Building Safer Communities

Small Needs Assessment for LGBTQIA+ communities in India

Vasundhra Kaul
February 2023
The illustrations attached to the personas have been randomised and should not be assumed to be accurate or real. Participants were given a copy of their individual personas so they could approve them. All names in this project are fictionalised.

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Lastly, I would like to extend my gratitude to the LGBTQIA+ community in India and to our queer ancestors. Your resilience, courage and activism have paved the way for a more inclusive and equitable society. Your contributions to our understanding of gender and sexuality do not go unnoticed.

I hope that this report serves its intended purpose and provides valuable insights for future research, both by and for the community.
INTRODUCTION

Queerness first found itself being criminalised in India after the British colonised the country. In 1861, sexual activities “rather than the order of nature” were made illegal under Section 377 of the Indian Penal Code (IPC). This was inspired by the British 1553 Buggery Act. The IPC, along with the Queensland criminal code of 1899, was used as a model code for legal systems in other British colonies around the world.

Over the years, this section was used by the police as a tool for harassment and a means of influence. At the same time, especially after independence in 1947, organisations around the cause helped build awareness and educate the public.

The first legal challenge to section 377 was filed in 1994, by a HIV AIDS health organisation (AIDS Bhedbhav Virodhi Andolan). It was promptly dismissed shortly. In 2001, a Public Interest Litigation was filed by another organisation that assisted persons with HIV AIDS, called Naz Foundation. This was filed at the Delhi High Court, which, in 2009, found the offending section to be in direct violation of the fundamental right to life, liberty, privacy and equality that were ensured by the Constitution. In 2014, the Supreme Court of the country overturned this judgement, explaining that the LGBTQIA+ community constituted a ‘miniscule fraction’ of the country’s population, among other reasons. In a later case in the same year, the Supreme Court held that transgender persons qualify as a third gender. It was only in 2018 that the offending part of section 377 (which criminalised consensual homosexual activities) was struck down.

Since then, there have been conversations around marriage equality (five petitions on the same theme will be heard together later this year), and rights of transgender persons. While the queer identity is not criminalised anymore, much remains to be done to acknowledge past harm and ensuring protections for members of the community.
METHODOLOGY

In 2021, The Bachchao Project in collaboration with Safe Sisters organised a Training of Trainers fellowship. During the fellowship, we realised that there was a lack of training material specific to the LGBTQIA+ community in India. The resource materials created by Safe Sisters also catered to a more general audience and could not address some of the concerns community members raised. We therefore decided to carry out a Small Needs Assessment for this community to better understand their needs and the kinds of resources they were looking for.

We contacted fifteen individuals from the queer and LGBTQIA+ community. They were all frequent users of the internet, and were either on, or had knowledge of social media. They all have uninterrupted access to the internet and lived in urban areas, or in close proximity to urban areas. All of the participants that were part of this study were previously known to the interviewer. There is therefore, selection bias amongst the participants.

The participants ranged from 21 - 37 years of age, and were all residing in India. We organised interviews with ten of these participants. The survey was conducted between January 2022 and March 2022. Out of the participant pool, 4 participants were cis women and one was a cis man. 2 identified as non binary, trans* or gender non conforming (the individuals in question used the terms interchangeably). Three of the participants identified as queer. Following the Covid-19 wave peaking in late January, six of these participants were unable to continue to be part of conversations. We contacted additional members of the community and finished interviewing in February 2022.
These interviews were held over a secure Jitsi channel and were not recorded. Informed consent was given by the participants before and after their conversations. We took notes during the interviews offline, which were used for the creation of the personas and recommendations. These were stored in an encrypted folder offline, and sent using over encrypted email, or a similar text service, or the Wormhole App.

The personas are based on the individual conversations we had with individuals, but may have been fictionalised in parts, to ensure anonymity. Most identifying information has been kept vague or removed as much as possible. The illustrations attached to the personas have been randomized and should not be assumed to be accurate or real. Participants were given a copy of their individual personas so they could approve them. All names in this project are fictionalised.

**CONSENT FORMS**

The intention of this interview is to understand concerns of LGBTQIA people in India, especially while they are on the internet. This interview will be modified and anonymised and made part of a wider report on LGBTQIA+ communities in India.

This interview can take between 45 - 75 minutes. Breaks will be provided as and when requested by either party. The conversation will take place over a secure channel. It will not be recorded. Participants are free to leave or request information be redacted, at any point during the interview. Verbal consent will have to be given both for the interview and for recording, before any questions can be asked. Once a transcript is prepared and anonymised, this will be made available for the participant’s final approval.
NAINA

“What you think is basic knowledge, might not be that for someone else. And so, you help each other”

She/Her
PhD Student / Freelance Researcher

Overview
Naina is in her late 30s. She is working on her PhD and also volunteers with the regional pride parade that happens annually.

She uses her mobile phone and laptop most often, for conducting research and communication. She is not on social media. She has a separate laptop where she stores sensitive information relating to her research.

Goals
Since her research work relates to minors, it is especially important that her data remains private. She wants to maintain a small digital footprint, including on social media.
Threats

She anticipates facing targeted harassment online (doxxing and cyberbullying), since much of her work involves the queer or LGBTQIA+ community.

She is concerned about the possibility of her research data getting leaked or corrupted.

Strengths

Naina has built technology in the past, and has a good grasp of how to navigate online spaces. She uses password protection on all her hard drives.

She has a separate laptop to store research on. This device does not connect to any networks. She lives with a partner who also practises good digital hygiene.

Questions

- How can minors be safe and cautious online while interacting with other members of the queer or LGBTQIA+ community?

- How do we continue our activism online, while keeping our individual identities private?
“One reason for seeking out information about privacy is for one’s protection, and to protect one’s vulnerability at the same time.”

Any/all pronouns
Writer and Photographer

Overview
Ray is in their late twenties, is non binary, and neurodivergent. They use social media often, to showcase their art and writing, and use personal experiences in the same.

They use photographs to illustrate their queer experiences, and focus on the body as art. One of their art accounts was recently taken down by Instagram, possibly due to the platform’s censorship guidelines.

Goals
Ray wants to be able to post their art online to connect with others in their community. They see the internet and social media as a space where people can be vulnerable and express themselves freely, and recognise this as being something especially useful for members of the queer and LGBTQIA+ community.

For their work, they also access a lot of content online. They use open source tools as far as possible, and encourage those in their personal circles to also make the switch. The language of the tools and resources available surrounding them is a barrier to this access.
**Threats**

Due to the nature of the photos they take, Ray is concerned about being doxxed and subsequently harassed online.

**Strengths**

Ray grew up using the internet and frequent forums on internet privacy and security. They like to learn best practices and protocols, when they are presented in an accessible way.

They currently use Signal and Protonmail for communication, and Brave as their primary browser.

**Questions**

- How to curate an alternate social media experience that is safer and more artist-friendly?

- Are there resources about better individual digital privacy and security practices available in the languages I speak? Are these also localised to my regional context?
SANSKRITI

“The only time someone can know I’m not straight is on dating sites and that’s where I need to be protected”

She/They
Student

Overview

Sanskriti is a college student in her early 20s. She is an advocate for direct action, and talks about queerness and mental health in her personal circles.

Among other things, she uses the internet to find resources on safe sex and affordable queer affirmative therapists.

Goals

Sanskriti wants easier ways to access resources on mental health and safe sex while remaining anonymous.

She also uses dating apps to meet others in her community, and wants to continue doing that.
Threats

I am scared of information about my gender and sexual identity getting to people who I don’t know and trust.

I risk being outed while on dating apps, especially since so many have personal information about me.

Strengths

They know how to navigate system settings to get their preferred privacy and security options. They also are familiar with basic security practices and safer browsing, though they would like to learn more.

Questions

- How do I know what information is being collected about my online browsing habits?
- How can I control what big data companies know about me?
- How can I stay on dating apps while minimising the risk of being outed?
Sanjukta

She/Her

Artist /Environmental Action Volunteer

Overview

Sanjukta is an artist who works at a design studio. She uses her public Instagram account to make posts about mental health, gender and sexuality, and the environment. She also volunteers at a local cat shelter, and fosters cats frequently.

She is involved with a local environmental activism group that campaigns around the conservation of a neighbouring forest vulnerable to big development projects.

“IT feels like a trade off... I want to be on dating apps but that means my photo is out there. It would be helpful to know where to draw boundaries.”

Goals

She wants to meet others from the queer and LGBTQIA+ community and attend events and meetings freely.

She also wants to be able to express her political opinions online through her art, and continue posting about environmental activism.

Sanjukta also wants more people to be able to foster and adopt from her local shelter, and support it in whatever ways she can.
As Sanjukta lives in a very small community, she can be easily identified on the basis of the information revealed in her online dating profiles. Earlier in the year, some of her friends and co-volunteers were arrested in a physical environmental march. Students have also been arrested on the basis of sharing toolkits and resources in her country previously.

Sanjukta’s personal contact information is also available on her Instagram page, where people can reach others for art commissions or in case they want to adopt from her local shelter.

Sanjukta maintains separate public and private IG accounts. She has a strong support system of family and friends that she can rely on.

How to consciously practice digital security in an activism space?

How to protect herself on social media and dating apps, while not keeping all her information private?
“Ads just prove to me that my privacy is being invaded”

She/They
Editor and Content writer/Musician

Overview
Samar is in their 20s, and works as an editor and writer. They use Instagram and Discord regularly, and are comfortable browsing the internet.

Samar has been a user of the internet since her childhood. She sees it as a medium for artists to collaborate and express themselves.

Navigating these spaces has helped them to find other artists to share music with, and get input and inspiration from. The internet has also been a source of liberation for her, especially with respect to her queerness.

Goals
They want to be able to have control over the ads they see while browsing.

They want to be able to express themselves on their Instagram page while being able to control who can see their content.
Threats

They see scope for abuse of anonymity on chatting sites, and especially on Instagram. They’ve been subject to unwanted messages from accounts they don’t know.

They are concerned about the possibility of being doxxed.

Strengths

She has a strong online community.

She has enabled 2FA on her personal accounts.

Questions

● How to stop being shown targeted ads?

● How to file complaints across different social media sites?

● Are there more visual resources available on best privacy practices for casual users?

● I use United Payments Interface for almost all my financial transactions. How can I use banking apps more securely?
NAYANTARA

“I’m not very comfortable presenting myself as myself on social media. I would like to be as invisible as possible”

She/Her
Law student

Overview

Nayantara started using social media in the 6th grade. While looking up information related to sexuality, she first realised how algorithms could potentially out her to her parents, who used the same family computers.

There was a lot of misinformation about how long information on the internet lasted. This aversion to putting personal information on the internet, coupled with reading about digital privacy early in college has led to Nayantara posting infrequently on social media.

Goals

She also wants to learn practical ways she can stop big data companies keeping her information.

She prizes her small digital footprint and would like to continue to keep her personal presence on the internet limited, as far as possible.
During an earlier political protest, Nayantara and her friends were involved in sharing information and resources online. Her closest friend (who is a religious minority) and their family were subject to online harassment on the basis of their identities.

She is concerned about her photos being circulated online, and being outed publicly.

Nayantara has read about digital rights specific to her country, and has formal legal training. She feels empowered to take legal action if needed. She has a private Instagram account. She also seeks out more information on digital privacy on her own, and is very open to learning more.

Questions

- Are there digital literacy resources available specific to children and teenagers, especially those on the LGBTQIA+ spectrum?

- How can I control the data social media companies have about me?
SARA

“I feel like we’re always making trade-offs, between privacy and convenience”

She/Her
Grad student/
Research Assistant

Overview
Sara started using the internet and social media at an early age.

As a result, she believes her digital footprint is large and not easy to remove. Her current work involves using the internet typically for research. As a result, she believes her digital footprint is large and not easy to remove.

Goals
She wants to ensure that she doesn’t make herself too accessible to people who may want to harm her. She also wants to have more control over her online privacy.

She also wants to ensure that her personal accounts are not easy to break into.
Threats
Sara’s work as a forensic psychologist involves multiple interactions with the criminal justice system. Since she has a fairly uncommon name, she suspects it is easier to find information about her online.

She has had encounters with people who have been incarcerated, who tracked her down based solely on the information she provided during interviews. As a consequence, she has had to block people online.

As an expatriate individual, she is subject to greater scrutiny by government officials, especially when travelling.

Strengths
As she moves across countries frequently, Sara is well versed in using the internet to seek communities and to continue communications, even when on a different continent.

Sara is also mindful of the content she posts on the internet, and conscious about how data can be taken out of context.

She uses secure browsers, and knows how to use VPNs when needed (both professionally and personally).

Questions

- How can I set up secure email accounts for social media sites?
- Who owns the data I post online, and how can it be used?
"We don’t want overpersonalisation of content, (...) we want spaces that feel safer without as much surveillance."

Star does research on the evolution of transgender rights in India, and has previously worked on prison abolition.

They work as a lawyer. Their previous research has involved interviewing incarcerated persons, and then campaigning for their rights. They are non-binary, and neurodivergent.

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**All/Any pronouns**

Advocate and legal consultant and researcher

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**Overview**

Star does research on the evolution of transgender rights in India, and has previously worked on prison abolition.

They work as a lawyer. Their previous research has involved interviewing incarcerated persons, and then campaigning for their rights. They are non-binary, and neurodivergent.

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**Goals**

Star wants less surveillance being done by online companies.

People from the queer and LGBTQIA+ community choose to keep their profiles open so others can also experience the same kind of euphoria and self expression through each other. This experience is marred by people posting intolerant comments or harassing creators based on their gender identities.

Star wants to find a way to balance these two sides of the internet. Content on the internet can be overwhelming. Star faces situations of sensory overload, where they need help accessing information online. They want to find or create a neurodivergent perspective on using social media spaces.
Whilst working on prison reform, Star was involved with interviewing certain incarcerated persons. These interviews were organised over Zoom. Star did not feel that this was safe for them or the prisoners they spoke with.

They also find it concerning that Whatsapp has become admissible in evidence in local courts. For the same reason, they were scared to talk about violence within prisons, with colleagues, over Whatsapp. They are afraid of their devices being taken away by the police in response to the work they do.

They see online communities as a major strength. Star finds affirmation in their queerness in online spaces.

They feel more euphoric and confident when they express themselves and see that reflected in others.

Questions

- What alternatives to my current communication apps can I use?
- Can the police access my chats if I don’t give them my password?
- How can I navigate these spaces as a neurodivergent person who faces sensory overload? Are there any platform specific accessibility settings?
"I can’t be out publicly if I’m applying for a government job. I’m very scared of being outed and losing that opportunity”

Lazarus is a second generation college graduate. They belong to the dalit community, which has been historically marginalized, socially, politically, and economically.

They are currently studying to join the prestigious government services.

They use the internet to study, read the news, and for entertainment purposes.

Overview

Goals

Lazarus wants to join the national government services.

This will provide them financial stability and job security.

They also want to be able to control how much of their data is visible to their immediate family.
**Threats**

Lazarus is worried that any personal information available on the internet about them can affect their chances of getting a government job. They do not think that they will be selected if they are publically out.

They also want to avoid targeted ads. Since they share some devices with family members, they are afraid that personalised ads could reveal too much about their sexuality.

They also follow some anti-caste pages on Instagram. They have faced harassment while defending certain affirmative action government policies.

**Strengths**

Lazarus has a private laptop and phone, which they can use without fear of surveillance by their family.

They also have a supportive friend group they can reach out to in case of need.

**Questions**

- *For a casual user, how can system settings be adjusted to make my digital experience more private?*

- *How can I stop targeted ads?*
RECOMMENDATIONS

1. Need for community

A need that was echoed throughout the interviews undertaken was that of social understanding and community. Many participants spoke about how they first found gender and sexuality communities online, through forums and social media. This space can be very affirming and validating (especially for members who cannot be out to their immediate physical friends and family). However, sharing personal and private information freely online can have unintended consequences, even more so for children and teenagers.

Recommendation: Creating a toolkit for LGBTQIA+ and queer minors on how to interact safely with other members of the community. This will include sections on how and when to post photos, what information is safe to share, and stories from other members of the community on how they interacted online when younger.
2. Politicisation of the personal identity

LGBTQIA+ persons may find their personal identities becoming the subject of political debate even without actively participating in political discussion. This includes art and content about exploring one’s own gender and sexuality as well.

During interviews, we discovered that while only some participants were actively creating and posting content on social media, all were concerned about political scrutiny, and the subsequent potential consequences. This fear of surveillance resulted in a chilling effect on their online speech. Those who made content wanted information on how to continue doing so anonymously, others wanted to be able to respond to political actors online without facing targeted harassment for the same.

**Recommendation:** Organising a roundtable discussion about strategies to make and post content online in India. This could either be a single event, or a set of smaller events focusing on specific demographics of LGBTQIA+ and queer creators (example: female journalists, trans* activists)
About the Author:

V is interested in exploring ways the law interacts with vulnerable communities - including incarcerated persons, queer and LGBTQIA+ individuals and groups and religious minorities. They are cautiously optimistic about using technology as one tool for social change and enjoy helping communities and individuals find security solutions that work best for them. They are currently a member of The Bachchao Project.

Type Face: Avenir

Heavy/Medium/Roman

Design & Illustrations: @madumakhi