

# **The Status of Lesbians, Bisexual Women and Transgendered Persons in Sri Lanka**

## **NGO Shadow Report to the Committee on the Elimination of All Forms of Discrimination Against Women**

**January 2011**

***Prepared by the Women's Support Group, Sri Lanka***

### **Executive Summary**

The Mainstream NGO Shadow Report submitted to the Committee by the *Women and Media Collective* includes two references to sexuality: a) decriminalization of homosexuality and b) broadening the definition of 'family' to include same-sex partners<sup>1</sup>. Issues relating to sexuality have also been raised in previous reports: In May 2008, the NGO submission made by the *Women and Media Collective* during the Universal Periodic Review of Sri Lanka drew attention to "same-sex relationships being criminalized"<sup>2</sup>; In September 2010 the Civil Society Report submitted by the *Collective for Economic, Social and Cultural Rights in Sri Lanka* on the Implementation of the International Covenant on the Economic Social and Cultural Rights also raised several critical issues pertaining to the LGBT community in Sri Lanka<sup>3</sup>.

The 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> Combined Periodic Report submitted to the CEDAW Committee by the Government of Sri Lanka (GOSL) makes no mention of discrimination on the basis of sexual orientation, gender identity or gender expression.

This NGO Shadow Report on the *Status of Lesbian, Bisexual Women and Transgender Persons in Sri Lanka* will highlight key issues and critical concerns under Articles 1, 2, 5, 6, 7, 11, 12, 13 and 16 of CEDAW and General Recommendation 19, 21 and 28 in relation to the sexual orientation, gender identity and gender expression of Lesbians, Bisexual women and Transgendered persons (LBT) persons in Sri Lanka.

The definitions used for Sexual Orientation and Gender identity have been adopted from the Yogyakarta Principles<sup>4</sup>. The rest of the definitions have been adopted from the IGLHRC guide for LBT activists titled '*Equal and Indivisible: Crafting Inclusive Shadow Reports for CEDAW*'<sup>5</sup>.

---

<sup>1</sup> Women and Media Collective (2010) *Sri Lanka Shadow Report to the Committee on the Elimination of All Forms of Discrimination against Women*.

<sup>2</sup> Women and Media Collective (2008) *Submissions made to the Universal Periodic Review of Sri Lanka*.

<sup>3</sup> Collective for Economic, Social and Cultural Rights in Sri Lanka (2010) *Civil Society Report on the Implementation of the International Covenant on Economic, Social and Cultural Rights*.

<sup>4</sup> (2007) Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity.

<sup>5</sup> International Gay and Lesbian Human Rights Commission (2009) *Equal and Indivisible: Crafting Inclusive Shadow Reports for CEDAW*. [Online] Available from: <http://www.iglhrc.org/cgi-bin/iowa/article/takeaction/resourcecenter/952.html> (accessed 16 Nov 2010)

For the purpose of this report we will include both transgender men and women. The acronym 'LBT' will be used as an abbreviation for Lesbian, Bisexual and Transgender. This umbrella term is meant to include lesbians, bisexual women, transwomen (male-to-female transgender persons) and transmen (female-to-male transgender persons). Members of LBT communities experience discrimination, violence and violations of their human rights on the basis of their sexual orientation, gender identity and/or gender expression.

This report was drafted by members of the Women's Support Group with assistance from The International Women's Rights Action Watch, Asia Pacific.

## **Context and Background**

As the Sri Lanka NGO Shadow Report prepared by the Women and Media Collective points out, the current trend adopted by the Ministry of Women's Affairs has been to view women vis-a-vis their reproductive roles as daughters, mothers and wives, thereby disregarding the choices made by women in terms of their sexual orientation and gender identity and gender expression. Therefore women who do not fall within the heterosexual matrix are excluded from all women related development programmes that are undertaken by the government.

Section 365A of the Penal Code (enacted in 1883) criminalises sexual activity between two consenting adults of the same sex. In 1995, the government amended the word 'males' in the original text to 'persons', thereby criminalising same-sex sexual activity between women as well.

In July 1999 when the Women's Support Group (WSG) announced its intention of holding a conference for lesbians, it was met with fierce public opposition. One of these protests came in the form of a Letter to the Editor published by *The Island*, which went so far as to advocate the rape of women attending the conference by a team of convicted rapists. The filing of a complaint against the newspaper instead led to the Press Council of Sri Lanka condemning lesbianism as "sadistic and salacious"<sup>6</sup>.

On 25 June 2010, the *Daily Mirror* in Sri Lanka carried a news article quoting Prime Minister D. M. Jayaratne as having said that "it is not wrong for the gay community to seek rights but we must know what exactly they want. They must communicate to us". In a letter dated 1 July 2010, the WSG, along with two other organisations working on LGBT rights in Sri Lanka responded to this news article by sending a written request for an appointment with the Prime Minister. However, to this date we have not received a response to our letter.

## **Article 1: Definition of Discrimination**

Chapter 3 of the Constitution of Sri Lanka spells out the fundamental rights of citizens. Within Article 12 (2) is enshrined the principle of Non- Discrimination. It reads as follows: "*No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex political opinion, place of birth or any such grounds*".

---

<sup>6</sup> Fernando, M. (2008) 'Vagrant Voices', *Himal South Asia*, Vol. 21 (3), [Online] Available from: [http://www.himalmag.com/Vagrant-voices\\_nw2138.html](http://www.himalmag.com/Vagrant-voices_nw2138.html) (accessed on 16 Nov 2010).

Regrettably this provision does not explicitly protect persons of diverse sexual orientation or gender identities from being discriminated against. It must be noted that de facto discrimination against all women can only be eliminated when the principles of non-discrimination and equality are guaranteed without distinction on the basis of sex, gender identity, gender expression, or sexual orientation, among other factors.

Additionally, in other circumstances, aggrieved parties have recourse to the possibility of making an application before the Supreme Court, on the basis of their fundamental rights being violated. However since it has not been spelled out that sexual orientation and gender identity is a basis for the principle of non-discrimination to be upheld, LBT persons in Sri Lanka have no form of redress. The lack of protection of the right to equality and non discrimination for members of LBT communities in Sri Lanka leads to stigma and discrimination against them as well as to their being rendered invisible in the eyes of society and of the law. This factor plays a role in deterring lesbian, bisexual and transgendered people from reporting acts of discrimination, abuse and violence that they face to the relevant authorities.

## **Article 2: Measures to be taken to Eliminate Discrimination and General Recommendation No. 28 on Article 2**

Section 365a of the Penal Code of Sri Lanka is understood as criminalizing consensual same-sex sexual activity even in private spaces. Homosexuality therefore is seen as a criminal offense. This provision discriminates against lesbian, bisexual and transgender men and women by denying them their right to life, right to equality and right to choice.

To date although there have been no convictions under this provision of the Penal Code, complaints have been received by police stations citing this provision. This criminalization paves the way for police and anti-gay groups to brand all lesbian, bisexual, transgendered persons as ‘perverts’ and criminals. The fear of being apprehended and identified as a person of non-normative sexual behavior or practice leads to a cycle of silence by members of the LBT community, by their families and friends and by the society as a whole and makes them vulnerable to a range of abuses including extortion, intimidation, unlawful arrest and detention, harassment and torture.

Homophobic and transphobic articles repeatedly appear in the media, especially the print media, including in some State owned newspapers and in newspapers that follow State policy. These articles constitute a means by which society strengthens its resistance to recognition of LBT communities and continues to isolate, ridicule and justify acts of violence on members of the LBT communities<sup>7</sup>.

With regard to women’s sports teams, there have been unofficial reports where women who are key players in the National team have lost their positions once it has been

---

<sup>7</sup> *Daily Mirror* Editorial ‘A Tide Against The Natural’ 29 July 2010; *Sunday Divaina* ‘Women Disguised as Men’ 17 May 2009; *Sunday Divaina*, ‘Pudding Boarding, Sardine Boarding’ 2 May 2010; *Sunday Divaina*, ‘Young Men Consuming the Forbidden Fruit’ 9 May 2010; *Divaina*, ‘Admitted to Male Ward due to Indistinguishable Clothing’ 17 August 2010; *The Sunday Leader*, ‘Karu will save us from Less-Be-Annes’, 15 August 1999; *The Sunday Island*, Letters to the Editor, ‘Lesbian Conference in Colombo?’ 20 August 1999;

speculated that they are lesbians. In this sense, there is direct discrimination which impedes the full enjoyment of the right to equality by specific categories of women in Sri Lanka who face discrimination due to their sexual orientation and gender identity/expression. .

## **Article 5: Sex Roles and Stereotypes**

### *Sex Roles and Stereotypes*

Lesbians, Bisexual women and Transgendered persons often grapple with issues relating to identity. Having been socialized within a hetero-patriarchal society that only sanctions the expression of biologically dictated gender identities, non-conforming individuals often resort to suicide and self harm due to the harassment and humiliation they face. While there have been a number of newspaper reports of joint suicides by two women, at least on two occasions, suicide notes had been left behind expressing their inability to face a life of separation. In such cases, it can be concluded that the women committed suicide due to that fact that their same-sex relationship was not recognized by society<sup>8</sup>.

In the past there have been several cases of 'impersonation' and 'misrepresentation' brought to the courts in which women who have been 'disguised' as men have been 'discovered' and their 'true sexual identity' exposed to the public. Similarly, transwomen have also been arrested for 'misleading the public.'<sup>9</sup>

### *Dress Codes*

In most government institutions since there is no formal document on dress codes, on many occasions, there is an informal understanding reading dress codes which apply only to women employees. In many cases, women are expected to wear the *sari* and are frowned upon if they do not conform to this dress code.

Women who are part of the State Security Forces are required to wear a fitting skirt and blouse as their uniform. They are not given the option of wearing trousers, and have made unofficial complaints about hindrances to movement in the job they are supposed to perform.

## **Article 6: Trafficking and Prostitution**

The Vagrancy Ordinance of 1842 remains in place and continues to give authorities the power to detain people who they consider to be loitering in public; this provision allows for arrest and prosecution of sex workers. The police have the power to determine and interpret the law, and many times the Vagrancy Ordinance is used to wrongfully detain

---

<sup>8</sup>*Lankadeepa*, 'Boy Disguised as Girl since the age of 18' 31 August 2010; *Lankadeepa*, 'Woman disguised as a Male Army Officer married to a Woman following mobile phone love affair' 23 August 2010; *Divaina*, 'Women Disguised as Men (aka Tom Boys)' 17 May 2009; *Lankadeepa*, 'Person who had disguised himself as a man for 20 years becomes a woman at the police station' 3 January 2009; *Lankadeepa*, '16 year old nomadic/ gypsy girl, disguised as a man, arrested as a suspect for a murder case', 11 May 2005; *Lankadeepa*, 'Boy becomes Girl at Dambulla Temple' 10 March 2004; *Lankadeepa*, 'Female Corporal arrested on charges of giving fake ID to male army officer disguised as a female army officer', 18 January 2003; *Sunday Lankadeepa*, 'Case of Man Disguised as Woman' 20 July 2003.

<sup>9</sup> *Lankadeepa*, 24 August 2009; *Divaina*, 28 August 2009; *Lankadeepa*, 15 September 2009; *Lankadeepa*, 22 July 2005; *Sunday Lankadeepa*, 24 July 2005; *Lankadeepa*, 19 May 2005; *Divaina*, 23 August 2002; *Lankadeepa*, 23 August 2002; *Lankadeepa*, 5 November 2001.

transgendered people, and people of sexual minorities because they appear to look different. In most cases it is those of the lower socio economic status who are the most vulnerable to this form of harassment; women including transwomen are particularly vulnerable to sexual harassment, abuse and mistreatment while in Police custody.

### **Article 7: Political and Public Life**

Transgendered men and women in Sri Lanka are denied the right to recognition by the State due to the fact that there is no structured system which allows transgender men or women to alter the category of 'sex' on their Birth Certificate or National Identity Card. This has been left to the discretion of the medical practitioner who in effect, risks his license if he/she performs sex altering surgery on a client whose birth certificate notes his/her sex at birth. As there is no legal provision to change one's sex, people are advised to first change their birth certificates and only then go through with sex altering surgery; in effect putting the cart before the horse.

However, since there are loopholes in the system, on two occasions a transman and a transwoman managed to succeed in changing the sex noted in his/her identity card from female to male/male to female. Nevertheless, it should be noted that the overarching taboo on the subject in law, policy and practice, and the lack of State initiative to recognize the existence of LBT communities in Sri Lanka results in their exclusion from development programmes, for example. This absence and silence strengthens the vulnerability of members of LBT communities to stigma and discrimination, as well as to violence.

### **Article 11: Employment**

While some private workplaces may have non-discrimination policies in place, very often this fails to spell out non-discrimination in terms of sexual orientation and gender identity. In the state sector, non-discrimination policies either do not exist or are very rare. For example, the University of Colombo does not have a non-discrimination policy. In the corporate sector, the enactment of a policy on Sexual Harassment is left entirely to the discretion of the companies, and as such no formal uniform policy is adopted across the board. Even in case where companies have taken steps to enact this policy the issues faced by LBT people are invisible and would have to be voiced through the position of being a woman.

Transgender persons have spoken of the reluctance of employers to offer them employment. In one case reported to the WSG, a transman had been dismissed from his employment after he had been 'discovered' by his employer.

Also with regard to State Security Forces, when the speculation of being lesbian is present, there has been a case where the woman has been intrusively questioned as to what sex acts she performs and consequently her due promotion has been delayed/withheld on "other grounds".

### **Article 12: Healthcare**

Within a healthcare system that is blind to the existence of LBT communities, equality of access to healthcare remains denied to these individuals. The lack of awareness regarding the potential health needs of these communities on the side of healthcare providers as well

as on the side of members of the LBT community in Sri Lanka means that the silences continue to be reinforced. In particular, the provision of reproductive and sexual health care is designed without taking the specific needs of these communities into consideration. The absence of health care which responds to the needs of persons of different gender identities and the criminalization of same sex orientations render it difficult for LBT persons to access public health services in a manner that is open and informative about their medical and personal histories and that offers them confidential and appropriate healthcare.

Criminalization renders lesbian, bisexual and transgender women and men vulnerable to a range of violations of their human rights to health. There have been cases reported where members of these communities have been exploited and have faced abuse by unscrupulous health professionals who take advantage of the discriminatory laws that are in place. Although most higher level health care professionals have been trained on standards of confidentiality, there is little information available on whether lab technicians and assisting nurses and other minor staff are bound to protect the confidentiality of the patient concerned. For example, a woman whose husband tested positive to HIV/AIDS complained that lab technicians had revealed her HIV status to people in her home town who in turn destroyed her house.<sup>10</sup>

The absence of state policy towards non-discrimination was amplified in 2007, when Sri Lanka hosted the 8<sup>th</sup> ICAAP Conference (International Conference on AIDS in the Asia Pacific). At the end of the conference, the Minister of Healthcare and Nutrition, Nimal Siripala de Silva in his closing speech remarked, "I don't want people to think I brought all of these people here (for the congress) to promote lesbianism and homosexuality. There are many nice women and handsome men in Sri Lanka," he pointed out. "People in South-east Asia practice good sexual behaviour with single partners. When the western world was living in jungles, we were leading a civilised life."<sup>11</sup>

There have also been cases in which families seek assistance from mental healthcare providers to 'cure' persons who manifest 'non-normative tendencies' which results in forced institutionalization, forced psycho therapy, forced medication and even forced confinement. As the existence of transgendered persons in Sri Lankan society is not taken into consideration in designing healthcare, there is a lack of information on services such as sex reassignment operations by public health providers. In Sri Lanka, health services are provided by public hospitals free of charge or at subsidised rates. However, services on sex reassignment are not made available in these hospitals.

Anand Grover, *Special Rapporteur on the Right of Everyone to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health*, has pointed to the impact of the criminalization of private, consensual sexual behaviour between adults on the enjoyment of the right to health. Grover considers the "criminalization of consensual, same-sex conduct between adults, along with criminalization based upon sexual orientation or gender identity,

---

<sup>10</sup> Sri Lanka Plus (2008) I Can Tell a Married Woman [Online] Available at:

<http://srilankaplus.blogspot.com/2008/04/i-can-tell-married-woman.html> (accessed on 15 December 2010)

<sup>11</sup> Ibrahim, Z. (2007) Sri Lanka's Health Chief Puts and Downer on ICAAP, *Terraviva*, August 2007, [Online] Available from: [http://www.unodc.org/pdf/india/icaap/health\\_chief\\_puts\\_downer\\_icaap.pdf](http://www.unodc.org/pdf/india/icaap/health_chief_puts_downer_icaap.pdf) (accessed 15 Dec 2010)

to infringe the enjoyment of the right to health both directly and indirectly.” He further points out that “apart from failing to meet the objectives of criminal law, criminalization encourages violence, abuse and stigmatization, and impairs upon the dignity of individuals and infringes the enjoyment of the right to the health of same-sex communities”<sup>12</sup>.

Transgender men remain a section of the population most at risk of HIV. Sri Lanka’s report to the United Nations General Assembly Special Session on HIV/AIDs (UNGASS) 2008 – 2009, estimates there to be 35,000-47,000 sex workers in the country and 24,000-37,000 men who have sex with men (MSM)<sup>13</sup>. Since both behaviours are criminalized, access to health care services is severely compromised.

An analysis of data from a study of MSM and transgender people in Asia conducted in 2008 concluded that:

- Stigma and discrimination, particularly amongst healthcare providers, is a major disincentive to seek treatment;
- Unethical disclosure of sexuality and/or HIV status by healthcare staff perpetuates distrust in local healthcare infrastructure;
- Strong cultural norms pertaining to sexuality impedes availability of accurate treatment information, creates the fear of disclosure, and an increased chance of social isolation and loss of social support;
- Gender-based discrimination makes treatment access an additional challenge for HIV-positive transgender people<sup>14</sup>.

### **Article 13: Economic and Social Benefits**

The inability for Lesbians, bisexual women and transgender persons to register civil partnerships or marriage prevents them from accessing a whole range of benefits that partners of heterosexual marriages enjoy. For example:

- a) Same-sex partners are denied the right to apply for housing loans due to the fact that their partnership is not afforded due recognition by the State;
- b) In cases where same sex partners have attempted to rent properties for residence, potential landlords have been reluctant to rent out their premises;
- c) Provident Funds (State Retirement Pension Fund) can only be accessed either on grounds of marriage or prior to retirement. This is discriminatory towards lesbian, bisexual and transgender men and women as they do not have an option for marriage;
- d) Adoption of children or even official guardianship is not allowed for partners of same sex relationships;

---

<sup>12</sup> Grover, A. (2010) Statement by Mr. Anand Grover, Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, 14<sup>th</sup> Session to the Human Rights Council, Geneva.

<sup>13</sup> UNGASS Report Sri Lanka (2008/2009) United Nations General Assembly Special Session on HIV/AIDS Country Progress Report – Sri Lanka, January 2008 – December 2009.

<sup>14</sup> Goodwin, J. (2010) Legal Environments Human Right and HIV Responses among men who have sex with men and transgender people in the Asia and the Pacific: An Agenda for Action, United Nations Development Programme (UNDP) / Asia Pacific Coalition on Male Sexual Health (APCOM).

- e) A citizen of Sri Lanka is unable to pass on his/her citizenship to his /her same sex partner, and as a result it is not possible for LBT persons to enjoy the economic social and cultural rights that a family is entitled to.
- f) Recognition of partnership when one of the parties dies intestate - even though partners of same sex relationships have over the years shared common spaces and resources, it is often the case that their shared property is determined as individual possession, so when one partner dies intestate the other is unable to claim this property.

## **Article 16: Marriage and Family Life**

### **General Recommendation No. 21: Equality in Marriage and Family Relations**

The concept of the 'family' in Sri Lanka needs to be broadened to include single women including those with biological and/or non-biological children, and same-sex couples.

In cases where a Sri Lankan national is in a Civil Partnership with a foreigner (whose country of origin legally recognizes the Civil Partnership), Sri Lanka should recognize the legal status of that partnership and grant the couple the right to residence in Sri Lanka on the basis of this.

### **General Recommendation No. 19 – Violence Against Women**

Because of the invisibility of the LBT community in Sri Lankan law and policy as well as because of the criminalization of non-normative sexual behaviour and practice, there is an absence of data on violence against LBT women. This leads to further invisibility of the nature and forms of violence that affect lesbians, bisexual women and transgender persons.

Additionally, in cases of same-sex domestic violence, although the Prevention of Domestic Violence Act (PDVA) of 2005 allows the use of this Act for cohabiting persons, the intimacy between the two partners is not recognized since homosexuality is a criminal offense. In many cases therefore, this prevents same-sex couples in situations of domestic violence accessing the PDVA.

As of date, there have been no cases for protection orders on the basis of domestic violence that has occurred between same-sex partners. On one occasion, members of the LBT community were reluctant to report the domestic violence they witnessed to the police as they did not wish to expose the sexual orientation / relationship of the parties involved.

Within a heteropatriarchal society such as we find in Sri Lanka, the social stigma and discrimination faced by lesbian, bisexual and transgender women is considerably higher when compared with the discrimination faced by heterosexual, heteronormative women. As Charlotte Bunch points out, the 'denial of reproductive rights and homophobia are political means of maintaining control over women and perpetuating sex roles'.<sup>15</sup> The control of women's sexuality therefore maintains the social hierarchy and keeps women in their 'rightful place' as dutiful daughter / wife / mother. Echoing this sentiment, former UN Special Rapporteur on Violence Against Women Radhika Coomaraswamy, in her 1997 *Report on Violence Against Women in the Community*, draws attention to the fact that

---

<sup>15</sup> Bunch, C. (1990) Women's Rights as Human Rights: Toward a Re-Vision of Human Rights. *Human Rights Quarterly*, Vol 12(4) pp. 486-498 [online] Available from: [www.jstor.org/stable/762496](http://www.jstor.org/stable/762496) (accessed 16/11/2010)

‘Women who choose options which are disapproved of by the community, ... to live out their sexuality in ways other than heterosexuality, are often subjected to violence and degrading treatment...To strive to live and work outside the watchful gaze of the family and community is to risk becoming a target for male violent behaviour’<sup>16</sup>.

Since women are therefore constantly under the watchful gaze of the family, community and society, it can be argued that LBT women in particular face a higher risk of being targets of male violence. ‘When conditions are bad for heterosexual women, they are bad if not worse for women who are sexual minorities’<sup>17</sup>.

## Recommendations

In keeping with the principle of non-discrimination and substantive equality as specified in Article 2 and further elaborated by General Comment No.28 of CEDAW, we urge the GOSL to:

- a) Repeal Section 365a of the Penal Code which criminalizes consensual same-sex sexual activities in public and in private spaces.
  - b) Amend Article 12 (2) of the constitution which deals with non-discrimination to include sexual orientation and gender identity.
  - c) Develop and implement uniform policies for the state sector and corporate sector to enshrine the principles of non-discrimination in the workplace, based on sexual orientation and gender identity.
  - d) To broaden the definition of sexual harassment to specifically refer to situations of harassment based on sexual orientation and gender identity.
- ✓ Refer to the Yogyakarta Principles as a guide to assist in policy development.
- ✓ Respect sexual and gender identities as ‘a fundamental but potentially mutable aspect of all human beings’<sup>18</sup>. A definition of sexuality rights therefore should include the right of all persons to express their preferred sexual orientation and gender identity without fear of persecution.

---

<sup>16</sup> Fried, S.T & Landsberg-Lewis, I. (2001) Sexual Rights: From Concept to Strategy. In: Kelly D. Askin & Dorean M. Koenig. Eds. *Women and International Human Rights Law Volume 3* New York, Transnational Publishers, pp. 91-122

<sup>17</sup> Poore, G. (2009) 30 Years of CEDAW: Achievements & Continuing Challenges Towards The Realization of Women’s Human Rights [online] Available from: <http://www.iglhrc.org/cgi-bin/iowa/article/takeaction/resourcecenter/872.html> (accessed 16/11/2010)

<sup>18</sup> Miller, A.M. (2000) Sexual but Not Reproductive: Exploring the Junction and Disjunction of Sexual and Reproductive Rights. *Health and Human Rights*, Vol 4(2) pp.68-109 [online] Available from: [www.jstor.org/stable/4065197](http://www.jstor.org/stable/4065197) (accessed 16/11/2010)

## Glossary of Terms

**Sex** is the classification of bodies as male or female. At birth, infants are assigned a sex based on the socially constructed understanding of a certain combination of biological characteristics as representative of either male or female. These characteristics include: chromosomes, hormones, internal reproductive organs, and genitals.

**Gender** is a socially constructed concept, or social classification, of certain sets of behaviours, character traits and roles as “feminine” or “masculine.” Though the specifics of what may constitute feminine/female and masculine/male behaviours can vary across cultures, they uniformly impose a set of restrictions and rules on how each man or woman should behave in all areas of life.

**Sexual Orientation** refers to each person’s capacity for profound emotional, affectional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender;

**Gender Identity** refers to each person’s deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms;

**Gender Expression** refers to the external manifestation of one’s gender, usually expressed through “masculine,” “feminine” or gender variant dress, appearance, mannerisms, speech patterns, and behavior. Gender expression is not necessarily an indication of sexual orientation or gender identity.

**LBT** is an abbreviation for Lesbian, Bisexual and Transgender. This umbrella term is meant to include lesbians, bisexual women, transwomen (male-to-female transgender persons) and transmen (female-to-male transgender persons). LBT women are sexually marginalized in their societies on the basis of their sexual orientation, gender identity and/or gender expression. LGBTI includes Gay men and Intersex people.

**Lesbian** refers to a female whose primary emotional and physical attraction is to other females.

**Bisexual** refers to a person who is attracted to both sexes.

**Transgender** is an umbrella term for people whose gender identity, expression or behaviour is different from that typically associated with their assigned sex at birth, including but not limited to transsexuals, travestis, transvestites, transgenderists, cross-dressers, and gender non-conforming people. Transgender people may be heterosexual, lesbian, gay or bisexual. Transgender as it is used in the US has limited resonance in many other countries. The term does not convey the multiple and diverse expressions of gender identity or the intersecting

expressions of sexual desire, intimacy and gender nonconformity. For example, Metis in Nepal like Zanas in Pakistan and Travesti in Argentina are effeminate men who have not surgically altered their bodies or transitioned to being women. Hijra in India may or may not be castrated and have sex with straight men but not gay men. In many cultures, the terms third gender or other gender are frequently preferred over transgender

**Transgender Man** (Female-to-Male/FTM) refers to a person who identifies as male or masculine, but was assigned the female sex at birth and may or may not have been raised as a girl. Also known as Transman or FTM female-to-male).

**Transgender Woman** (Male-to-Female/MTF) refers to a person who identifies as female or feminine, but was assigned the male sex at birth and may or may not have been raised as a boy. Also known as Transwoman or MTF (male-to-female). In Sri Lanka this community refer to themselves as *nachchi*.