Manju was abused by the police because of his sexual orientation and Samanali because of her gender identity. Kiruthika faced abuse and harassment because her rights are not protected by the law. Thenu was harassed and bullied at work because of his gender identity.

In Sri Lanka laws that were put in place by the British in 1883, when they colonized the island, are still used to unfairly target and discriminate against Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) people. Even though there are constitutional provisions that clearly state this is illegal, LGBTI people face discrimination, harassment, and even violence because of their sexual orientation and/or gender identity. This comic features real stories drawn from interviews conducted by Amnesty International of LGBTI people in Sri Lanka.
CONTENT AND TRIGGER WARNING

This comic contains content that depicts homophobic, transphobic and violent attitudes, and may be challenging to read for some people.

ACKNOWLEDGMENT

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INTRODUCTION

In 1883, the British who had taken control of the island of Sri Lanka, passed the main law which deals with crimes in Sri Lanka – the Penal Code. This law identified all the acts that became a “crime”. Some of these prohibitions, such as Section 365 and 365A, were not enshrined in law before the Penal Code was passed. These two sections prohibited “carnal intercourse against the order of nature” and “gross indecency”. The Penal Code did not give a specific explanation of what these meant, but these vague and overly broad 136-year-old colonial laws are still being used to target people in Sri Lanka who identify as or are thought to be lesbian, gay, bisexual, transgender or intersex (LGBTI).

Section 399 of the Penal Code bans “cheating by impersonation” which means pretending to be someone else or telling a person they are someone that they are not. This law has been used to target LGBTI people, especially transgender people, to allege that they are “pretending” to be a different gender.

The Vagrants Ordinance, put in place by the British in 1841, punishes anyone behaving in a “disorderly manner”, which can mean anyone who is begging, thought to be taking part in sex work (defined in law as “prostitution”), or accosts or annoys anyone, amongst other things. This 178-year-old law has been used to disproportionately target LGBTI people, allowing the police to take them into custody and even put them in prison.

Even though these colonial British laws are still part of Sri Lanka’s legal system, the Government of Sri Lanka has signed agreements, also known as treaties, at the United Nations (UN). Some of the agreements Sri Lanka signed include the International Covenant on Civil and Political Rights (ICCPR), which is aimed at ensuring that the civil and political rights of its people are upheld; the International Covenant on Economic, Social and Cultural Rights (ICESCR), which aims to protect the economic, social and cultural rights of all people; and the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), to protect women and girls. These conventions apply to all individuals equally, which means the State should protect people against discrimination on the basis of sexual orientation (who they are attracted to) or gender identity (how they define themselves), regardless of their sex assigned at birth. By signing these conventions, the Sri Lankan government has pledged to ensure they will protect and promote the rights of all people including LGBTI people, and protect people from discrimination based on their sexual orientation and/or their gender identity.

The Constitution of Sri Lanka, which was first introduced after independence in 1978, protects important “Fundamental Rights” that apply to everyone in the country. These rights must be obeyed by everyone as the Constitution is the highest law in Sri Lanka. Some fundamental rights include: the right to freedom of thought, conscience and religion, the right to not be tortured, the right to not be arrested without a reason, the right to freedom of speech and to associate with anyone.

Article 12 of the Constitution promises the right to equality for all people. This means that no one can be treated differently because of their “race, religion, language, caste, sex, political opinion, and place of birth”. In 2014, the Government of Sri Lanka, confirmed before the UN that Article 12 also prohibits discrimination based on sexual orientation and gender identity. Therefore, under both Sri Lankan and international law, no one should be treated differently because they are LGBTI, and people who are LGBTI should have the same rights and protections as anyone else in Sri Lanka.
In 2017 at Sri Lanka’s third Universal Periodic Review (UPR) at the UN, the Sri Lankan government confirmed that it was committed to ensuring that no laws would be used to discriminate against people on the basis of their sexual orientation or gender identity. Unfortunately, however, laws such as the Penal Code and the Vagrants Ordinance are still being used to target and harass people on the basis of their real or perceived sexual orientation or gender identity.

This comic uses real stories of LGBTI people who spoke to Amnesty International about the discrimination and harassment they have faced. These stories only show a small sample of the wide scale of threats, abuses and violations that people face in Sri Lanka because of their real or perceived sexual orientation or gender identity.

To make sure the Government of Sri Lanka follows its Constitution and lives up to its international human rights commitments it must immediately:

- Remove sections 365, 365A and 399 from the Penal Code so that they cannot be used to target people because of their real or perceived sexual orientation or gender identity.
- Remove the Vagrants Ordinance from the laws of Sri Lanka, so that it cannot be used to discriminate against people because of their real or perceived sexual orientation or gender identity.
- Make sure no other laws can be used to discriminate against people because of their real or perceived sexual orientation or gender identity.
- Make sure that LGBTI people are given the full protection of the law, and are not harassed, extorted or abused by police because of their real or perceived sexual orientation or gender identity.
- Take steps to make sure people are not discriminated against, harassed or subjected to violence in public and private places because of their real or perceived sexual orientation or gender identity. If this happens, the government must make sure there is a mechanism through which complaints can be made and heard safely. And make sure all cases are properly investigated and the perpetrators are held accountable.

The people of Sri Lanka must:

- Cultivate an environment that is inclusive of all people, and make sure people are not discriminated against, harassed or abused because of their real or perceived sexual orientation or gender identity.
- Be allies to LGBTI people.
Chapter 01

MANJU

Part 1
Lord Buddha had five dreams before attaining Great Enlightenment, which predicted the events to come.

One of them was about birds of four different colours, flying towards each other from four directions....

... meeting at the centre and becoming one colour. *All humans belonging to different castes are treated as equals.*
“Similarly, to Buddha, kings, lords, peasants, rich, poor, men, women... he attended *daana* at everyone’s houses wherever he was invited.

He didn’t discriminate against anyone who wanted to be ordained.

He treated everyone as equals.

*ALMS GIVING*

Lord Buddha had five dreams before attaining Great Enlightenment, which predicted the events to come. One of them was about birds of four different colours, flying towards each other from four directions...
Ok kids, that’s enough for today. I’ll see you next week.

Theruwan Saranai*

*Chief Prelate

Theruwan Saranai

*MAY THE TRIPLE GEM BLESS YOU!

... but some parents have asked me to stop you from teaching at our temple’s Sunday school.

Why Loku Hamuouruwan? What happened?

Some of them have seen you with some... people they don’t approve of.

What do you mean Hamuouruwan?
Ok kids, that's enough for today. I'll see you next week.

Theruwan Saranai*

... but some parents have asked me to stop you from teaching at our temple's Sunday school.

Loku hamuduruwo* wants to speak to you.

Why loku hamuduruwane?

What happened?

Manju, I know the kids love you...

What do you mean hamuduruwane?

Some of them have seen you with some…

They said men who acted and dressed like women.

Do you mean transgender and gay people loku hamuduruwane?

Yes.

"Loku hamuduruwane, I work with lots of people, to educate and support them!

Some of them may look different from what the parents are used to, but they aren't doing anything wrong!"

I try to follow Lord Buddha's teachings and treat everyone equally!

Is that so wrong?

Manju, I know the children love you, but if I don't do anything, the parents will blame me!

Loku hamuduruwane, I don't want to cause any trouble for you or the temple...

"... I'll leave."
One month later

Manju Sir!

How are you? We really miss you at Daham Pasal!

Yes Sir, the other teachers don't care as much as you.

You are there to learn about Buddhism, so you do that first!

Grow up to be good Buddhists who treat everyone with kindness and respect...

...then you will make me proud!

Ok Manju Sir. We'll go then.

Theruwan Saranai Sir

*CHILO*
One month later

Manju Sir!

How are you? We really miss you at daham pasal!

Yes sir, the other teachers don't care as much as you. Don't worry about those things putha*. You are there to learn about Buddhism, so you do that first!

Grow up to be good Buddhists who treat everyone with kindness and respect... then you will make me proud!

Ok Manju Sir. We'll go then.

Theruwan Saranai Sir

*child

Part 2
Show me your ID!

Where are you going?

I'm going home sir. Why?

What's in your bag?

What is this?

It's a condom.

Why do you have this? Are you gay?

You're under arrest! Come with us.

Why? What did I do?

That's not wrong! You can't just arrest me for-

Yes I am, why?

You were on the road at night with condoms.

Shut up!
What are all those people going to think of me? They'll think I did something wrong!

I work as a peer educator to teach people about safe sex practices.

I work as a peer educator to teach people about safe sex practices.

I work as a peer educator to teach people about safe sex practices.

We teach people about why they should use condoms.

We teach people about why they should use condoms.

We teach people about why they should use condoms.

And we hand out condoms when people don’t have them.

And we hand out condoms when people don’t have them.

And we hand out condoms when people don’t have them.

Without them, these people could get very sick.

Without them, these people could get very sick.

Without them, these people could get very sick.

That’s enough.

We know all about people like you!

We know all about people like you!

We know all about people like you!

I don’t care.

I don’t care.

I don’t care.

I work with a lot of people, not just gay people! You can’t arrest me just because you don’t like me!
Buddhism teaches us to love everyone and everything equally. Even though it’s hard, I try to love all beings...

...even those who treat me unfairly.

Because I hope that one day they may understand that what they’re doing is wrong.

Sri Lanka signed up to the UN International Covenant on Civil and Political Rights (ICCPR) in 1980. The ICCPR guarantees protections, such as the right to life, freedom of expression, freedom of religion and freedom of association. It also prohibits torture, slavery, and arbitrary arrest. Countries that have signed the Covenant must make sure that the rights in the Covenant apply equally to all people, without discrimination based on their race, colour, sex (includes sexual orientation), language, religion, political or other opinion, national, or social origin, property, birth, or any other status.

I was mistreated, and the people who mistreated me didn’t see me as a person who helps people in the community. They saw me as someone who should be punished because of who I am and who I love.

A person’s sexuality shouldn’t matter, because we should all be sensitive and care about each other.
Sri Lanka signed up to the UN International Covenant on Civil and Political Rights (ICCPR) in 1980. The ICCPR guarantees protections, such as the right to life, freedom of expression, freedom of religion and freedom of association. It also prohibits torture, slavery, and arbitrary arrest. Countries that have signed the Covenant must make sure that the rights in the Covenant apply equally to all people, without discrimination based on their race, colour, sex (includes sexual orientation), language, religion, political or other opinion, national, or social origin, property, birth, or any other status.

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Chapter 02

KIRUTHIKA
Hey my love, I’m just going home from uni. Are we still on for lunch tomorrow?

Yeah, shall I meet you there at like 1.30?

Yeah sounds good. Can’t wait to see you! Love you.

Me too.
It's Gin, this is Mal's number. My father found out about us. He read our messages and took my phone away. He was so angry. Don't pick up any calls from my number and be careful ok? He knows some scary people. I'll message you soon.

THAT'S WEIRD! THE POWER NEVER GOES OUT HERE

LOOKS LIKE THE POWER IS OUT FOR JUST OUR ROAD

BANG! BANG! BANG!
AUNTY GEETHA, THERE ARE DANGEROUS LOOKING MEN TAPPING AT THE GATE, ASKING TO LET THEM IN. I'M ALONE AT HOME, CAN YOU PLEASE SEND SOMEONE?

10 MINUTES LATER

WE NEED TO SPEAK TO A 'KIRUTHIKA'. MR. RANJAN HAS A MESSAGE FOR HER.

NO, NO. THERE'S NO ONE AT HOME. JUST GO, WHY ARE YOU COMING HERE LIKE THIS?

WE ARE HERE TO DELIVER A MESSAGE TO THIS 'KIRUTHIKA'. TELL HER TO STAY AWAY FROM GIRIHNANEE. TELL HER TO CONSIDER THAT IF WE CAN CUT THE POWER SO EASILY, WHAT ELSE CAN WE DO? DON'T MAKE US COME HERE AGAIN!

I CAN'T EVEN CALL THE POLICE. WHAT WILL I TELL THEM? ONCE THEY FIND OUT I'M A LESBIAN THEY MIGHT HARASS ME MORE, LET ALONE PROTECT ME. THEY'LL MAKE EVERYTHING WORSE. AND IF THEY FIND OUT I'M TAMIL?! I CAN'T CALL THE POLICE.
Sri Lanka signed up to the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1980. Countries that signed the convention committed to end all discrimination against women in all its forms. Discrimination means any unequal treatment that can damage or take away the recognition or enjoyment of any right of a woman, no matter who they are or their social or other characteristics. Men and women must enjoy equal human rights and freedoms. Article 5(a) requires countries that have signed up to CEDAW to try and change social and cultural patterns to stop actions that are based on discriminatory views or stereotypical roles of men and women; this also applies to sexual orientation and gender identity.
Chapter 03

THENU
Hi then!

You needed my birth certificate for the pension fund forms right?

Here you go.

Why does your gender say female here...

...and then male in another column?

Because I got my birth certificate changed.

Why would you do that?

Because I am transgender. I always knew I was a man, even though when I was born everyone said I was a woman.

But I knew I was a man, so I decided to get recognised as such.

What? That's not normal!

That's not natural!

They looked at my body and they decided that's what I was.

Actually, I feel more normal now after I changed my gender.

I feel like I am finally who I was meant to be.

Can you go now? I have some work to finish.

Umm, ok.
LATER, THE NEXT DAY...

HI GUYS, WHAT’S UP?

NOTHING

WHAT ARE YOU GUYS LAUGHING AT?

NO, NO, NOTHING.

ROHAN TOLD US WHAT YOU ARE.

DISGUSTING!

COME ON GUYS,

LET’S LEAVE HIM,

OR HER,

OR WHATEVER IT IS.
THENU, I REVIEWED YOUR DOCUMENT, AND THIS IS GREAT WORK, EVERYTHING IS CORRECT.

WE CAN SEND IT TO THE HEAD OFFICE AS SOON AS ROHAN REVIEWS THIS.

THANKS VIJAY

BY THE WAY, ARE YOU STILL HAVING PROBLEMS WITH THE REST OF THE STAFF?

AFTER ROHAN TOLD THEM ABOUT YOU?

YES.

EVERYONE HAS BEEN IGNORING ME EXCEPT FOR YOU.

I KNOW ROHAN IS TRANSPHOBIC...

...BUT I NEVER EXPECTED THE OTHERS TO TREAT ME LIKE THIS.

I KNOW.

I'M SORRY THENU.

ANYWAY, YOU ARE DOING GOOD WORK AND AS YOUR SUPERVISOR I WILL SUPPORT YOU.

I KNOW EVERYONE IN THE OFFICE HAS TURNED AGAINST YOU BUT IT IS IMPORTANT FOR YOU TO HAVE A FRIEND, AND SOMEONE YOU CAN TRUST.

I WILL BE THAT PERSON.
1 WEEK LATER...

I DON'T UNDERSTAND. I CHECKED YOUR ENTIRE DOCUMENT AND EVERYTHING WAS RIGHT...

...HOW HAS THE HEAD OFFICE SENT IT BACK SAYING THERE ARE MISTAKES?

VIJAY, THESE Aren'T THE NUMBERS I PUT IN.

SOMEONE HAS CHANGED THEM.

WHAT? THAT CAN'T BE! LET ME SEE.

YOU'RE RIGHT!

THE FIGURES ARE DIFFERENT.

LEAVE IT TO ME. I'LL GET TO THE BOTTOM OF THIS.

HOW THE HELL DID THIS HAPPEN?
THE NEXT DAY...

I KNOW WHAT HAPPENED.
ROHAN SENT THE DOCUMENT TO OUR OTHER OFFICE.

GOT THEM TO CHANGE THE FIGURES AND THEN THEY SENT IT TO THE HEAD-OFFICE.

WHY WOULD ROHAN DO THIS TO ME?

HOW CAN HE HATE ME SO MUCH JUST BECAUSE I’M TRANSGENDER?

THEN...

...I THINK IT WOULD BE BETTER FOR YOU IF YOU LEFT.

I CAN’T DO MUCH TO PROTECT YOU.

AND IT’S CLEAR ROHAN WILL DO ANYTHING TO MAKE YOU LOOK BAD.

YOU SHOULD LEAVE BEFORE HE MAKES UP A REASON TO FIRE YOU.
Sri Lanka signed up to the UN International Covenant on Economic, Social, and Cultural Rights (ICESCR) in 1980. The ICESCR made countries that signed up to the Covenant commit to providing their people with good working conditions (e.g., fair wages, decent living, safe and healthy working conditions, equal opportunity to be promoted, and reasonable time to rest). These rights must apply to all people of the country, without discrimination based on their race, colour, sex (includes sexual orientation and gender identity), language, religion, political or other opinion, national, or social origin, property, birth, or any other status. This means that no one can be discriminated against or treated unfairly in their workplace because of their sexual orientation or gender identity.
Chapter 04

SAMANALI
Hello?

What??

What happened?

Oh, got into an accident. Don't worry, it's not serious.

Smash bros, which hospital it is. We'll go there from her house.

How can we all go to General Hospital from here?

Yeah, let's just walk up to Mount Cameroon junction and get some tucks off the road.

Then we'd better go now. We are getting late.
What are you doing here?

We're trying to get tuks to see a friend in hospital.

So many of you?

Yes, we're all going together.
Show us your IDs.

These are men's IDs.

Sir, we are transgender.

Get in the police jeep.

Why?

Because you are being arrested.
Why? We didn't do anything wrong!

You can't arrest us for nothing!

We were just trying to get a tuk!

Sir, we can only change our ID after going through a transition process.

I don't know or care about any of that.
I can’t believe we have to spend the night in jail, and in the men’s cell as well!

If anyone from my family finds out we are arrested, they will think I was doing something wrong.

The only thing we were trying to do is visit our friend.

You have been charged with ‘improper behaviour’.*

I am fining you 100 rupees each.

Pay this and you can leave the police station.

*Under the Vagrants Ordinance 1841 which is used to target trans people.
Amy Nandasana, thank you for coming and paying the two for us.

None of us could tell our families to come because they would think we were actually doing something "improper."

Don't worry. I hope you are all okay.

I had to do this for two of our other transgender friends as well.

They weren't doing anything wrong either.

They were just walking on the road when the police arrested them.

My friends and I were unlawfully arrested for something we did not do just because we are transgender.

We had to spend the night in jail just because the police didn't like who we are.

We are Sri Lankans, just like you and we should not be mistreated because of our gender identity.
Sri Lanka ratified the UN Universal Declaration of Human Rights (UDHR) in 1955. The UDHR starts with the pledge that all human beings are born free and should have the same rights. The rights in the UDHR must apply to all people in the country, without looking at their race, colour, sex (includes sexual orientation), language, religion, political or other opinion, national, or social origin, property, birth, or any other status. Article 07 says that everyone should be treated and protected equally by the law, without discrimination. Article 09 says that no one should be arbitrarily arrested, detained or exiled.
AMNESTY INTERNATIONAL IS A GLOBAL MOVEMENT FOR HUMAN RIGHTS. WHEN INJUSTICE HAPPENS TO ONE PERSON, IT MATTERS TO US ALL.
Manju was abused by the police because of his sexual orientation and Samanali because of her gender identity. Kiruthika faced abuse and harassment because her rights are not protected by the law. Thenu was harassed and bullied at work because of his gender identity.

In Sri Lanka laws that were put in place by the British in 1883, when they colonized the island, are still used to unfairly target and discriminate against Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) people. Even though there are constitutional provisions that clearly state this is illegal, LGBTI people face discrimination, harassment, and even violence because of their sexual orientation and/or gender identity. This comic features real stories drawn from interviews conducted by Amnesty International of LGBTI people in Sri Lanka.