The Humsafar Trust (HST) was founded in April 1994 by reputed journalist Ashok Row Kavi, to reach out to LGBTQ communities in Mumbai Metro and surrounding areas. After much networking and advocacy with the Mumbai Municipal Corporation it became the first openly Gay Community Based Organisation to be allotted space in a Municipal building in Mumbai.

The Trust began its activities by inviting gay men and lesbian women to attend its workshops on Fridays at its drop in centre. The drop in centre saw various workshops on issues of HIV/AIDS and human rights of LGBTQ and it soon became evident that the trust will have to work aggressively on the health and human rights of the community. The HIV interventions of HST are supported by National AIDS Control Organization (NACO) and Mumbai District AIDS Control Society (MDACS) to provide health services to 8500 Men who have sex with men and Transgender communities every year through Public Health Care delivery systems and its In-house clinics. In the last two decades the outreach programme has reached out to more than 110,000 Gay, Men having Sex with Men and Transgender and distributed over 700,000 condoms every year at more than 129 physical sites in Mumbai and nearly 40000 HIV tests and 70000 STIs screened and treatments provided. HST reaches out to over 10,000 gay men and men who have sex with men and transgender communities every year through its social media and online outreach programs.

HST Collaborations with Public health delivery systems of Mumbai like LTMG, Nair, KEM and JJ Hospitals. In house clinics remain open five days a week with three qualified Doctors and two Lab Technicians attending to clients. A clinical psychologist works full time along with a team of 4 community counsellors and 2 health facilitators and a nutritionist working on the program providing nutritional counselling assistance.

HST organises advocacy workshops for health care provides, law enforcement agencies, judiciary, legislators, politicians and political parties, Government bodies, media, student community to sensitise them on Gay, MSM and TG issues.

HST has nurtured support groups YAARIYAN for young LGBTQ, UMANG for LBT persons and SANJEEVANI for persons living with HIV. HST also provides legal support, crisis management, mental health and nutrition counselling to its communities.
The Humsafar Trust experiences of working with violations of Human rights arising as a consequence of Section 377 of the Indian Penal Code

The Trust has addressed various issues faced by the LGBTQ community like coming out to self and family, dealing with relationships, dealing with legal issues of gay men and handling crisis situations with families, cheaters, extortion, blackmail and violence that is inflicted on the LGBTQ community citing fear of Section 377 of the Indian Penal Code that criminalizes consensual sex between two adults in private spaces.

Since 2010, HST’s has been actively resolving crises involving LGBTQ individuals. From 2016–2018, the HST crisis response team attended to 83 crises situations. Of these 83, six cases involved a community person being blackmailed by police personals threatening Section 377. In other 12 cases, community members were threatened and extorted by anti-social elements under Sec 377. In some cases, community members were extorted up to Rs. 100,000. Further, a peer-reviewed research paper by HST involving MSM and TG reached over the internet revealed that around 57% (n = 448) MSM and TG respondents reported having being victims of Sec 377 at least once in their lifetime in varying degrees with 37% having experienced victimization within the last 12 months at the time of the survey. The chief perpetrators were male dates who often initiated meetings with the intention to blackmail individuals and the police.

Sec 377 creates an environment of fear and distrust and effectively stops people from seeking legal recourse. HST crises data reports 52 independent instances were community members have faced harassment and discrimination in workplace and healthcare settings because of their identity but none of these individuals sought or could seek legal recourse. The peer-reviewed research shared above indicated that of all respondents (n =448), less than 20% individuals were out about their sexuality to everyone they knew with around 25% being out to nobody but themselves. The research further revealed that of 16 cases of violence and discrimination that HST handled immediately post reinstatement of Sec 377 (Dec 2013-April 2014), only 5 sought any legal recourse. Our present observations highlight a poorer record of seeking legal aid.

In 2016, HST undertook a study titled “Understanding the Impact of the Supreme Court judgment on Section 377 on LGBTQ communities” and the results showed that two in five LGBTQ persons have faced blackmail or know someone who has been a victim of extortion since the December 2013 Supreme Court verdict recriminalizing same sex relationships.

The study revealed that almost 47 per cent feel scared after the apex court judgment. However, a substantial majority – 60 per cent – felt that the SC would rule in favour of the community in the curative petition. The online and offline surveys were collected by 148 participants and the study also documented narratives of 10 LGBTQ individuals regarding their experiences with IPC Sec 377, Delhi High Court Judgement VS Supreme Court Judgement.

To summarize, the Delhi High Court Judgement study done in 2011 reported that participants felt more comfortable being themselves and open about their sexuality post judgement as compared to the Supreme Court Judgement where 54% of participants believed that the change in law is a major setback to the community as same sex relationships can be punished. In the Delhi High Court Judgement study, violence and harassment against community members by cheaters and police were reported to have
lessened. However, fresh findings from the Supreme Court judgement study state that the rate of blackmail and extortion increased, people also feel to go back in the closet as a result of the verdict. 41.2% of the participants had been subjected to blackmail or knew someone who has faced extortion. 25% of the participants believed that people were going to stay in the closet as a result of the verdict, but 19.1% of the participants believed that there has been no change in the lives of LGBTQ individuals since the verdict. 47% of the participants responded saying they feel increasingly scared and anxious.

All the participants agreed that since the Delhi high court judgment, their straight friends were more supportive (male 37%, female 34% and transgender 71%) and more curious/open to discuss sexuality (females 37%, male 48% and transgender 65%). In the Supreme Court Judgement study, 31.1% of the participants said that the mainstream society is curious and willing to know more, 22.7% of the participants said that they have become more supportive and 18.2% of the participants said that the attitude of the society towards LGBTQ issues remained the same (indifferent).

Overall the results of the Delhi High Court Judgement study demonstrated that the change in law has brought about moderate positive changes in the lives of the LGBTQ but the Supreme Court Judgement study very strongly states that participants don’t wish to come out of the closet anymore because they feel scared. 41% of the participants said that they didn’t wish to come out of the closet anymore because they feel scared. 31.1% of the participants said that the mainstream society is curious and willing to know more, 22.7% of the participants said that they have become more supportive and 18.2% of the participants said that the attitude of the society towards LGBTQ issues remained the same (indifferent). 30% of the participants said that their acquaintances and friends from the community feel worried about their future, 22% of the participants said they feel a sense of insecurity and 17% of the participants said they feel increasingly scared and anxious.

Ashok Row Kavi, Chairman, HST said, “the findings of the research clearly point to the reason why the LGBTQ communities are now more afraid of coming out in public spaces or out of the closet. The dangers of physical violence, extortion and blackmail are now more real than ever before. The statistics imply that a huge amount of people in India have to live under the shadow of IPC Section 377 which does not give them the liberty to be themselves.” What next? 40% of them said they were confident that the Supreme Court will not rule in the community’s favour but 60% of the participants who said they were confident that the Supreme Court will rule in the community’s favour.

HST Capacities and Key Achievements

HST has evolved a model of training community people and has a second rank leadership in place that manages targeted interventions, research, advocacy and capacity building programs. HST works with some of the best names in the development field as consultants who have a clear understanding of issues of sexuality and have been contributing to the progress of the organization. HST has sound financial systems in place and manages a funding support of around 100 million rupee through a broad base of agencies. HST continues to seek support from within the community to raise funds for areas that remain unfunded and 2% of its funding support comes from within the community.

HST has convinced government policy makers of the importance of reaching MSM and Hijras through Research and sustained Advocacy. The Trust’s first achievement is its very survival and after several years of slow and painful progress, has moved from strength to strength. HST has succeeded in bringing safer sexual behavior. The prevalence of HIV among MSM at baseline in 1999 – 2000 was 13.5% and as per the NACO national surveillance data 2012 it stood at 9.3%. HST is a sentinel surveillance site for NACO. The Government policy makers until a few years ago were unaware of the large number of MSM and Hijras and the extent to which they are at risk of both contracting and transmitting HIV and other STIs. Through its research and sustained advocacy work

HST offers training to its office staff and outreach workers. These are reinforced by regular workshops to upgrade staff knowledge and skills, combined with on job support and supervision. HST has created a model of intervention, care and support and treatment to the MSM and Hijra community that can be easily replicated. HST HR Policy of the organization provides a minimum of 20% job opportunities or HIV positive MSM and Hijras. HST has been documented by USAID AIDSTAR One project in 2009 and has become the first community based organization to set up its own IRB (Institutional Review Board), an ethic review committee that has been registered with NIH and awarded the Federal Wide Acceptance (FWA) certificate.

HST has its core competence in networking strongly with MTH groups in through INFOSEM and organizing community, providing capacity building for setting up and management of TIs. HST has expertise in syndromic management of STIs for MSM and Hijras. HST has strong linkages with the five ART centres of Mumbai and has long experience of setting up and managing referral systems in public health care settings. HST has developed sound management information systems to gather quality data on interventions.

HST has competent and qualified staff that includes the Chair, CEO, Directors (Health, Research, Capacity Building and Advocacy), Consultants, Clinic and counselling teams, Research teams, Finance and an excellent team of outreach workers and peer educators. This team of 200 plus individuals working on 16 projects have years of experience and expertise to deliver high quality projects and strive for excellence in service delivery to its communities.