



July 2, 2009

Mr. Palaniappan Chidambaram, Minister of Home Affairs

Mr. Ghulam Nabi Azad, Minister of Health and Family Welfare

Mr. Veerappa Moily, Minister of Law and Justice

Your Excellencies:

IGLHRC would like to express congratulations and support for the New Delhi High Court decision in *Naz Foundation (India) Trust v. Government of NCT Delhi and Others*, which changed Section 377 of the Indian Penal Code so that it no longer prohibits same-sex activity between consenting adults. Section 377 was dangerous and damaging to all people, encouraging violence and discrimination on the basis of sexual orientation, gender identity, and gender expression. This decision has removed a key tool of bigotry and state-sponsored homophobia, bringing Delhi in line with international human rights standards and strengthening the rights to life, liberty, privacy, health, and expression guaranteed by the Indian Constitution.

This decision will have many important positive effects for gay, lesbian, bisexual and transgender (LGBT) people in India. Opportunities for entrapment and blackmail of LGBT people because of their fear of prosecution under Section 377 will diminish; LGBT and HIV/AIDS groups and activists can now continue and expand their work without fear of being persecuted under 377; more LGBT individuals and groups will be willing to participate in Pride marches and other events; families and members of the community will also be more empowered to support and defend the rights of sexually and gender variant people; and the media will be encouraged to pay more attention to LGBT concerns and to cover LGBT issues in positive and sensitive ways.

The decision to read down Section 377 by the Delhi High Court is truly a crucial step in ensuring that the human rights of all people in India, including LGBT people, are protected. The tremendous efforts by Indian civil society, including the Naz Foundation and Voices Against 377 and their supporters are to be commended. I ask you now to support equality and dignity for all people in India, including lesbian, gay, bisexual, hijra and other gender variant people, by pushing for Section 377's repeal nationally and

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instituting additional legal protections so that people are not violated on the basis of their sexual orientation, gender identity or expression.

Yours sincerely,

A handwritten signature in cursive script that reads "C. A. Johnson". The signature is written in a dark ink and is positioned below the "Yours sincerely," text.

Cary Alan Johnson

Executive Director, IGLHRC