



# UNITING DIVERSITY

**SHAPING THE FUTURE OF  
LEGAL EQUALITY FOR  
LGBTQ+ IN INDIA**

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**POLICY BRIEF | OCTOBER 2024**





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## Foreword

In the tapestry of human experience, the threads of identity and orientation weave a complex and beautiful design. Yet, too often, the LGBTQIA+ community in India finds its vibrant colors muted by legal and societal complexities. The Mist LGBTQ Foundation's for their UNDP-funded SCALE initiative project Uniting Diversity - Shaping the Future of Legal Equality for LGBTQIA+ in India, seeks to shed light on these complexities, to unravel the threads of law and practice that impact LGBTQIA+ lives.

As knowledge partner, ZS Associates are honored to contribute our expertise to this vital effort, mapping out existing practices, analyzing their impacts, and identifying areas where misuse may occur.

This policy brief, the result of our combined efforts, reflects the resilience and bravery of the LGBTQIA+ community. It serves as a call to action, encouraging ongoing dialogue for equality and justice. We hope it will be a valuable resource for advocates, policymakers, and anyone working towards a more inclusive and accepting society.



Uniting Diversity Conclave, Bengaluru, India, April 2024



## Methodology

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### A comprehensive approach integrating survey findings, conclave insights, and secondary research was utilized.

ZS Associates (Mist LGBTQ Foundation's knowledge partner for the project) employed a multi-faceted approach to develop the project policy brief, integrating various data sources and analytical techniques. The methodology is structured into three primary components: Survey Findings, Conclave Learnings, and Secondary Research. Additionally, advanced analytical tools were utilized to enhance the depth of insights generated.

**1. Survey Findings:** To gather primary data, a survey was conducted in six regional Indian languages (Hindi, Assamese, Tamil, Malayalam, Kannada, and Marathi), as well as in English, to ensure inclusivity and a broad representation of perspectives. The survey period spanned from late March 2024 to mid-June 2024 and yielded a total of 175 responses, which were systematically analyzed.

- **Survey Design:** The survey was designed to capture key insights related to the project objectives. Questions were formulated to address specific themes and issues relevant to the target audience.
- **Data Collection:** The survey was distributed through various online channels to maximize reach, including online platforms.
- **Data Analysis:** The responses were quantitatively and qualitatively analyzed to identify trends and patterns, while thematic analysis was used to extract qualitative insights. This analysis provided a foundational understanding of the participants' views and experiences.

**2. Conclave Learnings:** Active participation in four Uniting Diversity conclaves held in major Indian cities—Bengaluru (12 April 2024), Mumbai (26 April 2024), New Delhi (17 May 2024), and Pune (23 May 2024)—was instrumental in gathering qualitative insights. These conclaves were organized by the Mist LGBTQ Foundation and were funded under the UNDP SCALE initiative, which aims to promote inclusivity and support for marginalized communities.

- **Insight Capture:** Key takeaways from each conclave were documented, focusing on innovative ideas, emerging trends, and stakeholder sentiments. This information was synthesized to identify common themes and divergent viewpoints.

**3. Secondary Research:** In addition to primary data collection, extensive secondary research was conducted to complement the findings from the survey and conclaves.

## Methodology

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- **Literature Review:** Existing literature, reports, and news articles related to the challenges and current situation were reviewed to gather background information and contextualize the findings.
- **Synthesis of Information:** The insights gained from secondary research were integrated with primary data to provide a comprehensive view of the subject matter.

To enhance the depth of analysis and generate actionable recommendations, ZS utilized ZS's Alter Igo and other Generative AI tools. These tools facilitated advanced data processing and analysis, allowing for the identification of nuanced insights that may not have been apparent through traditional methods.

## Executive Summary

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### LGBTQIA+ individuals in India continue to face a multifaceted journey of acceptance.

In India, the LGBTQIA+ community continues to navigate a complex landscape shaped by legal, social, and cultural factors. Despite the decriminalization of same-sex relationships in 2018, stigma and discrimination persist, affecting everyday life and opportunities for many individuals.

Access to healthcare, employment, and housing remains challenging, often exacerbated by societal prejudices and lack of legal protections. This can further result in mental health issues, and economic hardships for many. While there have been strides in visibility and advocacy, including pride marches and support networks, the community still faces significant barriers to full acceptance and equality.

Ongoing efforts are crucial to ensure that all individuals, regardless of sexual orientation or gender identity, can live free from discrimination and enjoy their fundamental rights.

#### **Healthcare is a long-standing challenge**

The LGBTQIA+ community faces significant barriers in accessing healthcare due to societal stigma, discrimination, and a lack of understanding from healthcare providers.

- The community has specific healthcare needs, including mental health support (ranked second highest in the survey), sexual and reproductive health services, and substance abuse treatment, which are often not adequately addressed
- The shortage of healthcare providers trained in LGBTQIA+ healthcare needs further exacerbate these challenges
- Access to insurance schemes like Ayushman Bharat is hindered by lack of awareness, complex procedures, and discrimination
- Many reported challenges accessing these schemes due to lack of information, documentation issues, and discrimination

The survey revealed that while 66% of community members are comfortable discussing their healthcare needs, there is a shortage of trained providers.

## Executive Summary

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### **Love beyond labels needs public support**

Queer relationships (also referred to as same-sex relationships or marriage) in India face social, cultural, and legal hurdles, despite the decriminalization of homosexuality. The survey found overwhelming support (95%) for queer relationships and a strong desire for equal rights compared to the general population.

- Societal acceptance varies widely, and same-sex marriage remains unrecognized, impacting legal rights and social acceptance
- The community faces challenges related to family acceptance, safety, cultural norms, and religious opposition

### **Embracing all voices in education and the workplace creates a better future**

There are no explicit laws for LGBTQIA+ reservations, however, legal advancements and discussions indicate growing support for affirmative action.

- The survey indicated that over half of respondents not feeling comfortable being open about their sexual orientation or gender identity at their workplace. Challenges like social stigma, lack of awareness, and implementation gaps persist, with some respondents reporting experiences of discrimination and harassment
- The job search process remains difficult for LGBTQIA+ individuals due to discrimination and bias. The survey highlighted that a quarter of respondents reported that their LGBTQIA+ identity affected their job prospects negatively

### **Affordable housing to fight stigma and discrimination**

The LGBTQIA+ community faces significant housing challenges, including discrimination, harassment, and limited access to safe and affordable options. The survey revealed that many respondents faced housing discrimination, with key issues being refusal to rent or sell, verbal harassment, and higher rent demands.

- Social stigma, legal barriers, and economic issues contribute to housing instability and insecurity
- Lack of awareness about housing-related laws further compounds these challenges. The survey indicated that limited awareness of housing laws impacts the community's ability to access and secure safe housing

## Executive Summary

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### Recommendations that pave the way to progress

To foster a more inclusive society for the LGBTQIA+ community in India, it is crucial to implement a multi-pronged approach. This includes comprehensive anti-discrimination laws, sensitized healthcare services that address the unique needs of this community, and robust workplace inclusion policies. Additionally, promoting greater awareness and acceptance of queer relationships and providing access to safe and affordable housing options are vital steps in ensuring the well-being and dignity of LGBTQIA+ individuals. It is crucial to address the intersectionality of challenges faced by marginalized groups within the community, such as transgender individuals and those from lower socioeconomic backgrounds.

- **Cultivating inclusive minds:** Implement mandatory training programs on specific needs, cultural competency, and sensitivity for healthcare professionals and employers and employees.
- **Nurturing inner peace:** Establish dedicated mental health clinics or programs staffed by culturally competent professionals who understand the unique challenges faced by the community.
- **Health for all, no bars:** Expand access to specialized affordable sexual health services, including STI testing, PrEP, PEP, hormone therapy, and gender-affirming surgeries.
- **Healing without harm:** Ensure the quality of HIV medications is maintained and implement mandatory tracking of safety concerns or adverse events reported by patients.
- **Safety net for all:** Simplify the enrollment process for Ayushman Bharat and private insurance, ensuring clear communication of eligibility criteria and benefits. Expand coverage to include specific healthcare needs.
- **Equality under law:** Advocate for the legalization of same-sex marriage, granting queer couples the same rights and protections as heterosexual couples including comprehensive anti-discrimination laws.
- **Bridging opportunity gaps:** Implement horizontal reservations for LGBTQIA+ individuals in education and employment across all states, ensuring equitable access to opportunities.
- **Ignite understanding, spark change:** Launch nationwide awareness campaigns to promote understanding and acceptance of queer relationships, rights of LGBTQIA+ individuals in housing, and fostering empathy.

## Executive Summary

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- **Diversity fuel innovation:** Enforce comprehensive workplace inclusive policies that prohibit discrimination based on sexual orientation and gender identity, specifically in tier 2 and 3 cities.
- **Talent search reimagined:** Implement inclusive recruitment and hiring practices that actively seek out, welcome talent from rural areas, and consider factors beyond educational qualifications.
- **Empowering voices:** Encourage the formation of LGBTQIA+ employee resource groups as a platform for advocacy within the workplace, and establish and fund LGBTQIA+ community centers and support groups for individuals to connect, share experiences, and access resources.
- **Ensure fair rents:** Amend rent control laws to prevent discrimination against LGBTQIA+ individuals and ensure equitable access to housing.
- **Stable homes for secure lives:** Establish and fund LGBTQIA+-specific shelters and support services to provide safe and affordable housing options for those facing discrimination or homelessness.

## Healthcare Challenges

### Healthcare challenges and its stigma

The LGBTQIA+ community in India faces significant healthcare challenges due to social stigma, discrimination, and a lack of awareness among providers.



## Healthcare Challenges

### Societal stigma and discrimination deter LGBTQIA+ individuals from seeking healthcare services

LGBTQIA+ individuals often face stigma and discrimination in the society, which can deter them from seeking healthcare. Fear of judgment, harassment, or denial of services based on sexual orientation or gender identity is prevalent. Healthcare providers also exhibit bias or lack of understanding towards LGBTQIA+ patients. This can lead to substandard care, reluctance to disclose sexual orientation or gender identity, and avoidance of seeking necessary healthcare services. These are being indicated as some of the key barriers faced by the community in accessing healthcare services. (Exhibit 1)

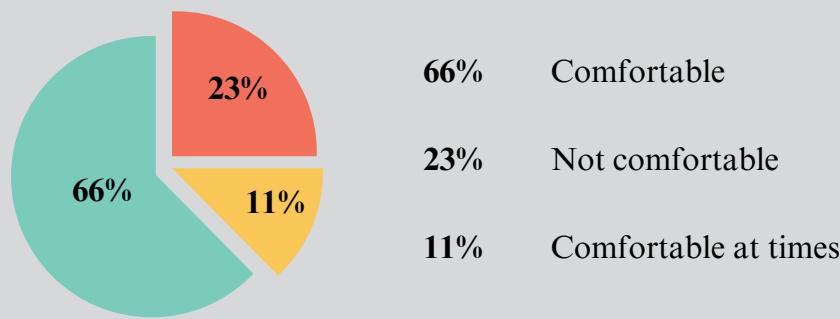
#### Exhibit 1: Barriers experienced in accessing healthcare services

Limited knowledge about LGBTQIA+ needs from healthcare providers	31%
Lack of LGBTQIA+ inclusive healthcare policies	28%
Fear of judgment or mistreatment	22%
Discrimination from healthcare providers	19%

Source: Survey on Uniting Diversity: Shaping the Future of Legal Equality for LGBTQ+ in India (2024) | Exhibit 1: 35 respondents selected multiple choices, for a total of 90 selections

66% of the respondents are comfortable discussing their healthcare needs with healthcare providers, however there is a shortage of healthcare providers who are trained and sensitized to the specific needs of LGBTQIA+ individuals. (Exhibit 2)

#### Exhibit 2: Comfort level discussing healthcare needs with healthcare providers



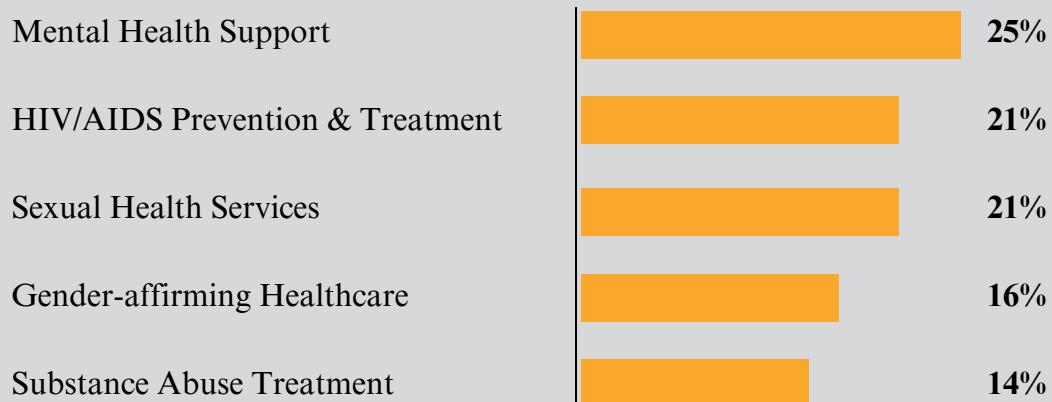
Source: Survey on Uniting Diversity: Shaping the Future of Legal Equality for LGBTQ+ in India (2024) | Exhibit 2: 165 respondents

## Healthcare Challenges

### Need for culturally inclusive care to support the community

The most common healthcare needs of the LGBTQIA+ community encompass access to affirming care from knowledgeable providers who understand and respect their unique identities. Mental health support is critical, as LGBTQIA+ individuals often face higher rates of depression, anxiety, and suicidality due to societal stigma and discrimination. Sexual and reproductive affordable health services, including STI screenings, HIV prevention, and gender-affirming care such as hormone therapy and surgeries, are also essential. Addressing substance use and addiction with culturally competent treatment options, ensuring routine healthcare services are inclusive, and providing support for youth and elderly LGBTQIA+ individuals are integral to meeting the comprehensive healthcare needs of this diverse community. (Exhibit 3)

#### Exhibit 3: Healthcare services that should be prioritized



Source: Survey on Uniting Diversity: Shaping the Future of Legal Equality for LGBTQ+ in India (2024) | Exhibit 3: 165 respondents selected multiple choices, for a total of 588 selections

### Prioritizing mental health support is crucial

LGBTQIA+ individuals are at a higher risk for mental health disorders such as depression, anxiety, and suicidality due to social stigma, rejection, and internalized homophobia or transphobia. Mental health support is also being expressed as one of the most common healthcare need which is closely followed by general physicians' visit.

The **LGBTQ youth** are likely to suffer **1.75 times** more anxiety and depression. The **transgender community** is even more vulnerable as they suffer **2.4 times** higher anxiety and depression.<sup>1</sup>

## Healthcare Challenges

The lack of culturally competent mental health providers and fear of stigma further limit access to mental healthcare for LGBTQIA+ individuals. Specific areas that require focused attention include:

- Creating awareness about mental health, documenting mental health rights, and making this information available to the public in English as well as regional languages.
- Developing policies around mental health and continuously monitoring them within corporate companies.
- Introducing Queer Affirmative Therapy to address the unique mental health needs of LGBTQIA+ individuals, ensuring they receive supportive and understanding care.
- In addition to reducing dependency on mental health professionals, prioritizing the creation of peer training or health camps in rural areas should be a priority.
- Establishing 24x7 helplines for LGBTQIA+ community members to support individuals with different occupational types.<sup>2</sup>
- The National Mental Health Survey should also incorporate responses from the community.
- Transgender Protection Cell should be set up at state at district level to prevent and monitor crimes against transgender individuals and ensure timely registration and investigation of cases.



## Healthcare Challenges

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### HIV prevention and treatment are vital lifesavers, especially for populations at risk

Societal stigma and discrimination led to inadequate sexual health education and limited access to healthcare for LGBTQIA+ individuals. This lack of information and resources hindered prevention efforts and early diagnosis. Additionally, criminalization of same-sex relationships and marginalization of the community further exacerbated the issue, pushing individuals into unsafe practices and hindering access to care. Moreover, specific practices like condomless sex, pose a higher risk of HIV transmission compared to other sexual practices. The intersection of these factors has created a complex web of challenges, making the LGBTQIA+ community more vulnerable to HIV/AIDS.

Advancements in prevention methods like PrEP (Pre-Exposure Prophylaxis) have been game-changers. HIV treatment and PEP (Post-Exposure Prophylaxis) are equally crucial aspects of HIV prevention and care within the community.<sup>3</sup> Antiretroviral therapy (ART) is highly effective in suppressing the virus, improving the quality of life for people living with HIV, and preventing transmission to others.

However, access to PrEP, HIV treatment, and PEP can be challenging due to financial constraints, stigma, and lack of awareness. This is especially true for marginalized groups within the community, such as transgender individuals, who often face additional barriers to healthcare.<sup>4</sup> The combination of PrEP, PEP, and HIV treatment represents a comprehensive approach to HIV prevention and care within the LGBTQIA+ community, contributing significantly to ending the HIV epidemic. Additionally, following suggestions can help further:

- The affordability of PrEP, self-testing kits, HIV treatment, and PEP medications poses a significant challenge, necessitating active involvement from both central and state governments to ensure accessibility and affordability for all individuals in need through government-supported programs
- There is a need to establish a comprehensive online directory of nationwide ART centers, considering their crucial role in providing comprehensive care, prevention, and support to combat HIV/AIDS. Extending operating hours of the centers to accommodate diverse patient needs would also enhance accessibility
- Privacy protection is paramount, emphasizing strict adherence to confidentiality protocols by psychologists and doctors working at ART centers
- Involving community members in ART center operations can help reduce discrimination and enhance patient acceptance

## Healthcare Challenges

- It is essential to ensure that ART centers remain operational beyond 5 p.m. IST to accommodate community members who are unable to visit during standard hours due to job constraints. This extension would significantly enhance the accessibility and convenience of crucial HIV-related services for those who work during late at night
- Awareness of HIV laws such as HIV law, transgender act, etc. and access to free legal resources (e.g., DLSA) empowers individuals to advocate for their rights, promoting a more inclusive and equitable society. Additionally, it is important to clearly define what constitutes health within these laws, as this determines the scope of protections and legal rights afforded to individuals
- Regular testing of PLHIV, including viral load and CD4 counts, and gaining understanding into the long-term side effects of HIV medications are crucial for comprehensive HIV care and management. These practices enable individuals to take an active role in their treatment decisions, track their health status, and sustain a high quality of life<sup>5</sup>
- Decriminalize sex work to protect the rights and safety of sex workers, reducing stigma and enabling access to legal protections and healthcare services<sup>6,7</sup>
- Collecting anonymized HIV infection rate data is crucial for accurately addressing the needs of the community. This allows for focused interventions and evidence-based policies that address the specific needs of different groups within the community



## Healthcare Challenges

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### Well-being relies on accessible sexual health services

The community faces significant challenges accessing sexual health services due to pervasive stigma, discrimination, and inadequate healthcare infrastructure. To address these issues, healthcare providers and systems must prioritize the following steps:

- Implement comprehensive training programs to enhance cultural competence among healthcare professionals
- Develop and promote inclusive policies that protect the rights and confidentiality of LGBTQIA+ individuals seeking sexual health services
- Expand access to specialized sexual health services tailored to the needs of LGBTQIA+ individuals, including STI testing, hormone therapy, and mental health support<sup>8</sup>
- Advocate for legal reforms to eliminate discriminatory barriers and ensure equitable access to healthcare for all
- Foster a partnership with LGBTQIA+ community organizations to better understand and meet their unique healthcare needs
- Improve affordability and insurance coverage for gender-affirming treatments and other essential sexual health services
- Integrate inclusive sex education into school curricula and public health campaigns to address misinformation and promote safe practices

These steps are crucial in advancing health equity and reducing disparities within the LGBTQIA+ community.

### Gender-affirming healthcare: a pathway to empowerment

Gender affirming healthcare is crucial as it enhances mental health, reduces stigma, improves quality of life, addresses medical needs, supports legal recognition, and promotes health equity.

- Access to gender affirming healthcare, including hormone therapy and gender-affirming surgeries, can significantly improve mental health outcomes by alleviating gender dysphoria and promoting a positive self-image
- Helps reduce stigma and discrimination against transgender and gender non-conforming individuals by affirming their gender identity and facilitating social acceptance

## **Healthcare Challenges**

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- By aligning physical characteristics with gender identity, it enhances the overall quality of life for transgender and non-binary individuals, improving their well-being and social integration

Gender Affirming Healthcare is not merely a medical necessity but also a human rights issue and should not be conflated with elective cosmetic procedures. It is crucial for the physical, mental, and social well-being of the members, enabling them to lead fulfilling lives with dignity and respect.

### **Addressing widespread substance abuse saves lives**

LGBTQIA+ individuals experience elevated rates of substance abuse due to a combination of factors.<sup>9</sup> Minority stress caused by discrimination and stigma leads to heightened anxiety and depression, often self-medicated through substance use. Social isolation stemming from rejection from family further exacerbates this issue. Additionally, the community faces higher rates of trauma. Addressing this complex problem requires recognizing these underlying causes and tailoring interventions to the specific needs of the community. A comprehensive approach that addresses the underlying causes of substance abuse and provides ongoing support is crucial for long-term recovery.

- Tailoring treatment programs to address the specific stressors and challenges faced by LGBTQIA+ individuals
- Recognizing and addressing past trauma through therapy to help individuals process experiences and develop healthy coping mechanisms<sup>10</sup>
- Utilizing support groups and community networks to provide a safe space for sharing experiences, receiving support, and building connections
- Addressing co-occurring mental health issues like depression or anxiety as part of comprehensive substance abuse treatment
- Implementing strategies beyond abstinence-based approaches to minimize negative consequences of substance use and promote overall well-being

## Healthcare Challenges

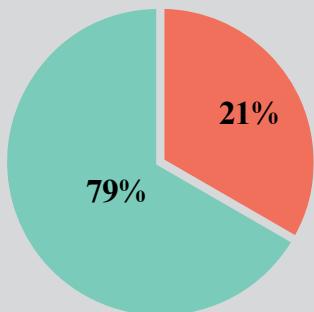
### Access to health insurance is essential for all

Ensuring equitable access to healthcare insurance is crucial for promoting the health and well-being of LGBTQIA+ members in India.

**79% of survey respondents emphasized the need for national insurance** which supports comprehensive healthcare services.

(Exhibit 4)

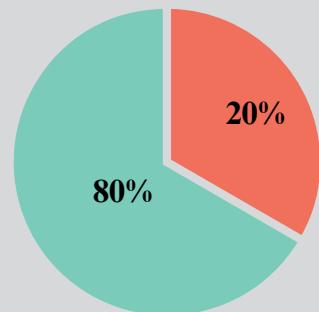
**Exhibit 4: Need of insurance to manage or support medical expenditure**



79% Feel the need

21% Doesn't feel the need

**Exhibit 5: Faced challenges seeking insurance**



20% Faced challenges

80% Doesn't faced challenges

Source: Survey on Uniting Diversity: Shaping the Future of Legal Equality for LGBTQ+ in India (2024) | Exhibit 4 and 5: 165 respondents each

Several barriers to accessing national or private insurance were highlighted:

- Limited information exists on how to apply for and utilize Ayushman Bharat, especially for LGBTQIA+ individuals with unique needs
- Transgender individuals often lack necessary documentation such as identity proofs and address proofs for enrollment and face discrimination when seeking healthcare services, despite having insurance<sup>11</sup>
- Discrimination and stigma from healthcare providers and insurance officials create barriers to accessing services
- Specific healthcare needs of the LGBTQIA+ community, such as mental health support and follow-up care post-surgery, may not be covered under existing insurance schemes.

## **Healthcare Challenges**

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- The healthcare system may not be adequately equipped to address the unique needs of the LGBTQIA+ community, resulting in inadequate or inappropriate care
- The gaps in the implementation and monitoring of the scheme can result in inconsistent access to healthcare services for transgender individuals
- In some states, accessing Ayushman Bharat is challenging due to lack of state government support, and instances of fraud and misinformation surrounding the scheme further complicate matters and foster distrust among potential beneficiaries

Addressing these issues requires increased awareness, sensitizing healthcare providers, simplifying documentation procedures, and expanding coverage to include specific LGBTQIA+ healthcare needs.

### Queer relationship for better future

Love is not always easy for queer couples in India. They must navigate a society that often frowns upon them and laws that don't fully recognize their unions.



### Queer relationship in India: a tapestry woven amidst intricate social, cultural, and legal threads

Queer relationships (also referred to as same-sex relationships or marriage) in India navigate unique social, cultural, and legal contexts due to the historical and ongoing stigma surrounding LGBTQIA+ identities. While same-sex marriage is not currently legal in India, ongoing legal battles are fighting for marriage equality. However, in 2022, the Supreme Court of India expanded the definition of family to include live-in couples, providing queer couples with some legal rights and benefits similar to those of married couples. Nevertheless, societal acceptance of queer relationships varies widely across different regions and communities in India.<sup>12</sup>

The overwhelming majority of survey participants expressed support for queer relationships and demonstrated a keen understanding of the current landscape for such relationships in India. (Exhibit 6)

Queer relationships face a multitude of challenges stemming from social, cultural, and legal factors. (Exhibit 8)

- Many LGBTQIA+ individuals face rejection and ostracism from their families due to societal norms and expectations. This can lead to emotional distress, isolation, and lack of support systems for queer couples<sup>13</sup>
- LGBTQIA+ individuals and couples are vulnerable to violence, harassment, and hate crimes, making it difficult to live openly and safely
- Deep-rooted cultural norms and values often prioritize heterosexual marriage and family structures, leading to the marginalization and stigmatization of queer relationships<sup>14,15</sup>
- Some religious institutions actively oppose LGBTQIA+ rights and relationships, creating further barriers to acceptance and equality<sup>16</sup>

**94%** of the respondents – overwhelming support **for queer relationships** and a strong desire **for equal rights** compared to the general population.

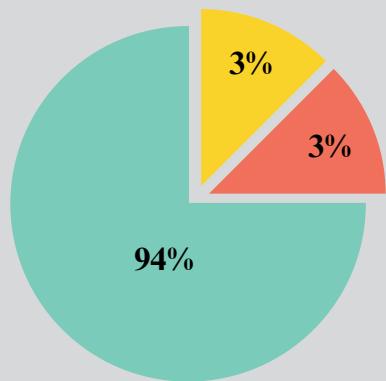
(Exhibit 6 & 7)

## Queer Relationship

- Same-sex marriage is not legal in India, denying queer couples the same rights and protections as heterosexual couples
- Queer couples face challenges in matters of inheritance, property ownership, and adoption due to lack of legal recognition. 95% of the survey participants support equal rights for LGBTQIA+ individuals compared to the general population
- The constant stress of living in a discriminatory environment can lead to mental health issues such as anxiety, depression, and suicidal ideation among LGBTQIA+ individuals and couples

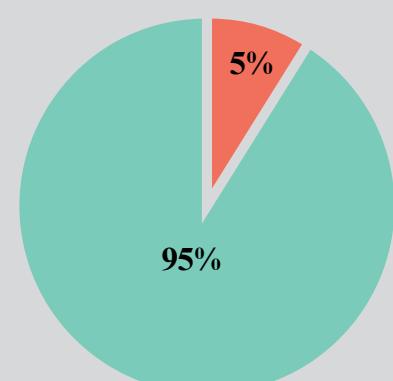
Lack of access to LGBTQIA+ specific support groups and resources can isolate queer couples and hinder their well-being

**Exhibit 6: Support of queer relationship in India**



94% - Support  
3% - Doesn't Support  
3% - Undecided

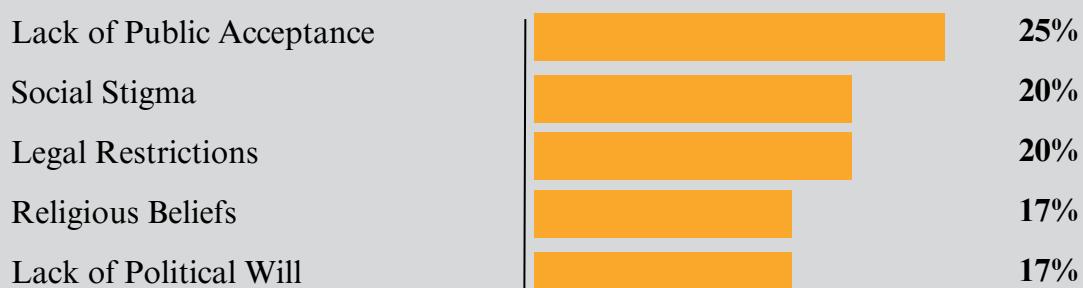
**Exhibit 7: Equal rights with the general population**



95% - Believe  
5% - Doesn't Believe

Source: Survey on Uniting Diversity: Shaping the Future of Legal Equality for LGBTQ+ in India (2024) | Exhibit 6 and 7: 175 respondents each

**Exhibit 8: Barriers to maintaining queer relationships in India**



Source: Survey on Uniting Diversity: Shaping the Future of Legal Equality for LGBTQ+ in India (2024) | Exhibit 8: 175 respondents selected multiple choices, for a total of 621 selections

## Queer Relationship

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While there is progress in the fight for equality and acceptance, overcoming these obstacles requires continued advocacy, education, and social change to create a more inclusive and equitable society for all. The advancement of queer relationships in India involves navigating a complex landscape of social acceptance, legal rights, and personal well-being.

- Advocate for the decriminalization of homosexuality across all states in India and ensure that laws explicitly protect against discrimination based on sexual orientation and gender identity
- Push for legal recognition of same-sex marriages and partnerships, including rights related to inheritance, adoption, and access to healthcare<sup>17</sup>
- Promote comprehensive sex education in schools that includes information about LGBTQIA+ identities, relationships, and issues. Increase awareness campaigns in media and public spaces to challenge stereotypes, reduce stigma, and foster empathy and understanding
- Establish and fund community centers, support groups, and helplines specifically for LGBTQIA+ individuals. Provide mental health services that are inclusive and affirming of queer identities<sup>18</sup>
- Increase positive and diverse representation of LGBTQIA+ individuals and relationships in mainstream media, entertainment, literature, and arts. Encourage creators to produce content that reflects the diversity of sexual orientations and gender identities<sup>19</sup>
- Foster ongoing dialogue between LGBTQIA+ activists, policymakers, religious leaders, and the general public to address concerns, dispel myths, and build consensus on issues affecting queer relationships and rights in India
- Recognize alternative family systems or families of choice to ensure legal rights and protections for diverse familial structures. This recognition would validate and support non-traditional family arrangements<sup>20</sup>

These are some potential next steps that could contribute to the advancement of queer relationships. However, it's important to note that the specific steps and their implementation would require a comprehensive and collaborative effort involving the government, civil society, and the LGBTQIA+ community.

### Reservations and workplace inclusion

In India, reservations and workplace inclusion are essential for addressing historical inequalities and promoting diverse work environments.



**Reservations are an increasingly important area of focus, driven by legal advancements and evolving social attitudes.**

### Fostering inclusion through reservations

There are no explicit laws in India that grant reservations specifically for LGBTQIA+ individuals. However, several legal judgments and initiatives have laid the groundwork for potential future reservations:

- National Legal Services Authority (NALSA) v. Union of India (2014): The Supreme Court recognized transgender people's gender identity and directed the government to provide reservations in educational institutions and public employment, considering them as socially and educationally backward classes. However, the type of reservation (vertical or horizontal) was not specified<sup>21</sup>
- 2018 Ministry of Social Justice Parliamentary Standing Committee: Headed by MP Ramesh Bais, the committee recommended reservations for transgender persons. However, the Transgender Persons (Protection of Rights) Act, 2019, passed without any mention of reservations<sup>22</sup>
- Transgender Persons (Protection of Rights) Act, 2019: While not explicitly mentioning reservations, this act recognizes the rights of transgender individuals and prohibits discrimination, potentially paving the way for future reservation provisions<sup>23</sup>
- Advocacy for Horizontal Reservation: LGBTQIA+ activists and organizations advocate for horizontal reservation, which would provide reservations across all existing categories (General, OBC, SC, ST) based on gender identity, rather than creating a separate vertical category

**Some states** have initiated discussions and consultations **on providing reservations for transgender individuals** in educational institutions and government jobs.

- State-level initiatives are listed below:

- The State Planning Commission (SPC) in its draft Tamil Nadu LGBTQIA+ policy (2023) recommended horizontal reservation for transgender individuals in all direct recruitments and 1% reservation in admissions to government, aided, and private educational institutions<sup>24</sup>

## Reservation & Workplace

- Karnataka became the first and only state to offer 1% horizontal reservation to transgender persons in 2021 following the Sangama vs. State of Karnataka case
- In April 2023, transgender people were included in the OBC category in Madhya Pradesh<sup>25</sup>
- On June 13, 2023, the Bombay High Court observed that providing "additional reservations" would be challenging in education and public employment due to various existing affirmative action policies for different communities in India<sup>26</sup>
- In 2023, the Delhi Government's Women and Child Development Department is implementing measures to include the transgender community in jobs and beyond. These measures include introducing another category in job applications, establishing monitoring cells to combat abuse, and implementing sensitization programs, all aimed at integrating the transgender community into the societal mainstream<sup>27</sup>
- Regarding the Supreme Court contempt petition for not implementing directions in the 2014 judgments: In July 2023, the Centre informed the Supreme Court that transgender persons can avail themselves of any of the existing 50% reservations in admissions and government jobs already available to Scheduled Castes, Scheduled Tribes, and Socially and Educationally Backward Communities (SEBC) across the country.<sup>28</sup> In August 2023, the Supreme Court issued a notice to the Union government, all states, and Union Territories seeking their response to a plea seeking reservations for transgender persons across India in state employment<sup>29</sup>

While there are no specific laws yet for LGBTQIA+ reservations in India, legal judgments and ongoing discussions indicate a growing recognition of the need for affirmative action. The demand for horizontal reservation is gaining momentum, and state-level initiatives are underway. However, various challenges need to be addressed for effective realization of reservations for LGBTQIA+ individuals.

- Exclusion from reservation policies despite facing similar societal discrimination and marginalization
- Advocating for horizontal reservations is based on the recognition that marginalization extends beyond caste identity alone
- Social stigma and discrimination can significantly impact access to educational opportunities and employment prospects
- Lack of adequate representation in educational institutions and workplaces stems from both systemic barriers and individuals' fear. There is also a lack of awareness and sensitization among educational institutions and employers regarding the needs and challenges faced by the LGBTQIA+ community

## Reservation & Workplace

To foster a more inclusive academic environment, several key recommendations for enhancing opportunities are highlighted below

- Implementation of various court directives and concrete steps to ensure reservations across India
- Need for comprehensive data on the socio-economic status of LGBTQIA+ individuals, making it difficult to determine the extent and type of reservations needed
- The focus should be on securing horizontal reservations in both jobs and education across all states. This includes implementing the 1% horizontal reservation policy in Karnataka<sup>30</sup> and advocating for the implementation of reservation-related policies drafted by the Tamil Nadu government.<sup>31</sup> Additionally, efforts should be made to expand the PRIDE project in Kerala
- Revise school curricula and implement gender-neutral curricula to incorporate SOGIE perspectives aligned with NALSA, Navtej, and international human rights commitments, ensuring comprehensive and inclusive education on gender and sexuality

### Belonging in the workplace builds brilliance

Workplace inclusion for LGBTQIA+ members in India is a growing area of focus, with progress driven by legal advancements, changing social attitudes, and corporate initiatives. Many companies are now adopting inclusive policies, such as non-discrimination clauses, gender-neutral restrooms, and employee resource groups.<sup>32</sup>

**51% of the respondents reported not being comfortable discussing LGBTQIA+ topics with their colleagues**

Training sessions and workshops are also being conducted to sensitize employees and create a more inclusive workplace culture. While challenges like social stigma, lack of awareness, and implementation gaps persist, the overall trend indicates a positive shift towards greater acceptance and inclusion of LGBTQIA+ individuals in the Indian workplace. The survey revealed mixed responses regarding individuals' comfort level in being open about their sexual orientation or gender identity at their workplace. (Exhibit 9)

#### Exhibit 9: Comfort level discussing LGBTQIA+ topics with colleagues

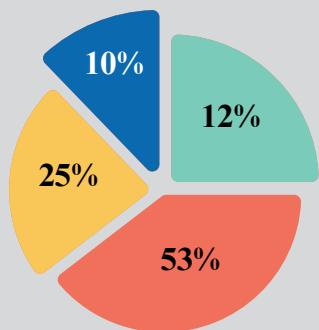


Source: Survey on Uniting Diversity: Shaping the Future of Legal Equality for LGBTQ+ in India (2024) | Exhibit 9: 115 respondents working full time professionally

## Reservation & Workplace

This finding suggests a growing acceptance and openness towards LGBTQIA+ employees in urban areas, specifically tier 1 cities. The survey responses regarding discrimination or harassment based on LGBTQIA+ identity at the workplace reveal a mixed picture (Exhibit 10).

### Exhibit 10: Workplace inclusive and accepting of LGBTQIA+ individuals



53%	Inclusive
12%	Not Inclusive
25%	Somewhat Inclusive
10%	Not Sure

Source: Survey on Uniting Diversity: Shaping the Future of Legal Equality for LGBTQ+ in India (2024) | Exhibit 10: 177 respondents

Some respondents reported experiencing direct discrimination, including career direct discrimination, including career sabotage, slurs, misgendering, and even termination due to their sexual orientation. Others described more subtle forms of discrimination, such as jokes and comments that create a hostile environment. Several respondents mentioned feeling uncomfortable or unsafe disclosing their LGBTQIA+ identity at work due to fear of judgment or negative repercussions. Additionally, several respondents highlighted a lack of awareness or understanding regarding LGBTQIA+ issues in their workplace. There has been a gradual but noticeable shift towards supporting LGBTQIA+ individuals in the workplace. This change is driven by a combination of legal advancements, increased awareness, and the recognition of the business benefits of diversity and inclusion. Many survey respondents highlighted that their workplaces have diversity and inclusion and non-discrimination policies in place. (Exhibit 11)

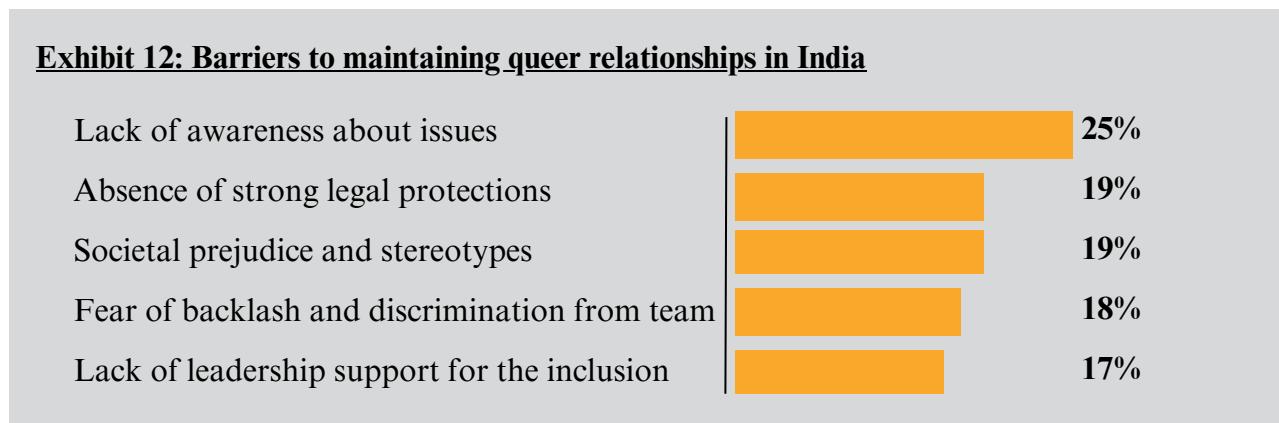
### Exhibit 11: Policies in workplace to support LGBTQIA+ individuals



Source: Survey on Uniting Diversity: Shaping the Future of Legal Equality for LGBTQ+ in India (2024) | Exhibit 11: 177 respondents selected multiple choices, for a total of 344 selections

## Reservation & Workplace

Several factors contribute to the ongoing challenge of fostering LGBTQIA+ inclusion in Indian workplaces (Exhibit 12):



Source: Survey on Uniting Diversity: Shaping the Future of Legal Equality for LGBTQ+ in India (2024) | Exhibit 12: 177 respondents selected multiple choices, for a total of 608 selections

- Deep-rooted societal norms and biases continue to fuel discrimination, harassment, and subtle forms of exclusion against LGBTQIA+ individuals in some workplaces
- Many employers and employees lack a comprehensive understanding of LGBTQIA+ issues, leading to insensitive behaviors, unconscious biases, and a lack of empathy
- While progressive policies may exist, their effective implementation and enforcement often fall short, leaving LGBTQIA+ employees vulnerable to discriminatory practices
- The degree of acceptance and inclusion varies significantly across different regions and industries in India, reflecting the diverse cultural and social landscapes of the country

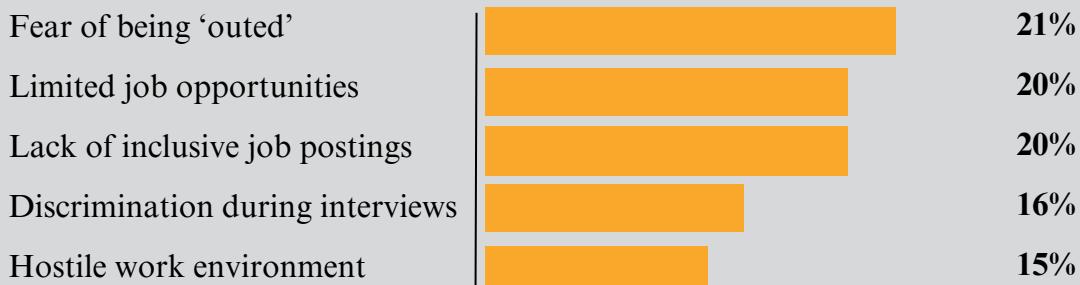
## Navigating job opportunities with pride and resilience

LGBTQIA+ individuals encounter numerous obstacles in their job search, primarily due to discrimination and bias. These can range from being denied opportunities to facing harassment at work.

Additionally, concerns over disclosing their identity and inadequate legal protections compound the difficulties. Stereotyping and the absence of inclusive policies further marginalize LGBTQIA+ employees. While progress is being made towards more equitable workplaces, achieving true equality remains a significant challenge. The survey highlights the fear, discrimination, and limited opportunities that individuals face in the job market. (Exhibit 13)

## Reservation & Workplace

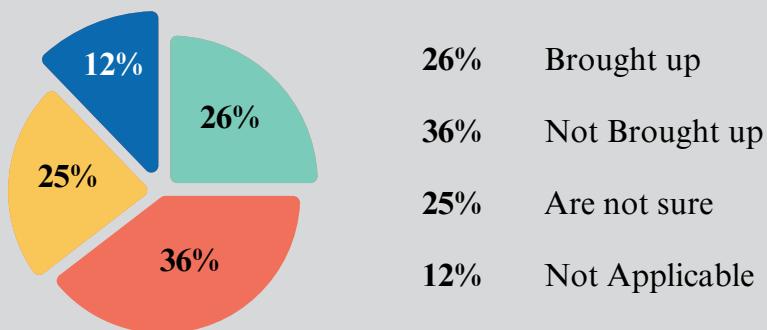
### Exhibit 13: Challenges faced while seeking employment



Source: Survey on Uniting Diversity: Shaping the Future of Legal Equality for LGBTQ+ in India (2024) | Exhibit 13: 177 respondents selected multiple choices, for a total of 354 selections

The lack of inclusive practices underscore the need for greater awareness and action to create a more equitable workplace for everyone. More than one-third of survey respondents indicated that their identity was not raised during job screenings or interviews, while another quarter reported that their identity did come up.

### Exhibit 14: LGBTQIA+ identity brought up during job screening and interviews



Source: Survey on Uniting Diversity: Shaping the Future of Legal Equality for LGBTQ+ in India (2024) | Exhibit 14: 165 respondents

To build a more inclusive and equitable workplace, employers should consider the following essential recommendations:

- Ensure that company policies explicitly prohibit discrimination based on sexual orientation and gender identity
- Establish mechanisms for reporting and addressing discrimination and harassment. Expansion of POSH (The Prevention of Sexual Harassment at the Workplace) law to include transgender women <sup>33</sup>

## Reservation & Workplace

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- Recruit LGBTQIA+ talent by creating inclusive recruitment practices focused on tier 2/3 cities and participating in LGBTQIA+ job fairs and networking events. Furthermore, recruitment should not solely focus on educational qualifications, as members of the community often face barriers that lead to early dropouts from education<sup>34</sup>
- Groups should be formed that offer a platform for LGBTQIA+ employees and allies to connect, share experiences, provide support, networking opportunities, and collaborate on initiatives to promote inclusion<sup>35</sup>
- Conduct training and sensitization programs for employees to help raise awareness about LGBTQIA+ issues, address unconscious biases, and promote a culture of acceptance and respect
- Collaborate with LGBTQIA+ organizations, non-profits, and advocacy groups to support LGBTQIA+ rights and promote social change. Also, participate in Pride events, sponsor LGBTQIA+ initiatives, and engage in advocacy<sup>36</sup>
- Encourage LGBTQIA+ employees to be open about their identities and create platforms for them to share their experiences
- Support for skills development programs should be provided along with a stipend, though the specific jobs they often lead to (such as tailoring or beauty parlor work) may not fully uplift the community due to low salaries

By working together, employers and employees can create more inclusive workplaces where LGBTQIA+ individuals feel valued, respected, and empowered to reach their full potential.

## Housing Challenges

### Housing for inclusive safe space

LGBTQIA+ community faces unique housing challenges stemming from social stigma, often leading to difficulties in finding safe and secure living environments.



## Housing Challenges

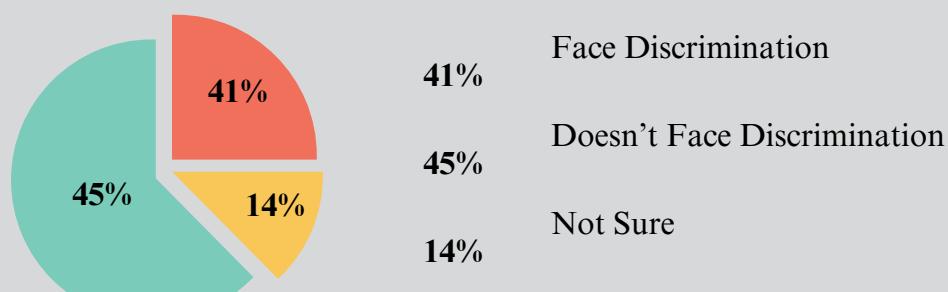
**Members frequently face rejection from family and societal discrimination, resulting in limited housing choices**

### Finding home: a struggle beyond four walls

In India, the LGBTQIA+ community faces significant housing-related challenges due to a combination of social stigma, legal barriers, and economic issues. Socially, individuals often encounter rejection from family and discrimination from landlords and neighbors, leading to instability and limited housing options. Legally, the absence of specific protections against housing discrimination means LGBTQIA+ people have few recourses against bias. Economic instability, exacerbated by employment discrimination and family rejection, further complicates their ability to secure housing.

Additionally, safety concerns such as harassment and violence, coupled with a lack of inclusive housing options and support services, contribute to the difficulties faced by LGBTQIA+ individuals. These challenges are further intensified in rural areas and vary by region, highlighting the need for comprehensive legal reforms, increased societal acceptance, and targeted support to improve housing conditions for the LGBTQIA+ community. Mixed responses were received from the respondents regarding whether they have faced housing discrimination based on their real or perceived sexual orientation or gender identity. (Exhibit 15)

**Exhibit 15: Faced housing discrimination based on your real or perceived sexual orientation**



Source: Survey on Uniting Diversity: Shaping the Future of Legal Equality for LGBTQ+ in India (2024) | Exhibit 15: 173 respondents

When we examine the types of discrimination experienced by the community, key issues include refusal to rent or sell, verbal harassment, and comparatively higher demands for rent or deposits. (Exhibit 16)

## Housing Challenges

### Exhibit 16: Types of discrimination experienced by the individuals



Source: Survey on Uniting Diversity: Shaping the Future of Legal Equality for LGBTQ+ in India (2024) | Exhibit 16: 173 respondents selected multiple choices, for a total of 269 selections

The LGBTQIA+ community in India faces numerous barriers related to housing, highlighting the need for increased awareness, legal protections, and support services to ensure their right to safe and equitable housing. (Exhibit 17)

### Exhibit 17: Barriers to accessing safe and inclusive housing



Source: Survey on Uniting Diversity: Shaping the Future of Legal Equality for LGBTQ+ in India (2024) | Exhibit 17: 173 respondents selected multiple choices, for a total of 529 selections

- LGBTQIA+ individuals and couples often face discrimination from landlords and brokers who refuse to rent to them due to their sexual orientation or gender identity. This can lead to difficulties in finding safe and affordable housing<sup>37,38</sup>
- Even after securing housing, LGBTQIA+ individuals may face harassment and discrimination from neighbors, landlords, or housing societies. This can create a hostile living environment and even lead to eviction
- Same-sex couples are often denied joint home loans as their relationships are not legally recognized. This makes it difficult for them to purchase a home together<sup>39</sup>
- Many LGBTQIA+ individuals face rejection from their families due to their sexual orientation or gender identity.<sup>40</sup> This can result in homelessness or the need to seek shelter in unsafe environments.

## Housing Challenges

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- LGBTQIA+ specific shelters and support services are scarce in India, leaving many individuals without safe and supportive housing options
- Many Garima Grehs experience significant financial difficulties due to a lack of consistent government funding. Policy Briefs indicate that after an initial year of support, many have received no further financial assistance, leading to operational challenges and potential closures<sup>41</sup>
- While the decriminalization of Section 377 was a significant step forward, LGBTQIA+ couples still lack legal recognition for their relationships, which impacts their rights in housing and other areas

### Importance of shelter homes and beyond

Shelter homes are vital for the LGBTQIA+ community in India, providing immediate safety and security from abuse, emotional support and community building, access to essential resources and services, empowerment through skill development, and advocacy for awareness and acceptance. These safe spaces often serve as transitional housing while individuals seek permanent solutions and play a crucial role in addressing the unique challenges faced by the LGBTQIA+ community, ultimately empowering them to lead fulfilling lives free from discrimination and violence. Garima Greh is one such housing scheme specifically aimed at providing affordable and safe housing for transgender individual. There are 12 Garima Grehs for transgender persons on pilot basis in 9 States. In total, 654 transgender persons have benefited through Garima Greh project.<sup>42</sup> While its vision is to address the unique challenges faced by the transgender community, it is not currently designed to solve the housing challenges faced by the broader LGBTQIA+ community in India.

Some potential aspects of wider implementation plan for Garima Greh that can be considered:

- Identifying areas with a significant transgender population and high levels of discrimination or lack of access to housing
- Engaging with transgender communities and local stakeholders to understand their specific needs and preferences regarding housing
- Designing housing units that are culturally appropriate, safe, and accessible for transgender (TG) individuals<sup>43</sup>
- Facilitating social integration of TG individuals within the local community through awareness programs and community engagement<sup>44</sup>

## Housing Challenges

Additionally, gender-neutral architecture, specifically toilets, are crucial for the upliftment of the LGBTQIA+ community in India.<sup>45</sup> They provide safe and inclusive spaces, promoting dignity and respect by acknowledging diverse gender identities. These facilities contribute to the mental well-being of LGBTQIA+ individuals by reducing anxiety and fear of discrimination. Moreover, gender-neutral toilets normalize gender diversity, challenge traditional norms, and align with the growing recognition of transgender rights. By prioritizing safety, dignity, and respect, gender-neutral toilets create a more equitable and accepting environment for everyone. Establishing dedicated old age homes for LGBTQIA+ individuals to ensure safe, inclusive, and supportive environments that address their unique social, emotional, and healthcare needs is also required.

### **Unseen laws leave housing rights uncertain**

Limited awareness of housing-related laws among the LGBTQIA+ community in India significantly impacts their ability to access and secure safe housing. Many LGBTQIA+ individuals are unaware of their legal rights and protections, which can leave them vulnerable to discrimination and exploitation in the housing market. This lack of awareness stems from inadequate dissemination of information and a general dearth of legal literacy within the community. As a result, individuals may not recognize or assert their rights when facing unfair treatment, such as denial of rental agreements or unjustified demands for higher deposits. This gap in knowledge exacerbates the challenges faced by LGBTQIA+ people, contributing to ongoing instability and insecurity in their housing situations.

### **Opening doors, building homes, embracing all**

Some potential recommendations that can be considered for a more inclusive and equitable housing landscape for the LGBTQIA+ community in India:

- Implement and enforce robust legal protections against housing discrimination based on sexual orientation and gender identity
- Grant queer couples equal housing rights, including joint ownership, inheritance, and tenancy, through legal recognition of their relationships
- Launch comprehensive public awareness campaigns to educate all stakeholders about LGBTQIA+ housing rights and combat discrimination, while also promoting positive media representation, is crucial
- Establish and adequately fund specialized shelters and support services to provide safe and affordable housing options for LGBTQIA+ individuals facing discrimination or homelessness

Addressing these issues is crucial for establishing a safe and equitable housing landscape for all.



## Appendix

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This section includes acknowledgments, contributors, a glossary, survey information (including limitations), conclave information, and references.



## **Appendix: Acknowledgments**

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The Mist LGBTQ Foundation extends its deepest gratitude to the United Nations Development Programme (UNDP) for their funding support under their SCALE initiative, which has made this "Uniting Diversity : Shaping the Future of Legal Equality for LGBTQ+ in India" project possible. We are also immensely thankful to ZS Associates for their invaluable contribution as our knowledge partner, providing critical expertise and guidance throughout the project.

From the beginning of the proposal to the final policy brief, we appreciate and acknowledge the directions given by Ms. Sumita Taneja, Country Representative, FHI360. Without the many evaluations and conversations she led, this project would not have been feasible.

We acknowledge and appreciate the numerous survey respondents from the LGBTQIA+ community who shared their experiences and insights, forming the heart of this policy brief. Their voices have illuminated the challenges and aspirations of the community, inspiring us to strive for a more inclusive society.

We are deeply grateful to the esteemed guest speakers at our Uniting Diversity conclaves, including Dr. Jai Kumar and Dr. Bala Shanthi from NIMHANS, and Dr. Jalpa Thakker from John Hopkins University. Their profound knowledge and perspectives enriched our understanding of the complex issues surrounding LGBTQIA+ rights and well-being.

We also extend our sincere thanks to the lawyers, activists, doctors, community members, and other attendees who contributed their time and expertise to the conclaves in Bengaluru, Mumbai, New Delhi, and Pune. Their insightful discussions during the conclave fostered a deeper understanding of the legal, social, and medical aspects of LGBTQIA+ lives in India.

We also acknowledge the enthusiastic participation of LGBTQIA+ community members and the invaluable support of NGOs and CBOs working tirelessly for the LGBTQIA+ cause in India. Their presence and contributions have enriched our conclaves and strengthened our collective resolve to create a more just and equitable society for all.

This policy brief is a testament to the collective efforts of countless individuals and organizations who believe in the power of unity and the importance of diversity. We are honored to have collaborated with such dedicated partners and are confident that this policy brief will contribute meaningfully to the ongoing dialogue on LGBTQIA+ rights and inclusion in India.

**Mist LGBTQ Foundation**

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Thanks are extended to the following individuals for their invaluable contributions to this policy brief:

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## Appendix: Glossary

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- **LGBTQIA+:** It is an acronym that encompasses a diverse range of sexual orientations and gender identities. The "+" signifies inclusivity of other sexual orientations and gender identities not explicitly represented by the acronym.
- **Lesbian:** Lesbian refers to a woman who is attracted to other women. Some nonbinary people also identify as lesbian, particularly if they have a feminine identity.
- **Gay:** The term "gay" is primarily used to refer to men who are attracted to other men in a romantic, erotic, and/or emotional sense.
- **Bisexual:** Bisexual (or bi) refers to a person who experiences sexual, romantic, physical, and/or spiritual attraction to more than one gender.
- **Transgender:** Transgender refers to a person whose assigned sex at birth doesn't align with their gender identity.
- **Queer:** a multi-faceted word that is used in different ways and means different things to different people. 1) Attraction to people of many genders. 2) Don't conform to cultural norms around gender and/or sexuality. 3) A general term referring to all non-heterosexual people.
- **Intersex:** An umbrella term that describes people born with any of 30 different variations in sex characteristics including chromosomes, gonads, sex hormones, or genitals.
- **Asexual:** A person who experiences little or no sexual attraction to others and/or a lack of interest in sexual relationships/behavior. They may or may not experience emotional, physical, or romantic attraction.
- **ART Center:** An ART (Antiretroviral Therapy) Center is a specialized healthcare facility that provides comprehensive services for the treatment and management of HIV/AIDS.
- **Gender Dysphoria:** Gender dysphoria is a term that describes a sense of unease or distress that a person may experience due to a mismatch between their biological sex and their gender identity. It is a condition recognized in the Diagnostic and Statistical Manual of Mental Disorders (DSM-5) and is characterized by a strong, lasting desire to live as a gender different from one's assigned gender at birth.
- **Homophobia:** It refers to an irrational fear of, aversion to, or discrimination against individuals who identify as lesbian, gay, or bisexual.
- **Transphobia:** The fear or dislike of someone based on the fact they are trans, including denying their gender identity or refusing to accept it. Transphobia may be targeted at people who are, or who are perceived to be, trans.

## Appendix: Glossary

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- **PrEP (Pre-Exposure Prophylaxis):** It is a preventive medical strategy for individuals at high risk of contracting HIV. It involves the daily use of antiretroviral medication to significantly reduce the risk of HIV infection.
- **PEP (Post-Exposure Prophylaxis):** is a short course of antiretroviral medication taken very soon after potential exposure to HIV to prevent the virus from establishing an infection. It is a crucial emergency measure that must be started within 72 hours of exposure to be effective.
- **Viral Load:** Viral load refers to the amount of HIV present in a person's blood, measured in copies of the virus per milliliter of blood (copies/mL). A high viral load (typically above 100,000 copies/mL) indicates active viral replication, which can lead to faster progression of the disease and increased risk of transmission.
- **CD4 Count:** It measures the number of CD4 cells (a type of white blood cell that HIV targets and destroys) in the blood. A higher CD4 count indicates a healthier immune system, while a lower count suggests that the immune system is weakened due to HIV infection. Generally, a CD4 count below 200 cells/mm<sup>3</sup> is a criterion for diagnosing AIDS (Acquired Immunodeficiency Syndrome).
- **Gender nonconformity:** refers to the behavior, appearance, or identity of a person that does not conform to societal expectations and norms associated with their assigned sex at birth.
- **Reservations:** Reservation in India is an affirmative action policy aimed at providing historically marginalized communities with greater access to education, employment, and political representation.
- **Horizontal Reservation:** It refers to the equal opportunity provided to other categories of beneficiaries such as women, veterans, the transgender community, and individuals with disabilities, cutting through the vertical categories. The horizontal quota is applied separately to each vertical category, and not across the board.
- **Vertical Reservation:** Vertical reservation refers to the reservation of seats or positions for specific socially and educationally backward classes in India, such as Scheduled Castes (SC), Scheduled Tribes (ST), and Other Backward Classes (OBC).
- **Garima Greh:** It is a housing scheme specifically aimed at providing affordable and safe housing for transgender individual.

## Appendix: Survey Information

### Survey information and limitations:

The ZS-developed survey, titled "Survey on Uniting Diversity: Shaping the Future of Legal Equality for LGBTQ+ in India, 2024" aimed to gather insights on the experiences and perspectives of the LGBTQIA+ community in India. The survey was conducted in English and six regional Indian languages—Hindi, Assamese, Tamil, Malayalam, Kannada, and Marathi—ensuring accessibility and inclusivity for a diverse range of respondents. The survey period spanned from late March 2024 to mid-June 2024.

**Response Overview:** A total of 175 responses were collected, reflecting a significant engagement from the community. The responses were mostly from the LGBTQIA+ community themselves (92%), followed by allies (6%) and parents (2%). The demographic breakdown of the respondents is as follows:

Gender Identity	Count (%)
Female	14%
Male	59%
Non-Binary	9%
Transgender	18%

Sexual Orientation	Count (%)
Asexual	1%
Bisexual	13%
Gay	52%
Heterosexual	12%
Lesbian	7%
Pansexual	4%
Queer	7%
Transgender	2%

Age Group	Count (%)
18 - 24	23%
25 - 34	42%
35 - 44	21%
45 - 54	12%
55 and above	2%

Top 3 States	Count (%)
Maharashtra	60%
Karnataka	22%
Gujarat	3%

Top 3 Cities	Count (%)
Pune	33%
Bengaluru	21%
Mumbai	15%

Employment Status	Count (%)
Student	11%
Unemployed	6%
Full Time (30+ hrs/week)	72%
Part Time (<30+ hrs/week)	11%

Nature of Employment	Count (%)
Other	10%
Private Sector	60%
Public Sector	16%
Self-employed	15%

## **Appendix: Survey Information**

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### **Limitations:**

The survey responses were primarily from individuals residing in urban areas (tier 1/2 cities). Therefore, the findings might not fully represent the spectrum of issues or challenges faced by the LGBTQIA+ community across India, particularly in rural areas. Additionally, responses related to workplace inclusion could also be influenced by this urban bias, as respondents' employers are likely multinational companies or large technology companies located in tier 1 and tier 2 cities, which tend to have better-developed diversity and inclusion policies.

## Appendix: Conclave Information

The Uniting Diversity : Shaping the Future of Legal Equality for LGBTQ+ in India conclaves were held in several key cities across India, including Bengaluru (12 April 2024), Mumbai (26 April 2024), New Delhi (17 May 2024), and Pune (23 May 2024). These conclaves were organized by the Mist LGBTQ Foundation and were funded under the UNDP SCALE initiative, which aims to promote inclusivity and support for marginalized communities.

**Objectives and Goals:** The primary objective of the Uniting Diversity conclaves was to create a platform for dialogue and collaboration among diverse stakeholders in the LGBTQIA+ community and allied sectors. The events aimed to raise awareness about the challenges faced by LGBTQIA+ individuals, foster understanding, and promote advocacy for their rights.

**Participation and Engagement:** The conclaves witnessed active participation from over 120 individuals representing a wide array of sectors within society. Participants included:

- **Legal Professionals:** Lawyers who specialize in human rights and LGBTQIA+ issues contributed their expertise on legal frameworks and protections available for the community
- **Activists:** Community activists shared their experiences and strategies for advocacy, highlighting successful campaigns and ongoing challenges
- **Healthcare Professionals:** Doctors and mental health professionals discussed the importance of inclusive healthcare practices and the need for sensitivity towards the patients
- **Community Members:** Individuals from the community shared personal stories and insights, fostering a sense of solidarity and shared purpose
- **Organizations:** Various NGOs and Community-Based Organizations (CBOs) participated, including notable entities such as the United Nations Development Programme (UNDP), the National Institute of Mental Health and Neurosciences (NIMHANS), and Johns Hopkins University. Their involvement underscored the importance of collaborative efforts in addressing the needs of the community

The conclaves facilitated meaningful discussions and generated key insights into the current landscape of LGBTQIA+ rights and issues in India. Participants engaged in workshops, panel discussions, and networking sessions, which allowed for the exchange of ideas and best practices.

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## About UNDP

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The United Nations Development Programme (UNDP) is a UN agency that helps countries achieve sustainable human development and eliminate poverty. The UNDP was established in 1965. It has offices in over 170 countries and is the largest UN development aid agency. The UNDP's work includes helping countries develop policies, connecting countries to resources, and advocating for change.

The lives and livelihoods of people living with HIV and other key populations are under threat. The UNDP-led SCALE Initiative helps strengthen and scale the work of these communities to counter the discriminatory laws, policies and HIV-related criminalization that deny fundamental rights and dignity in order to unlock progress on the 10-10-10 HIV targets.

[www.undp.org](http://www.undp.org)

## About Mist LGBTQ Foundation

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Mist LGBTQ Foundation envisions a world in which every LGBTQ+ person gets access to safe, accessible, and quality HIV healthcare and a safe space to find their self-expression.

For this, we work on empowering members from the LGBTQ+ community in India with awareness about HIV, affordable prevention and curative healthcare, and community-led safe spaces for finding peer support.

Mist LGBTQ Foundation has been working since 2009 towards empowering the LGBTQ+ community by creating a safe space and promoting LGBTQ+ awareness and HIV prevention and postvention (post exposure prophylaxis - PEP) in Pune, Bangalore, Hyderabad, and beyond. Formed in 2009 as a collective of young LGBTQ+ members and registered as a section 8 (non-profit) company in 2021, the organization has been empowering LGBTQ+ people and people living with and at risk of HIV through multiple interventions. We are a young LGBTQ+-led organization, with currently over 5,000 registered members across India.

[www.lgbtq.co.in](http://www.lgbtq.co.in)

## About ZS

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ZS is a management consulting and technology firm focused on transforming global healthcare and beyond. ZS leverage their leading-edge analytics, plus the power of data, science and tech products, to help their clients make more intelligent decisions, deliver innovative solutions and improve outcomes for all. Founded in 1983, ZS has more than 13,000 employees in 35 offices worldwide.

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