

# HIDDEN VOICES REALITIES

Exploitation of the Rights of LGBT Communities at Tourism Sites!



For years, they have loudly proclaimed that they were perfectly normal human beings, albeit having chosen different gender identities and sexual orientations. Yes, as society and the state struggle to understand and embrace them, LGBT communities continue to live on the margins.

---

A study was conducted by EQUATIONS at 3 tourist destinations in Karnataka to understand the relationship between LGBT communities and tourism and the challenges faced by them.

**Yellamma temple** is a popular pilgrimage tourist site in the Belagavi district. Jogappas, one of the lesser known transgender communities in India are connected with the worship of goddess Yellamma. While some women and men dedicate themselves, their spouses, or their children to the services of goddess Yellamma, many male-to-female transgender “choose” the goddess. They perform poojas, offer blessings, narrate the saga of the Yellamma temple in the traditional way of singing and dancing, which attracts both tourists and devotees thereby also supporting their livelihood.

**Mysuru Dasara** is one of the festivals which attracts a large number of tourists every year. During the Dasara season, LGBT communities migrate from neighbouring places to Mysuru for their livelihood by offering blessings during poojas conducted in shops and commercial enterprises which is a tradition, performing basti and dancing on the roads.

**Shivamogga** is a popular domestic tourist destination due to the rich natural resources in the form of water bodies and forests. People from the LGBT communities play the role of guides to the local tourists and if they find a potential client, are also involved in sex work.

**Key findings:** Tourism is a season for everyone to earn money, ranging from the government to the local people, including LGBT communities. LGBT communities, apart from visiting tourism destinations for their livelihood, also do so for cultural and religious purposes. Certain festivals like Holi, Diwali, Ramzan and Durga pooja have significance for LGBT communities. While these offer opportunities to earn and meet their social-cultural and economic needs it is at the cost of humiliation, discrimination and violation of their fundamental rights as citizens of this country and seriously hinder their access to justice. Fundamentally, the majority of work opportunities available to LGBT communities at the destinations, were linked to the 4 traditional activities of begging, dancing, offering blessings and sex work. Local goons and constables look for opportunity to earn extra money through bribe or force. Patrolling of police increases to address safety and security of the visitors, specially at bus stops, railway stations, parks, streets which also happens to be the meeting points for LGBT communities. Lodges and restaurants are hard for them to access because of increased rates during the season. There is drive to chase unwanted people away in the name of cleanliness.

The non-recognition of the identity of LGBT communities persons denies them equal protection of law, thereby leaving them extremely vulnerable to harassment, violence and sexual assault in public spaces, at home and in jail and also by the police. Sexual assault, including molestation, rape, forced anal and oral sex, gang rape and stripping is being committed with impunity. They are also subjected to forcible detention in beggars homes and harassment which leads to depression, alcoholism and

suicides. However, these realities have often been either overlooked or portrayed as being against the interest of society on moralistic grounds and therefore the need to keep them at the margins of society.

To counter these developments, the LGBT communities in these destinations have mobilised and collectivised themselves to struggle for their dignity and decent work. Their work includes providing support during crisis, counselling services, and regular health check-ups. In addition, they also organise training programmes for building leadership capacity and behaviour change focusing on building vocational skills. These organisations / collectives work towards influencing attitude and perspectives of the society by organising sensitisation and awareness building programmes for a range of stakeholders (police, local government authority, political leaders, academic institutes, auto drivers and IT companies).

### **LGBT Communities and the Law**

The Constitution of India ensures equal rights to all the citizens of India with Article 29 (1) emphasising the protection of interests of minorities to conserve their culture, language and script. The Fundamental Rights are defined as the basic human rights of all citizens and apply irrespective of race, place of birth, religion, caste, creed or sex. The reluctance to accept the identity puts them on the margins of society, encourages violence in different forms and denies them access to justice leading to a violation of their fundamental rights of life and livelihood. They are forced to engage with sex work, begging or dancing due to the limited occupational opportunities offered to them by tourism.



A Delhi High Court's verdict of 2nd July 2009 decriminalised gay sex. However the Supreme Court upheld Section 377 of the Indian Penal Code, reversing the well-reasoned and enlightened judgement of the Delhi High Court. The Supreme Court judgement discloses an intolerant mindset and which is insensitive to the real problems of those with a different sexual orientation for which they are not to be blamed nor branded.

The Constitution guarantees six fundamental rights to its citizen. To exercise these rights, one must have an official identity proof. Application of any of these ID proofs requires mandatory sexual identity of a person which until recently contained only 2 categories male / female. However in a landmark judgement, the Supreme Court, in April 2014 directed all government departments to recognise the third gender and not discriminate against transgender people in the provision of services.

---

**1: Section 377. Unnatural offences:** Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal, shall be punished with imprisonment for life, or with imprisonment of either description for term which may extend to ten years, and shall also be liable to fine.

**EQUATIONS demands the following in the context of rights of LGBT communities in tourism destinations:**

- We call upon governments, policy makers, tourism industry, civil society to engage in more systemic and proactive ways to empower people from the LGBT communities involved in tourism. It is time for the government to recognise tourism as a site for blatant and inhuman exploitation of LGBT communities. Issues of LGBT communities should be addressed in tourism policies & plans with measures for their socio-economic development to ensure livelihood opportunities, proper employment or entrepreneurship in tourism and its associated sectors so that they can live with respect and dignity in the society.
- Ministry of Tourism needs to examine and address the issues of LGBT communities in tourism by building coordination with concerned departments including that of Ministry of Women and Child Development and the Ministry of Social Justice in particular.
- We urge the governments to initiate a separate commission as the Supreme Court has recognised the third gender so as to safe guard the constitutional rights of LGBT communities in general and at tourism destinations in particular and declare that tourism will not be promoted at the expense of the dignity, respect and rights of LGBT communities.



---

Are you interested in knowing more about the impacts of tourism particularly on LGBT communities? For more information write to us at [info@equitabletourism.org](mailto:info@equitabletourism.org) or visit our website [www.equitabletourism.org](http://www.equitabletourism.org)

Who we are?

Established in 1985, EQUATIONS is a research, advocacy and campaigning organisation charged with the vision of democratising tourism in India. We study the social, cultural, economic and environmental impacts of tourism on local communities. A key area of our work is on Societies Culture and Tourism.

Layout design and Illustration: Vidushi Yadav

Printing: National Printing Press