narratives-

Arjun as Brhannala- The narrative illustrates the donning of a transgender identity by Arjun as Brihannala, one of the Padava Heroes from Mahabharata, while in the court of King Virata, as the brothers spend 13 years in exile.

Sikandi as Amba- Another piece from the Mahabharata, this narrative contends a female to male transformation to aid the Pandavas in killing Bhisma. While, transgenderism is often seen as a male- to- female transformation, the story of Sikandi/ Amba backs the notion of gender variance and gender fluidity in Ancient India.

The Epic Ramayana- The third illustration of acceptance of transgenders in Hindu mythology comes from Ramayana. It is contended that when Lord Rama went to 14 years of exile he asked all the men and women to go to their homes. This left the transgenders on the banks as they identified themselves with neither and stood there till Rama came back from exile. On returning, Rama touched by their loyalty, pronounced them as leaders of the future.

Bahuchara Mata- Bahuchara Mata is considered to be a goddess to the transgender community in India because of her ability to transcend her bodily state.

Islamic texts also illustrate the existence and acceptance of enuchs in Islamic courtly traditions. Islamic Eunuchs enjoyed positions of power and prestige. Texts also state that they were often appointed as political advisors, administrators and guardians granting legitimacy to their gender identity.

Therefore, transgenderism has been a well accepted and celebrated part of ancient India. Even today the transgender community seeks to legitimize its identity and origins by pointing to such ancient texts, arguing that their gender fluidity is not a western export, but an integral part of our country's rich history.

Homosexuality- Religious Perspectives

Like trangenderism, homosexuality has been widely documented in ancient Indian texts and was a part of both the Hindu and Islamic religion.

Homosexuality in Hinduism- The renowned Hindu treatise on love, the Kamasutra has an entire chapter on homosexuality, Auparistaka - homosexual intercourse. The same text also illustrates the practice of eunuchs or male servants performing oral sex to their male masters, highlighting the ancient existence of homosexuality. Even the Ramayana refers to Lord Rama as an epitome of attraction that could please any man. While this phrase may not directly translate to homosexuality, it is an indirect reference to homosexuality as a legitimate practice. Hindu legends, Shiva and Krishna, have been shown engaging in homosexual activities.

Homosexuality in Islam- Islamic texts talk about the prevalence of homosexuality amongst Muslim men during the Mughal period in India. Islamic literature and poetry have identified homosexuality with moral love and refer to homosexual eroticism to explain the spiritual relationship between man and god.

Homosexuality in Buddhism- Buddhist teachings do not have any specific stance on homosexuality. They don't explicitly prohibit homosexuality, rather, they preach refrain from all sexual activity. The Dalai Lama, a Buddhist leader, in 2014 made a statement regarding gay sex as acceptable so long as it was consensual.

Homosexuality in Sikhism- Like Buddhist teachings, even the Holy Sikh Book, the Guru Granth Sahib has no mention of homosexuality. Therefore, a wide spectrum of beliefs exists amongst the Sikh community. While traditional Sikh leaders condemn homosexuality and voice their opinions against it, the younger generation is using the power of social media to initiate conversations around homosexuality in Sikhism.

The open acceptance of homosexuality in the two predominant religious communities of India highlights the existence of homosexuality far before the incidence of any influx of western values. Additionally, reflection of the ancient religious texts reminds us that historically, homosexuality was not considered to be an abnormality or deviance but simply an expression of one's gender identity.

Gender Variance in Indian Temple Art Work

Tracing the history of gender variance and alternative sexualities is not limited to ancient texts and mythological narratives. The infrastructure of our country, at places, is in itself a representation of the prevalent homosexuality. Walls of some major temples are carved with sculptures of same sex couples copulating. Cave drawings depicting homosexual acts are common sightings.

◆ The **Khajuraho temples** have images and carvings of women erotically embracing other women.

◆ The **Khajuraho temples** also house images depicting men displaying their genitals to one another.

◆ Similarly, temples of **Puri and Tanjore** depict queer couples as a part of their exclusive art work.

◆ The **Buddhist prayer halls** and cave tem ples also represent images of a similar order.

Most of these temples were built before the 15th century and confirm the idea that gender variance was an integral part of the Indian cultural and religious fabric. The acts termed unnatural today under Section 377 of the Indian constitution were in fact practices in ancient India.

Societal Perceptions

Historical literary evidence indicates that homosexuality has been prevalent across the Indian subcontinent throughout history, and that homosexuals were not necessarily considered inferior in any way until about 18th century during British colonial rule.

Hence, it just been last two centuries where homosexuality has remained a taboo subject for people and society at large in the Indian Subcontinent. Public discussion of homosexuality in India was inhibited by the fact that sexuality in any form is rarely discussed openly. Though over the last decade slowly but steadily attitudes towards homosexuality have shifted with more people coming out in support. Public personalities have taken a stand expressing support for decriminalizing homosexuality and pushing for tolerance and social equality. Mental, physical, emotional and economic violence against LGBT community in India prevails with the transgender community

being the most discriminated even lacking support from own family, society or police. Major incidents of discrimination like gay rape and victimization have a history of not getting reported.

Rigveda, one of the four canonical sacred texts of Hinduism says Vikriti Evam Prakriti, which some scholars believe recognises homosexual/transsexual dimensions of human life, like all forms of universal diversities. The ancient Indian text Kamasutra written by Vātsyāyana dedicates a complete chapter on erotic homosexual behaviour.

As per article in March 2017 in Huffington Post, in the US Public support for the community gay marriage has climbed from 27 percent in 1996 to 61 percent in 2016. Still, even as we celebrate the scale and speed of this change, the rates of depression, loneliness and substance abuse in the gay community remain stuck in the same place they've

been for decades. Gay people are between 2 and 10 times more likely than straight people to take their own lives. They are twice as likely to have a major depressive episode. In a survey of gay men it was found, three-quarters suffered from anxiety or depression, abused drugs or alcohol or were having risky sex—or some combination of the three. Despite the talk of "chosen families," gay men have fewer close friends than straight people or gay women. Individuals unable to tackle depression and discrimination often indulge in self harm.It is estimated that about 40% of the LGBT+ youth has indulged in self harm or suicide at least once.

This feeling of emptiness, it turns out, is quite similar across the globe. In the Netherlands, where gay marriage has been legal since 2001, gay men remain three times more likely to suffer from a mood disorder than straight men, and 10 times more likely to engage in "suicidal

self-harm." In Sweden, which has had civil unions since 1995 and full marriage since 2009, men married to men have triple the suicide rate of men married to women. The extensive prevalence of sexual stigma and prejudice in the society creates a condition of phobia towards gender variance and alternative sexual orientation. The most common being, 'Homophobia.' Homophobia is defined as "fear, disgust, anger and discrimination that individuals experience in dealing with gay people." Its roots come from a belief system that stresses the conventional gender roles and relations. Homophobia generally encompasses two forms- External and Internalized.

External homophobia refers to the negatives messages and stigma that homosexuals are subjected to. While the most common practice of external homophobia is verbal abuses and hate messages, practices of workplace discrimination, refusal for accommodation, etc have become commonplace. Internalized homophobia, on the other hand, refers to an individual's response to external homophobia leading to a negative impact on mental and psychological health. Internalized homophobia leads to reduced self-esteem and increases self-doubt and acceptance of an inferiority status. Once an individual internalizes homophobia,

demoralization, guilt, suicide ideation and attempt due to clinical depression and sexual problems, begin to corrupt one's life. Self-hatred, a reduced sense of self and fear of rejection by society forces them indulge in practices of self-harm.

Whatever the intention may be, the feeling of self-harm is rooted in the societal stigma, prejudice and phobia against gender variance and alternative sexualities.

"

Society is stuck in a Binary its male or female, black or white, good or bad. People are not willing to look beyond the Binary and to understand that it is not unnatural or a defiance to think and accept beyond it.

"

– Vivek Ananad, CEO Humsafar Trust

LGBT Movement in India

The LGBT+ India Timeline

1977, First study on homosexuality - "The World of Homosexuals" by Shakuntala Devi

1986, First 'coming out' story from India- Journalist Ashok Row Kavi penned an article about himself for Savvy Magazine.

1990, India's first magazine for queer men- "BombayDost" by Ashok Row Kavi

90s, India's first women's helpline and lesbian resource centre - Sakhi by Gita Thadani

1994, Humsafar Trust, an LGBTQ organization, was founded in Bombay, by Ashok Row Kavi.

1996, "BOMGaY", a 12 minute long film starring Rahul Bose and author R. Raj Rao, following several storylines of queer Indians living in 'Maximum City',

1997, Two separate helplines and support networks for LGBTQ Indians in crisis – Sangini, based in New Delhi, for lesbian, bisexual and transgender women, and, similarly, Humraz for queer men.

1998, the Shiv Sena vandalised theatres that were screening Deepa Mehta's "Fire" which explored Lesbian love.

1998 and 1999, G.H.A.R (that's Gay Housing Assistance Resource) founded in Bombay to help LGBTQ Indians find safe living spaces, without having to worry about constant discrimination, from landlords and other tenants by Sachin Jain.

1999, Calcutta holds India's first ever 'Gay Pride Parade'.

In **1999**, discotheque named Soul Kitchen in Delhi hosted the first "gay night"

2001, Naz Foundation and The Lawyer's Collective filed the first petition against Section 377, asking for it to be read down, on the grounds that it was discriminatory to queer people, and also hampered HIV/AIDS intervention programmes.

2002, Kali became the first hijra person to stand for elections in Bihar. She was elected as ward councilor to the Patna Municipal Corporation.

2002, Prince Manvendra Singh Gohil of Rajpipla came out of the closet in to became the first openly gay prince in India.

2003, India's first gay romance novel, "The Boyfriend"- by R. Raj Rao.

2003, Formation of Voices Against 377, a multi-organisation group which published a 60 page report "Rights for All: Ending Discrimination Under Section 377".

2004, Voices Against 377 launched the Million Voices Campaign to collect one million messages on sexual rights in India.

2006, Humsafar Trust's Goa wing began organising same-sex marriage ceremonies for people in the coastal state.

2008, First ever Pride Marches in New Delhi and Mumbai simultaneously.

2009, First Rainbow Pride Walk in Chennai by the Chennai Rainbow Coalition, a network of local LGBT+ and ally groups.

2009, The Delhi High Court passes a landmark judgement by reading down Section 377 of the IPC

2010, Launch of the Kashish Mumbai Queer Film Festival

2011, Ghulam Nabi Azad publicly declared homosexuality as a disease

2013, Launch of India's first queer-oriented radio project, QRadio.

2013, Supreme Court overturned the Delhi High Court's

progressive judgement on Section 377.

2013, First Pride walk in Guwahati

2014, NALSA judgment formally recognized trans people as the 'third gender' on official government-issued documents. 2014, The Indian Psychiatric Society released a statement saying homosexuality is not a disease.

2014, Delhi University released admission forms which included the "third gender" category to improve education access for trans students.

2015, Manabi Bandyopadhyay became the first openly trans college principal.

2015, Shashi Tharoor prepared a private member's bill to amend 377.

2016, The first Pride March in Gurgaon

2016, First LGBTQ café opened in New Delhi, the Chez Jerome-Q Café.

2017, the Ministry of Health and Family Welfare says that homosexuality is natural.

2017, Asmita Sarkar became the first openly lesbian woman contesting elections at Jadavpur University

2017, The Ministry, 2017 The Kochi Metro hired 23 transgender women.

2017, Launch of the Kerala State Literacy Mission, to hold classes for transgender school drop-outs.

2017, 'Queen of Dhwayah' was inaugurated as the first beauty pageant for trans women in Kerala.

2018, Reading down of Section 377 by Supreme Court

Legal Turmoil around Section 377

Sept 2001
Naz Foundation files PIL in Delhi HC seeking legalisation of gay sex among consenting adults

Sept 2004
Delhi High Court dismisses the petition filled by the Naz Foundation

Dec 2004
LGBTQ activists approach SC against HC's dismissal of review plea

Sept 2008
Centre argues that gay sex is immoral, reflection of a perverse mind

July 2009
Delhi High Court scrapes Sec 377 and legalises sex between consenting adults

Dec 2013
SC sets aside Delhi HC order which decriminalised gay sex

Sept 2018
Supreme Court bench decriminalises part of Section 377

While this law has been in place for decades, the **2009 Delhi High Court Judgment** to strike down the law against homosexuality in Delhi brought new hopes. The HC in its verdict emphasized that the criminalization of consensual sexual acts between adults in the private realm is unlawful. As expected, this verdict faced exceptional resistance and petitions were filed in the Supreme Court challenging the lower court's judgment. **In 2013, the SC reversed the HC's verdict**, claiming it to be constitutionally unsustainable and accusing the HC of overstepping its power, claiming that it was the responsibility of the Parliament and not of the courts to make/ amend or repeal laws. The apex court also added that the microscopic percentage of homosexuals in the country and only 200 prosecutions under Section 377 did not form a solid base for rendering the law as unconstitutional. Finally, in September 2018, the Supreme Court upheld the autonomy of oneself over one's body and decriminalized gay sex among consenting adults.

Legal minds supporting the decriminalization of homosexuality argue that punishments under section 377 are discriminatory towards homosexuals as-

◆ They restrict the freedom of a specific class of peo ple to indulge in sexual activities that heterosexuals have no restrictions against.

◆ This law invariably criminalizes the expression of homosexual identity, by criminalizing the act of sexual intercourse.

◆ It circumvents the rights of freedom and equality guaranteed by law to every Indian citizen.

Since the SC reversal of the Delhi HC verdict, the SC has been receiving multiple petitions challenging Section 377. TThe petitioners have based their arguments on the notification of the Indian Psychiatry society stating that homosexuality is not a psychiatric disorder and the fact that it counter stands to some of the fundamental rights. The court has, as of now, reserved its decision.

Right to
Equality

Choice of
Partner

Privacy
Matters

493 Page
Judgement
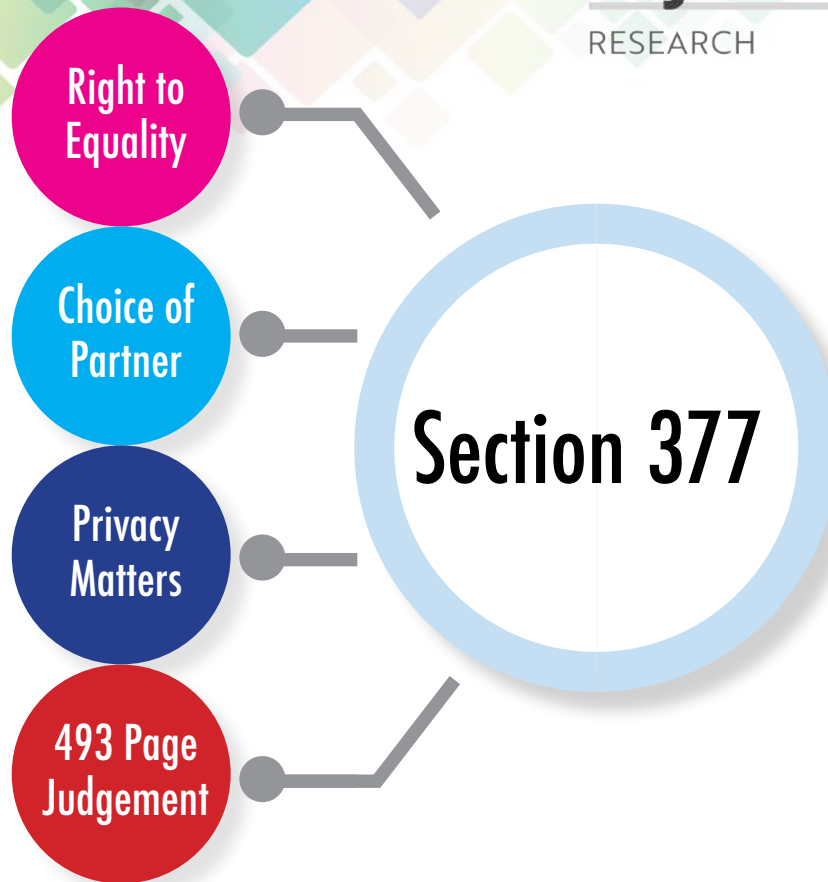
Section 377

Highlights of Judgement on Section 377

493-PAGE JUDGEMENT – Written by a five-judge bench headed by CJI Dipak Misra and comprised of Justices RF Nariman, A M Khanwilkar, D Y Chandrachud and Indu Malhotra.

LARGER RAMIFICATIONS – Experts feel decriminalization of Sec 377 will also have an impact on adoption, marriage, inheritance, medical decisions between partners

PRIVACY MATTERS – Sec 377 IPC in its present form, bridges both human dignity as well as the fundamental right to privacy. As sexual orientation is an essential and innate facet of privacy, the right to privacy takes within its sweep the right of every individual.

RIGHT TO EQUALITY – Sec 377 has resulted in a distasteful and objectionable collateral effect whereby even consensual acts which are neither harmful to children nor women and are performed by the persons from the LGBT Community have been woefully targeted.

CHOICE OF PARTNER – Sec 377 is violative of the fundamental right of the freedom of expression including the right to choose a sexual partner. It becomes a weapon in the hands of the majority to seclude, exploit and harass LGBT community.
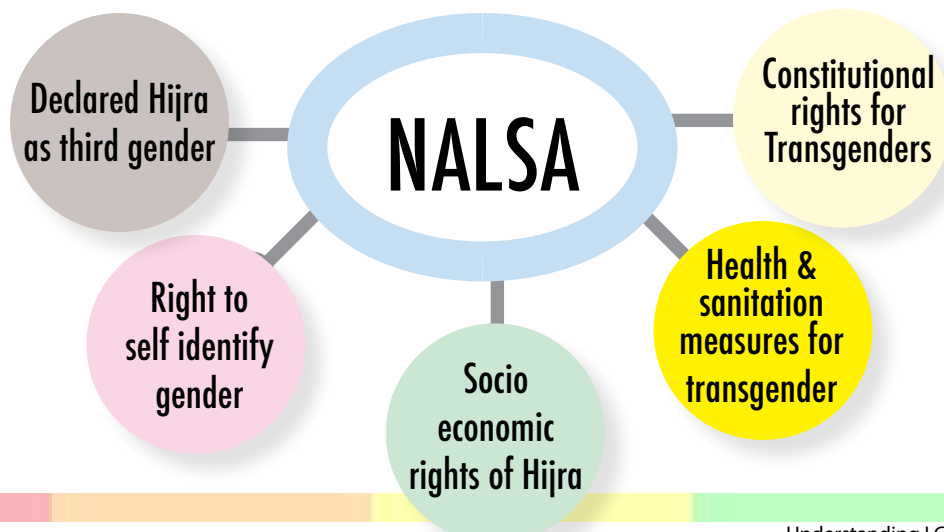
Reading down of Section 377

What it means ?

◆ No law to be tested by predominant social mores of a time but by constitutional morality.
◆ Same sex couples do not automatically get the right to marry or adopt, or to inheritance and pro tection from domestic violence. Most of the laws have been written imagined within the male female heterosexual binary. Yet, the judgement is a step closer to claiming these rights.
◆ Is same sex PDA ok? The judgement places the onus of breaking stereotypes, prejudice and stig ma on the Union of India through sensitization and training for police and media.
◆ LGBTQA couple can now ask for both their name to appear on a rental agreement
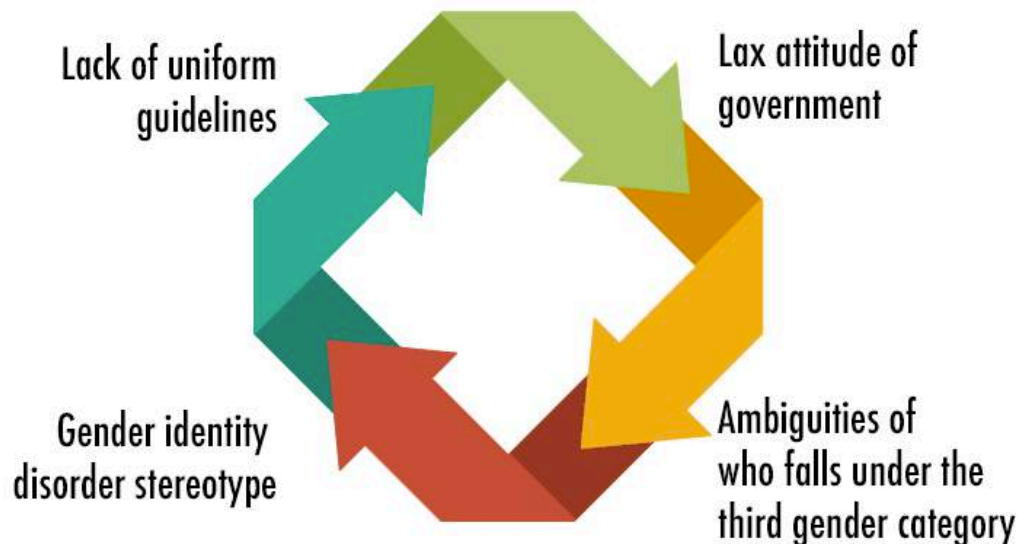
NALSA and its Implications

While Section 377 prevents a certain class of individuals from expressing their gender identity, in 2014, the Indian legal system has taken a step towards ensuring a legal and constitutional status for the Transgenders. The National Legal Services Authority V. Union of India judgment, popularly called the **NALSA judgment** is considered to be a landmark decision which

◆ Declared the Hijra community of India as the Third Gender granting them the constitutionally guaranteed fundamental rights.
◆ Acknowledged gender identity is an intrinsic experience and one may appropriate a gender op posite to the sex assigned at birth.
◆ Upholds the rights of transgenders to decide their self- identified gender and be granted full rec ognition of the same.
◆ Guarantees the socio- economic rights to the Hijra community.
◆ Directed the Central and State governments to undertake adequate measures to ensure proper health and sanitation measures for the transgenders.

Declared Hijra as third gender

NALSA

Constitutional rights for Transgenders

Right to self identify gender

Socio economic rights of Hijra

Health & sanitation measures for transgender

Factors preventing realization of NALSA

Lack of uniform
guidelines

Lax attitude of
government

Gender identity
disorder stereotype

Ambiguities of
who falls under the
third gender category

While the judgment was hailed as ushering in a new hope for the Hijra community with new rights, the reality on ground has been far from rosy because-

◆ The judgment has not been backed with any uniform set of guidelines to apply across all states. As a result, states create their own terms and conditions to identify transgenders.

◆ A set of guidelines by the Ministry of External Affairs demands a certificate from a surgeon as a pre requisite for someone to be identified as the Third Gender. This requirement counters that judgement which laid stress on self identification of gender identity.

◆ Transpeople in India are still considered to be suffering from 'Gender identity disorder' and their representation in education and subsequently formal workforce is negligent.

◆ There has been a lax attitude of the government in developing a policy based on SC recommen dations.

◆ Ambiguities still exist in terms of which groups fall under the transgender category and what design should be followed to create affirmative action and other policies for transgenders, among others.

The lack of conducive conditions that prevent the Hijra community from self identification as the Third Gender, without supporting documents reflect the gaps in the judgement and its implementation, leading to further ostracizing and policing of the transgender community.

Economic Costs
of Inclusion

Economic costs of LGBT+ Exclusion

Homophobia and exclusion of LGBT+ community not only has social repercussions through stigma leading to depression and self-harm, it also has economic costs. According to a report submitted by the Government of India to the Supreme Court in 2012, 2.5 million individuals in India are documented as homosexuals. Invariably, the cost of homophobia lies between 0.1- 1.7% of the GDP. This translates to an annual economic loss of $30.8 billion approximately.

The factors leading to this economic loss result from the discrimination of members of the LGBT+ community in terms of equal opportunities in terms of access to work and wages. The factors include-

◆ Lack of education due to discrimination in access induced by homophobia
◆ Lack of opportunities and lower wages at workplace
◆ Lower productivity due to higher incidence of depression, self- harm, and other medical conditions
◆ Need for greater public investment to counter act lower wages and greater health problems

The economic costs of LGBT+ exclusion stem primarily from lack of equal opportunities and other disparities which negatively affect the productivity of individuals.
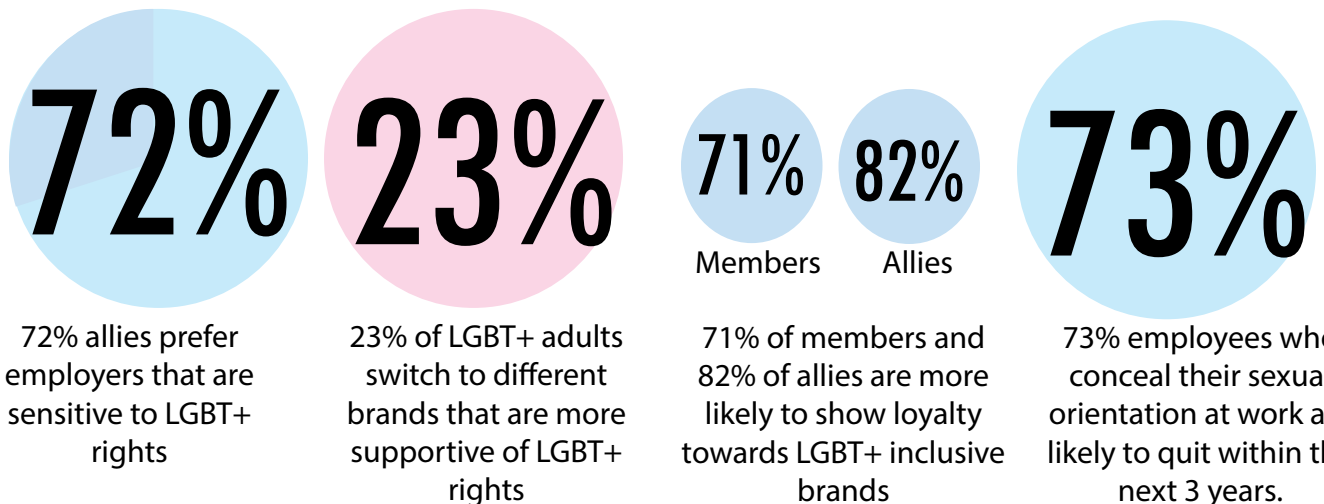
Why economic costs?

LGBT Inclusion: Business Case

LGBT+ Loyalty

35% higher financial returns

$3.7 trillion consumer market

71% LBT+ and 82% Ally loyalty
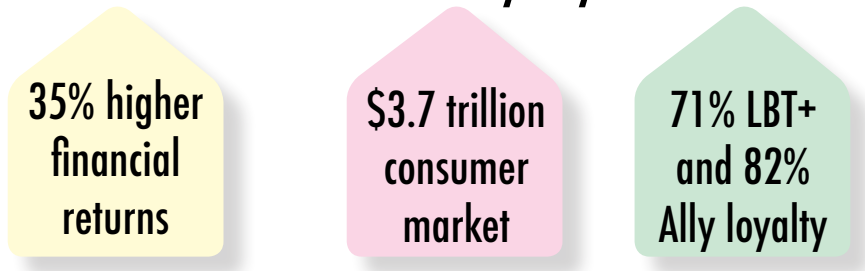
While homophobia and exclusion of members of the LGBT+ community has significant economic costs, their inclusion can bring about serious business opportunities in terms of direct and indirect benefits. To begin with, organizations that support LGBT+ rights are more likely to attract a larger and better talent pool, not only from the LGBT+ community, but also from their allies. According to a report by McKinsey on workplace diversity, organizations employing a diverse workforce have 35% higher financial returns. Additionally, LGBT+ inclusion can have serious benefits for stakeholders in the consumer market. Inclusion of LGBT+ members also accounts for innovation

72%

72% allies prefer employers that are sensitive to LGBT+ rights

23%

23% of LGBT+ adults switch to different brands that are more supportive of LGBT+ rights

71% Members   **82%** Allies

71% of members and 82% of allies are more likely to show loyalty towards LGBT+ inclusive brands

73%

73% employees who conceal their sexual orientation at work are likely to quit within the next 3 years.

Seventy-two countries prohibit discrimination in employment because of sexual orientation, including Australia, Canada, France, Germany, Mexico, the Netherlands, Switzerland and the United Kingdom.

LGBT+ Inclusion at Workplace

Percentage (4% in 1996 to 92% in 2017) of Fortune 500 companies that protect against workplace discrimination on the basis of sexual orientation for Lesbians, Gays and Bisexuals

Percentage (3% in 2002 to 82% in 2017) of Fortune 500 companies that protect against workplace discrimination on the basis of gender identity for transgenders

Organizational Responses

WHY LGBT Inclusion?

Because Why Not?

People

It is important for our people

People need to bring their whole authentic self to work.

Help try the creation of a socially and economically just world.

LGBT INCLUSION

It's time to respect a significantly impacted community especially in the Indian context.

We need to Build stronger communities.

and Organization say...

◆ Gender is not binary and neither is their businesses
◆ They want to be reflective of the world that they live
◆ They want to be seen as an Equal opportunity employer
◆ They want to be an Employer of choice for LGBT customers and colleagues
◆ Talent is mission-critical – hence can't ignore this population
◆ It makes business sense
◆ Is important to 65% millennials from where current recruitment happens
◆ They want to respect both the law of the land and the rights of the people.
◆ They want to create a safer space for diverse employees

What have Organizations done?

Awareness & Sensitization

The focus is around educating employees about LGBT+ community and their issues. Organizations are focusing on sensitization programs, bias workshops, expert discussions and newsletters to spread the message across the hierarchy in offices. Other methodologies include film screenings on gender sexuality, open house around law and human rights are organized. Community organizations like Humsafar Trust's English play Ek Madhav Baug', has been used to kickstart LGBT conversations . The Lalit Group goes a step further by organizing Drag Queen sessions to get people to understand the community upfront and personal. Workshops are also being held for the hiring teams on the right conversations and usage of language, neutral job descriptions and making the overall process more inclusive. Organizations are also focusing in getting the culture fit right, by giving the candidate a view on what it will entail to be LGBT Inclusive. Most organizations are also getting the new hire orientation program focused around Inclusion of everyone and by encouraging new joinees to become ambassadors and allies. The Lalit Group gets employees to sign an 'Equality Pledge' which fosters a culture of respect and equality. Continuous communication around this via monthly newsletters and also reaching out to the policy creators and stakeholders from time to time. Also sharing stories of LGBT Inclusion and speaking about it in Town Halls by the senior team.

Open Dialogues & Industry Participation

One cannot be an ally from the shadows. Out and about organizations have taken a stance to support the LGBT+ community by showcasing that it's the Right thing to do publicly and proudly. Forward looking organizations have partnered in this space and opened a dialogue with supplier and vendor community to employ transgenders

and there is a lot of buzz around this. Organizations participate in industry sessions by Industry bodies and community partners like NASSCOM and BeyonDiversity Foundation and international organizations like the Out and Equal Indian Forum. These dialogues influence and employees, clients, suppliers, vendors, partners, and other corporates to build a stronger culture of equality and inclusion at workplace. Internally to organizations are having open and transparent conversations around LGBT. They are putting in efforts to create space to have open discussions on pride by decoding it for themselves and then considering every aspect,due to the amount of diversity that exists in India.

Amending Infrastructure

Studies have shown that rates of suicide among transgender people drop when they are given access to facilities that match their gender identity. One way of providing such facilities is to have gender neutral toilets in public spaces. Gender-neutral or mixed-sex toilet facilities can benefit transgender populations and people outside of the gender binary.

Transgender and third gender individuals often experience a feeling called dysphoria, which is a feeling of disconnect between their body or the way they are perceived socially, and the gender that they identify with. For example, a transgender woman might feel dysphoria if she is referred to as "he". They also often feel dysphoria when they use the washroom that does not correspond to the gender they identify as. Dysphoria can often be debilitating, and can lead to depression and anxiety. Organizations like Godrej and Barclays boast of gender neutral washrooms in their work premises

Auditing Policies & Benefits

Employee policies to ensure that they protect the rights and provide benefits to all employees irrespective of their gender, sexual orientation and family composition .Auditing policies and benefits, and getting it under the gambit of POSH. Offering paternity leave to all employee irrespective of gender to cover LGBT+ employees where a partner may have adopted or given birth. Employee forms to have an option of "Other" in the gender column especialy around MediClaim Policy for same Sex Couples, Single Parents and Children Born through Surrogacy. Also medical Insurance Benefit to cover LGBT+ Partner , Accident Cover, Life Insurance. Some organizations are also looking at policies around Domestic Relocation where the family definition can be expanded to cover partners of LGBT+ employees.

Transgender Hiring

Lately there has been a lot of focus around building a robust and sustainable hiring strategy to identify, train and hire trans people. Reviewing internal policies and HR onboarding practices to ensure on-board of trans-people seamlessly. Support & outreach for the Transgender Community through recruitment & hiring.

ERG Networks

Most of the work in organizations around LGBT Inclusion has been driven via the ERG and Ally Network. The Employee Resource Group encourages allies to come forward to support the community and create a humane organization. At Akamai, ERG members work voluntary but with a strong operational efficiency with clear description of job responsibility and actions. The ERG takes in only those volunteers who are willing to invest their time and effort outside of their day job. The budget allocation that is given to you on an annual basis and performance effort points are allocated towards their annual performance review. The Executive sponsor is invested in the process and also gives recognition to each member of the team via appreciative letters on what they have done and contributed.

Senior Management Support

Communication: Constant effort from the leadership team to showcase the efforts and to bring more awareness from their level top down. A very important feature are newsletters that go out across the organization at various frequencies with a section dedicated on D&I and its initiatives. Quarterly All hands or annual or biannual Town Halls where the leaders talk Inclusion and showcase the impact on culture and organization goes a long way in taking the agenda forward. Also celebrating and recognizing people and their stories sends a message that this is the right thing to do.

Engagement: Understanding the local and regional context because the way the LGBT is understood, responded to and reacted to is not the same globally and has local nuances. Hence taking out time to engage and understanding LGBT+ ERG work stream. Engagement also by being present in important community forums to talk and role model Inclusion, by being active sponsors of the initiative by having regular face time with the ERG's understanding the wins/challenges and if need be support in opening doors and conversations. The senior leadership along with Heads of Diversity and Inclusion from different countries, engage in conversations with employees where they share business benefits of diversity and inclusion, their experiences and success stories.

Showcasing Change: Change requires a strong backbone. Network leads with a set of strong allies have to replicate it with core team support irrespective of location. For lack of understanding by the larger organization, sometimes there is a challenge that being part of Ally network brands one from the community. So, breaking myths by showcasing change as an ally network and also showcase that you need not identify with the community for you to be part of this network. So leadership walking the talk also gives confidence to the rest of the population. The senior management at Thoughtworks came out with a strong reaction on the 2013 judgement. On the reading down of section 377, they again wrote a public letter showcasing support and sharing concerns on section 377.

Participation in External Forums and Events: Showcasing change in external forums gives a strong message in society that you are part of change and with the community. The Lalit Group not only host successful events, but also is redefining set society norms, contributing to the society. The initiatives have resulted in The Lalit being the only hotel chain, worldwide, amongst the elite list of 32 to endorse UN's LGBTQ standards at work; a big leap for the country and the hospitality industry. Participation in Pride Walks and Pride conversations also move the needle in the right direction.

Offering Benefits: Senior leaders in organization are showcasing complete and unwavering support to the LGBT+ agenda. In RBS, whilst working on same sex Partner medical benefits,

Senior Management was ready to pay for the benefit from the P&L if insurers were unwilling to provide cover to their employees. At The Lalit Group Mediclaim policy offered by the organization also includes same Sex Couples, Single parents and children born through Surrogacy. The Group negotiated aggressively with the insurance company to include the LGBTQI members and their partners under its Mediclaim policy.

Allies Support

It's just not Senior Leadership but also employees who have showcased support by volunteering to be part of the D&I agenda by being ambassadors, champions and allies. Post reading down of Section 377, many of closeted LGBTQ+ employees have also been more comfortable by 'being themselves' at work. This has resulted in a positive energy, vibe and consequent increase in engagement and productivity. Many employees have committed to improving diversity and inclusion in their teams and spreading the message in social spaces and communities.

Organizations like Beyondiversity Foundation via their Think Tank are advocating for sustainable and inclusive business practices and policies with academia, corporate, civil societies, non profit organisations & government agencies. The #IpledgeInclusion campaign talks about treating everyone fairly – equal pay, respect and support human rights and nondiscrimination.

As an Ally we can do the following things:
◆ Not assume that all our peers and coworkers are straight
◆ Be an empathetic listener
◆ Confront unconscious and implicit biases against alternative sexual orientations
◆ Reassure peers from the LGBT+ community on their support and acceptance through public support like Pride Marches and saying no to homophobic jokes.
◆ Don't fall for the stereotypical image of the LGBT+ people as portrayed by media as well dressed, lovable, etc. They might be all of those, but the opposite possibility also exists. Not expecting LGBT+ peer to completely fit into your imaginary illustration.
◆ Stand up against LGBT+ discrimination, whether domestic, public or professional.
◆ Learn the queer vocabulary and be mindful of what terminology you use while addressing a particular person.
◆ Use gender sensitive language, especially pronouns.

THINGS TO DO AS AN ALLY

CONFRONT UNCONSCIOUS AND IMPLICIT BIASES

REASSURE PEERS FROM THE LGBT+ COMMUNITY

DON'T FALL FOR THE STEREOTYPICAL IMAGE OF THE LGBT+ PEOPLE

NOT ASSUME THAT ALL OUR PEERS AND COWORKERS ARE STRAIGHT

BE AN EMPATHETIC LISTENER

LEARN THE QUEER VOCABULARY

STAND UP AGAINST LGBT+ DISCRIMINATION

USE GENDER SENSITIVE LANGUAGE

LGBT+ Inclusion at Workplace: Best Practices

Organizations are doing seminal work done in this space. From setting up of Employee Resource Group (ERG's), to active involvement in ERGs by Allied employees. This coupled with introduction of LGBT inclusion practices in three areas –

◆ HR policies,
◆ Corporate culture and
◆ Community engagement.

The "Infosys Gays Lesbians and You" (IGLU) is the LGBT ERG at Infosys that brings together all LGBT employees from all functions, discusses and deliberates over their concerns and debates over policy changes to make the organization more LGBT inclusive. Organizational efforts are not restricted to their campus, but also advocating inclusion across all organizations. Organization's inclusive policies include equal recruitment, promotion and retention guidelines. From developing short, diversity and inclusion training modules to frequently holding counselling sessions with experts to creating awareness about the need for LGBT inclusion. Organizations are highlighting their stand on equal opportunities and their meritocracy policies have explicit reference to various sexual orientations and is regularly communicated to the employees. Intuit has been one of the leaders in advocating inclusive workplaces for the LGBT community. IBM has included gender identity protections in its Equal Opportunity Policy since 2002 and has proactively helped dozens of transgender successfully transition on the job. IBM has participated in HRC's Corporate Equality Index (CEI) since its inception in 2002 and has received a perfect 100 score and the designation of being a "Best Place to Work for LGBT Equality"since 2003.

Organizations have gender transition guidelines and transition framework designed to be an

introduction of LGBT inclusion practices in

- HR policies
- Community engagement
- Corporate culture

accessible resource for employees and managers. Courses have been designed to understand common terms around gender identity and expression. Focus has also moved to using inclusive statements, using gender-neutral terms in oral communication with prospective employees, new employees or colleagues. Even in personnel policy usage of "mothers/partners" or "fathers/partners" instead of "mothers" or "fathers". Also providing partners/registered partners of the LGBT+ employees to receive the same benefits if the company chooses to provide time off with pay in cases of death and serious illness in the immediate family ("spouse, partner, child, parents, in-laws or other close relatives"). In Godrej Industries all of their documentation has an option of 'Other' in the Gender Column. Additionally, they offer equal medical benefits and allowances to all their LGBT employees right down to the maternity/paternity leave irrespective of the gender identity, sexual orientation or gender expression.

Harassment policies have been revised to include bullying, discrimination and violations. It has been further enhanced to check for the use of respectful (vs. harmful) language, and detailing of how the organization will support an employee who has experienced and/or witnessed discrimination and/or harassment. Parallel organization-wide training on understanding of diversity and inclusion for employees and especially people managers, helps ensure that there is a creation and platform for a respectful culture.

Most of the organizations have provided specific gender transition guidelines as they will be helpful to both the person who is transitioning and their co-workers. This also includes providing medical benefits, leave support and also support for the team to transition to creating an inclusive workplace. Financial support for inclusive benefits helps LGBT people feel valued and cared for in the workplace.

Pride Conversations – Akamai Technologies

The Akamai team was successfully able to sensitize over 400 employees by employing different methodologies to communicate and involve employees in the discussion known as Pride Conversations. Akamai's out@akamai ERG hosted a series of conversations spread across the global pride month which is observed every year in June. The greatest source of success for these pride conservations were the fact that it was not led by a single advocate but by passionate teams supported by business leads. The idea was to host small group discussions and provide respective managers and teams with the flexibility of time and place that was convenient for them. Teams selected meeting rooms, pantry, break-out areas and some just gathered near their workstations to listen in. The discussions were led by ERG members, Inclusion advocates, champions and were held in places where breakout

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Inclusion is about people, not about the company. It's simply the right thing to do! We shouldn't invest in inclusion because it will help our brand or revenue growth or productivity or efficiency, but we should invest in it because it's our duty to work for the welfare of our employees. At Akamai, our employees matter to us and deserve to be their authentic selves. The sense of belonging reflects in every part of the company whether it's the infrastructure, the policies, the benefits or the workplace culture. Everyone matters.

"

Ankkit Srivastav,
Chair – India D&I, Akamai Technologies

areas like the pantry. All employees attending the conversation were encouraged to voice the meaning of Pride for Self, and also asked to pen down any comments or thoughts that they may have. Small groups allowed the employees to express themselves freely. Weekly communications highlighting efforts and conversation summaries were circulated to all employees along with the pictures of participating teams and acknowledging their spirit. This communication also helped in reaching those individuals that weren't part of the conversations and acted as a way to create a greater outreach. It also encouraged other managers who had not signed up to the initiative and to take the agenda forward in their own teams. The team heading the initiative made efforts to set the objective and create the content, while the responsibility to create awareness and conduct the conversations were spread across the spectrum with equal responsibility of managers and allies.

Being True Allies - Barclays

It is common knowledge that anything controversial around which you can create a buzz attracts people's attention. The lack of knowledge around the whole LGBT issue and the eagerness of people to educate themselves about the same has been a contributing factor for Barclays to move the needle towards creating awareness. The Spectrum team- LGBT network at Barclays, conducted sessions and discussions, they were successfully able to create a mindset shift with members acknowledging a change in their understanding of the transgender community and taking this understanding beyond the organization to the community at large.

A great showcasing of being an ally was when people start taking action. One of the members acknowledged how her outlook about the transgender community changed as a result of the discussions. While earlier she used to fear and shun away the transgender community that would beg on the traffic signals, now she takes pride in engaging with them and routinely strikes a conversation. Her comfort level with the community has reached such a level that she even helped one of them get through a vocational training course and even sponsored a sewing machine to help her earn a livelihood by starting her own venture. Examples like these reflect the success of Spectrum in terms of sensitization by creating allies who are advocating transgender inclusion not only within Barclays but also beyond it.

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Capgemini being an equal opportunity employer, commits to inclusive practices and behaviors. While supporting the community through All Gender Restrooms and Medical Insurance for gender change surgery and covering same-sex partners for medical insurance, the needle has to move on to enable a culture of inclusion and respect. Engaging in dialogues is key to arrive at the change that we want to see within and in our society.

"

- Gayathri Ramamurthy, India Diversity & Inclusion Lead

Beyond Boundaries - The Lalit

The Lalit Group stands tall as a pioneer in taking headship in LGBT+ inclusion initiatives not only within the organization but creating a sustainable impact on the community at large. From an organizational perspective, the group has been on the forefront by hiring members of the community.

The group introduced the drag culture to India by giving a performance platform to local drag queens in Kitty Su. CU Next Thursday opened doors and created a space for the LGBTQI community with the idea of inclusive nights. The Lalit also became the first corporate entity to come on board as the official partner for the pride parade in Chandigarh and made sincere efforts to educate the masses about the rights of the LGBTQIA community. Keshav Suri, Executive Director, Lalit Group was one of the petitioners against the revoking of section 377 and fought against all odds to get the homosexuality decriminalized. Not only did his petition highlight the social exclusion of the community caused by the draconian law but also attracted focus on the economic costs of discrimination and the power of the Pink Dollar

Equal Banking Transactions - RBS

RBS is leading the way in making Banking transactions equal and accessible to all. On the customer side, RBS has a judgement free/objective process to ensure that members of the LGBTQIA community can seamlessly carry out banking transactions without the fear of discrimination. To lend objectivity and credibility to the process, they provide an option to change one's name digitally, gender disclosure is a choice and not mandatory. Additionally, the use of title or prefix is a choice.

> **"**
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> *Within the bank's inclusion agenda we have a focus on being LGBT Innovative, and a key piece of activity within this is reviewing our workplace policies to make them more inclusive by removing exclusionary language like traditional definitions of the term "family". This has resulted in updating our Medical Insurance Benefit, Accident Cover & Life Insurance to cover LGBT+ Partners. Our POSH policy is above the legal mandate and covers all employees thus allowing even the non-female staff (men, transgender colleagues, non-binary colleagues and any other gender identities) to raise sexual harassment complaints under it. Our leave policies are defined to make them more inclusive e.g. offering parental leave to all employees irrespective of gender to cover our LGBT+ employees where a partner may have adopted or given birth.*
>
> **"**
>
> *Reeti Dubey, Diversity Officer, RBS India*

Interning with Pride - ThoughtWorks

The pro LGBT+ practices in Thought Works not only follow a top down approach but are also bottom up. Employees in the organization have come up with great ideas and plans that have been successfully executed resulting in true inclusion. The 'Interning with Pride Program' is an important milestone showcasing organizational stand on LGBT inclusion where all voices are equal and employees feel empowered to make decisions on their own. The Program is an exemplary initiative to provide a platform for members of the LGBTQIA community to apply for internships exclusively for them. Five month paid technical internship is provided to candidates in their Hyderabad office focusing on fundamentals of technical requirements, followed by practical projects and experience. The objective is two fold, to equip the interns with technical skills and breed confidence in them. The four interns post completing the program were offered full time roles for which they were more than happy to join.

Thoughtworks - 3rd Pillar Interview

At Thoughtworks as part of the hiring process, there is a third pillar Interview called the social and economic justice pillar interview. It is a values interview where open LGBT conversations take place with the candidate. The candidate is shared details about the MITRA collective – the ERG Network. Open questions are asked to the employee on their comfort level for LGBTQ plus community and of their being part of their teams, should they join the organization. Conversations are steered around the candidate's acceptance on the community. Interviewees are also asked to share anecdotes or stories where they have come across people from the community and on their personal journey on acceptance or discomfort. Care is taken that it is not a judgmental call or biases that could operate during the said conversation. It is just a way to prepare people saying that this what Thoughtworks is and believes in. It is then up to the candidate to take a call on whether they are ready for this and are willing to wholly be a part of ThoughtWorks as an employee.

"

The major needs of this community is self-esteem and confidence. We need to support them by dealing with the immediate community – family, neighbours, shopkeeper and workplace by sensitization them against years of discrimination. Also there needs to be larger focus via directed government policies, which gives them access to public spaces and medical support. Also providing an enabling environment and employment opportunities, for them to live a life of dignity.

"

Shubha Chacko, Solidarity Foundation

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At the start of 2018, there were no colleagues in the organization that openly identified as LGBT+. However, in our anonymous opinion survey, over 200 people identified themselves as being something other than heterosexual, indicating that they did not fell able to be open about their sexual orientation or gender identity when something other than heterosexual or male/female. This meant that our culture wasn't conducive to colleagues bringing their whole selves to work – they felt they had to be "in the closet". We've been working throughout the year, and we are seeing a slow shift in mind-set and culture within RBS, more people are joining the conversation to either ask questions and engage in debate around the LGBT+ agenda and our work therein. An example of this, at the end of 2017, a colleague came out to the RBS LGBT+ Leads and informed us that she was about to start her transition process and would be leaving the organisation to do so in private. We worked closely with her and asked her to stay as the work underway (and upcoming) would provide a space where she could transition openly within the organisation and be supported to do so. In late 2018, she informed the organisation that she would like to come out at work, and transition whilst still working at RBS. She did so to a supportive team and manager and to overwhelming acceptance and good will. This is just a small example that speaks of the strides we've made in changing our organisational culture.-

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Srikanth Suvvaru, RBS Rainbow Network India Chair, RBS India

The Way Forward

In Summary

It makes business sense to promote and champion diversity to attract and retain the best talent and create a highly productive environment where people are free to bring their whole selves to work.

As per Godrej Culture Lab (Transgender Report Dec 2018), Kochi Metro became the first public enterprise to make an active effort by hiring the Trans community. VLCC Hyderabad collaborated with the Telangana Hijra Intersex Transgender Samithi, Udbhav, Payana and Humsafar Trust to offer training for the job of 'Assistant Beauty Therapist' to the Transgender Community. Tata Steel became the first steel manufacturing company to launch an LGBTQ ERG- Wings. The organization offers relocation and financial support to their employees during transition. The Third Eye Café hires individuals from the transgender community as a part of the table attendant and kitchen staff.

The Cost of the Closet and Rewards of Inclusion—a study of the national picture of LGBT workers, Employee engagement suffers by up to 30 percent in unwelcoming environments where LGBT employees experience a negative workplace environment or feel compelled to stay in the closet.

Policies and Processes - Initiatives around anti-discriminatory policies and processes. Harassment and discrimination on the basis of gender identity, sexual orientation and gender expression must be prohibited. It's a good practice to get LGBT inclusion as part of the POSH guidelines. Internal job postings as well as hiring process must reflect gender neutral language and forms, documents and templates reflecting it. Pro- LGBT policies must be advocated and publicized at all levels both internally as well as externally to create maximum awareness. Outlining of transphobic behavior and

actions must be outlined and highlighted. Look at policies at a micro level covering gendered dress code too. The existing policies for partnership benefits, parental leave, etc. must be gender neutral.

Building a Supportive Community - Organizations should spread awareness and sensitizations. Continuous bias training at hiring and the life cycle of the hired. Rest room infrastructure must be gender neutral and of universal access. Medical and Insurance benefits must be extended to same sex partners. Transgende employees need to be covered for gender affirmation surgery by getting signed insurance provider to cover hormone therapy and transition procedure. Each organization must have an LGBTQIA ERG which can act as a safe space for individuals to come out and raise concerns. They work best when they are sponsored by a senior advocate or leader.

Society needs to change its outlook - There is an urgent need to realize that members of these communities are humans and equals in all respect. Employers can work towards establishing and maintaining a non-discriminating policy and culture within their organizations. Colleagues can make sure to be non-hostile and supportive. Media needs to pick up the pace in educating the general public on the issues that the members face, and what rights are available for a LGBTQ+ individual.

Inhibiting factors that get in the way of LGBTQ Inclusion

Non-understanding of LGBT - Society's lack of awareness about the complicacies of gender and sexual orientation is the main limiting factor that gets in the way of LGBTQ inclusion. People within majority of societies look at them as unnatural and as something against the law of nature. There are a lot of mental blocks which come in the way of its acceptance and the willingness to see the difference and embrace the difference

Not seen as Equal Citizens – People from the community face obstacles (financial or otherwise) and even get prevented from getting education. An unaware person may also perceive a certain sense of intimidation from some of the community member's physical appearance and behaviour which doesn't help either. They are considered very taboo and there are major spaces of discomfort especially around religion. Even within the community there are section of Gays and Lesbians who don't accept Transgender.

Not Speaking Out – People from within the community don't speak out too much with the fear of becoming soft targets. People outside the community who are straight and could be Allies also hold themselves getting concerned that they will be branded as from the queer community.

Major needs of the community

Acceptance - Building self-esteem and confidence of this community comes from the community that they live in – family, neighbours, shopkeeper, workplace. Acceptance should start at home.

Mainstreaming LGBT issues - Larger Government policies, access to public spaces and infrastructure, medical policies, enabling environment , employment opportunities.

Creating opportunities for them to flourish - Friendly workplaces and policies that are applicable to them as LGBTQ employees. This should be coupled with a life with dignity, quality education, employment and business opportunities and legal rights.

How can Allies Support?

- See themselves as a part of the movement. Allies are parents, teachers, workplace colleagues who can play a big role in becoming part of the process for the entire society.
- They can show support by being visible in platforms and forums like the Pride meet and being a part of their journey in various ways.
- Open doors as part of job opportunities, mentoring, financial help, connect the right resources and opportunities and create a culture of Inclusion – where Homophobia is not tolerated
- The thrust to be an Ally should come from within. It should not come with a need due to having a LGBT child, friend or colleague. The need to decode the community and understand it is immense. Come out and show your support.
- Language of communication - Create open and transparent atmosphere, by not participating in homophobic jokes, not jumping to assumptions based on biases. Having open conversations and giving space to each based on their comfort.
- Media plays a vital role. The English media both print, electronic and online have been encouraging, and have changed the course of dialogues. They are the change makers as they help people to make opinions.

Methodology

We have attempted to seek perspectives via secondary research and combined the same with extensive logical reasoning from the participating organizations that have delved into LGBT Inclusion. Apart from using this research as a toolkit, it also aims at bringing out systematic, credible and analytically generated results that enable us to locate best practices in corporations operating in India with respect LGBT inclusion.

Steps in research may be summarized as follows:
• BeyonDiversity Foundation reached out to 20 organizations for in-depth engagement on the work around this and examples of innovative practices that they could share. Multiple data points were collated, in order to obtain valid results.
• The primary Research also focused around speaking with social enterprises engaged in LGBT Inclusion.

• The secondary research included -examining history and culture, legal indicators and publications
• The research maps the practices, programmes and policies in organisations which ensure developing ecosystems catering to the need of diverse workforce and enables voices to be heard along with an independent data collection tool for employees. All the data collected remains strictly confidential
• To set out a holistic coverage of D&I discourse in India, we also referenced selected papers which have come out post Sec 377.
• The focus of BeyonDiversity Research team has been on bringing out credible results and viable analysis in the domain of Diversity & Inclusion.

Participating Organizations

Social Enterprises

Culture Club

List of LGBT Employee Resource Groups in Organizations

Out@Akamai- People who identify as lesbian, gay, bisexual, and transgender—and their allies—can meet, share experiences, work to raise awareness, improve engagement, and support development for all employees.

Barclays Spectrum Network - The network predominantly works on encouraging allies to come forward to support the community to understand and deal with the individual homophobic tendencies that people might have at their individual level and to see how those tendencies do not spill into the workplace and create the sort of discriminative and hostile environment

Outfront is Capgemini's LGBTQIA (Lesbian, Gay, Bisexual, Transgender, Queer, Intersex and Asexual) forum-. It provides relevant information and support to Capgemini stakeholders, and coordinates activities to foster a supportive, inclusive and understanding environment for LGBT+ and their allies. It also works towards raising awareness of issues facing the LGBT+ community at work.

RBS Rainbow Network (ERG) membership – The Rainbow Network had a membership of 20 people in mid 2017. Today, the membership stands at 150+ employees across the organisation.

**Thoughtworks - ** The MITRA Collective- a LGBTQ+ council, which conducts sensitisation workshops and awareness campaigns both internally and externally.

Infosys- "Infosys Gays Lesbians and You" (IGLU) brings together LGBT staffs from various functions and have discussions on the various policy changes which can support the LGBT employees at workplace.

Google- Gayglers promotes, creates awareness about LGBT employees at workplace

Lesbian Gay Bi-sexual and Transgender Network (LGBT)- Goldman Sachs'- The network's mission is to advocate an inclusive work environment that respects lesbian, gay, bisexual and transgender professionals, and enables them to perform to their fullest potential and

contribute to the greater goals of the firm.

THOMSON REUTERS Pride At Work network group has been innovative in its approach to orienting employees on sexual orientation and gender identity. Recognising the cultural differences that exist in India, the network group and HR partnered with the Humsafar Trust, a community based organisation, to build an inclusive environment for LGBT staff and deliver a live monologue to employees

Intel Gay, Lesbian, Bisexual, Transgender, and Allied Employee Resource Group- Driving a safe, open, and productive work community for all employees, with regards to sexual orientation, gender identity, or gender expression.

Intuit- Pride Network, focus on creating safe spaces in office over the past year, and counsellors are regularly brought in to offer advice to employees who ask for it. There is a focus on building greater awareness around LGBT inclusion at the workplace.

IBM India started a 'first-of-its-kind' consortium of over 30 companies with Interweave Consulting to discuss LGBT inclusion and launched an initiative for transgender empowerment.

The GLBTA- General Electric is focused on creating a more inclusive environment for all employees at GE, and promoting the company's commitment to developing GLBT talent around the world.

LGBTQA Business Resource Group (BRG)- Coca Cola has been on the forefront of ensuring equality for its LGBTQ associates.

Walmart PRIDE- stands for Promoting Respect, Inclusion, Diversity and Equity and is an associate resource group for all associates (lesbian, gay, bisexual, transgender and straight allies) that aims to make Walmart the most diverse, inclusive company it can be.

Pride@KPMG- Network for LGBT employees and their partners and straight allies. to provide opportunities to participate in career development, broaden professional experiences, build career- enriching experiences, etc.

UberPride is a group to promote LGBTQ+ inclusion and diversity at Uber by advocating to build intersectional, supportive, and empowering communities—within Uber's workplace and across the cities they serve.

Microsoft- GLEAM is the lesbian, gay, bisexual, and transgender (LGBT+) employee resource group at Microsoft. GLEAM members interact through programs such as: Ignite talks, lunches, cross-corporate LGBT+ networking, sporting events, cultural activities, discussions with community leaders about gender and sexuality, volunteering, and fundraising for local LGBT+ organizations.

PayPal's LGBTQ+ network- PayPal Pride, celebrates and furthers commitment to Diversity & Inclusion and support for our LGBTQ+ employees and allies.

Outforce- Salesforce's LGBTQ Community- brings together employees who are allies of equality in sexual orientation and gender identity

Research Team

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Sarika is an Inclusion Strategist & Leadership Facilitator with two decades of corporate experience. A highly respected speaker on Innovation & Future of work and how it impacts diversity of talent and related business issues, Sarika is a strong advocate for Inclusive Leadership & promoting equal opportunity for all. She mentors and sits on various Boards for Not for Profit including Cyber Peace Foundation and Ahaan Tribal Foundation to help build inclusive communities.She can be reached at sarika@ beyondiversity.com

About Us

Building a better world where differences are accepted and celebrated to enable equal opportunities. We equip individuals, institutions, and communities with the tools needed to build and develop an inclusive world. As a top 10 Global Diversity Consultant, we have collaborated with 100+ organisations, influenced 100,000+ individuals across regions. We provide a platform for creating awareness on inclusive practices, conducting research & partnering with institutions to be future ready by promoting inclusive growth. Our internationally acclaimed mentoring program has impacted 10,000+ women leaders.

Bibliography

◆ Chatterjee Subhrajit, Problems Faced by LGBT People in the Mainstream Society: Some Recommendations, International Journal of Interdisciplinary and Multidisciplinary Studies, 2014

◆ Joanna Almeida, Renee M. Johnson, Heather L. Corliss, Beth E. Molnar, Deborah Azrael, Emotional Distress Among LGBT Youth: The Influence of Perceived Discrimination Based on Sexual Orientation, 2009

◆ Pawan Singh,Between Legal Recognition and Moral Policing: Mapping the Queer Subject in India, JOURNAL OF HOMOSEXU ALITY, 2016

◆ K.C. Abraham andAjit K. Abraham, Homo sexuality- Some Reflections from India

◆ The invisible ones: Sexual minorities, Edito rial, Indian J Med Res 137, 2013

◆ Partha Haldar, Shashi Kant, Reading Down of Section 377 of Indian Penal Code is a Welcome Move for HIV Preventio and Control Among Men Having Sex with Men in India, 2011

◆ Paul Boyce, Desirable rights: same-sex sexual subjectivities, socio-economic transformations, global flows and boundaries – in India and beyond, Culture, Health & Sexuality, 2014

◆ Thappa DM, Singh N, Kaimal S. Homosexuality in India. Indian J Sex Transm Dis 2008

◆ Narayana Rao TS, Jacob KS, Homosexuality and India. Indian J Psychiatry 2012

◆ Somasundaram O. Transgenderism: Facts and fictions. Indian J Psychiatry 2009

◆ Krupa Shandilya, (In)visibilities: Homosexuality and Muslim Identity in India after Section 377, Journal of Women in Culture and Society 2017

◆ Aniruddha Dutta, 'An Epistemology of Collusion: Hijras, Kothis and the Historical (Dis)continuity of Gender/Sexual Identities in Eastern India' Gender & History, 2012

◆ Horowitz, Daniel, Homosexuality and religion, Salem Press Encyclopedia, 2016

◆ Trivedi, Ira,The Indian in the Closet. Foreign Affairs, 2014

◆ Michael J. Mann, The Nexus of Stigma and Social Policy: Implications for Pastoral Care and Psychotherapy with Gay, Lesbian,Bisexual and Transgender Persons and Their Families, 2013

◆ Supporting the journey Gender transition in the global workplace, IBM & HRC

◆ Nayanika Nambiar, Parmesh Sahani, A Manifesto for Trans Inclusion in the Indian Workplace, Godrej India Culture Lab, 2018

◆ https://spiritofhr.wordpress.com/2017/03/30/engaging-the-lgbt-employees-at-workplace-in-india-diversity/

◆ http://itspronouncedmetrosexual.com/2013/01/a-comprehensive-list-of-lgbtq-term-definitions/

◆ https://www.thebetterindia.com/106813/section-377-indian-penal-code-simpler-words/

◆ https://www.youthkiawaaz.com/2017/07/lgbtq-movement-in-india-91-facts/

◆ https://www.worldbank.org/content/dam/Worldbank/document/SAR/economic-costs-homophobia-lgbt-exlusion-india.pdf

◆ https://www.firstpost.com/long-reads/an-official-family-laws-of-parenthood-in-india-3425626.html

◆ https://www.glaad.org/resources/ally/2

◆ https://www.hrc.org/blog/how-to-be-an-lgbt-ally

◆ https://www.washingtonpost.com/news/soloish/wp/2016/06/09/call-yourself-an-lgbt-ally-heres-how-to-actually-be-one/?noredirect=on

◆ https://edition.cnn.com/ampstories/health/how-to-be-an-ally-to-the-lgbt-community

◆ India Today, 24 September 2018

◆ Huffington Post , March 2017

#ipledgeinclusion

#ipledgeinclusion is a public awareness campaign with an aim to inculcate the importance and value of inclusion for everyone. We aim to bring together and sensitize 100+ organisations and 100,000+ individuals by 2023 committed to creating an inclusive world.

As an inclusion champion, you can-

SHARE THE PLEDGE
Share the Pledge within your network and social media

START A DIALOGUE
Help us conduct an awareness session on Inclusion within your organization and connect us to other organizations

GIVE TO THE CAUSE
Donate to advance the cause and help us raise funds for outreach