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SUITE A DONNER

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---ASSIGNMENT OF HOMOSEXUAL EMPLOYEES

HOMOSEXUAL ACTS BETWEEN MALES ARE ILLEGAL IN SRI LANKA UNDER SUB-SECTION 365A OF SRI LANKA PENAL CODE, AND ARE PUNISHABLE BY IMPRISONMENT AND/OR FINE, AND BY WHIPPING. SRI LANKAN LAW IS SILENT REGARDING HOMOSEXUAL ACTS BETWEEN WOMEN.

2. ALTHOUGH MALE HOMOSEXUAL ACTIVITY DOUBTLESS EXISTS IN SRI LANKA, IT IS NOTEWORTHY THAT THERE HAVE IN FACT BEEN FEW, IF ANY, CONVICTIONS IN RECENT YEARS. EXPLANATION FOR THIS IS GENERALLY FELT BY OBSERVERS TO BE FOUND IN WIDESPREAD UNWILLINGNESS ON PART OF MOST SRI LANKANS TO ACCEPT THAT SUCH ACTIVITY DOES INDEED EXIST IN THEIR MIDST. IN EYES OF MANY SRI LANKANS, HOMOSEXUALITY IS A FOREIGN CURSE, LINKED TO AIDS AND DRUGS, ALL OF WHICH TEND TO BE BLAMED ON A DECADENT WEST. IN THOSE FEW REFERENCES TO LOCAL HOMOSEXUAL ACTIVITY WHICH ONE DOES OCCASIONALLY FIND IN SRI LANKAN PRESS (TYPICALLY, IF NOT/NOT EXCLUSIVELY, SUPERFICIAL PIECES ON GERMAN TOURISM AND BOY PROSTITUTION), UNDERLYING ASSUMPTION IS ALWAYS THAT THIS IS A DISEASE OR VICE BROUGHT BY EUROPEANS, AND THAT HOMOSEXUALITY IS ALIEN TO SRI LANKAN TRADITIONS. HENCE TO THIS WAY OF THINKING, IF ANY SRI LANKAN HAS BEEN INVOLVED IN HOMOSEXUAL ACTIVITY, HE HAS UNDOUBTEDLY BEEN AN UNWITTING VICTIM, SEIUCEL EITHER BY WESTERN MONEY OR BY CORRUPT WESTERN VALUES.

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3. NEEDLESS TO SAY, SEXUAL ATTITUDES IN THIS COUNTRY ARE CONSERVATIVE, AND HOMOSEXUALITY BY AND LARGE REMAINS AN OBJECT OF GENERAL DISAPPROVAL. INDEED, DEPTH OF THIS DISAPPROVAL WAS BROUGHT INTO SHARP FOCUS BY PRIVATE REMARKS OF A LEADING SRI LANKAN HUMAN RIGHTS ACTIVIST WHO, WHEN QUESTIONED BY US CONCERNING FAILURE OF ANY HUMAN RIGHTS ORGANIZATION IN THIS COUNTRY TO CHAMPION HOMOSEXUAL RIGHTS, EXPLAINED THAT PUSHING THIS ISSUE WAS CONSIDERED POTENTIALLY COUNTERPRODUCTIVE IN THAT IT WOULD INEVITABLY UNDERMINE PUBLIC CREDIBILITY OF ANY HUMAN RIGHTS ORG THAT TOOK UP CAUSE. FOR SAKE OF PROGRESS ON OTHER HUMAN RIGHTS BATTLEFRONTS, THIS ONE WOULD NOT/NOT BE FOUGHT.

4. GIVEN FOREGOING, IT SEEMS CERTAIN THAT PERFORMANCE OF PROGRAM DUTIES BY ANY MALE EMPLOYEE KNOWN TO BE HOMOSEXUAL WOULD BE IMPAIRED IF SUCCESSFUL PERFORMANCE OF THESE DUTIES REQUIRED THAT HE DEVELOP CLOSE WORKING RELATIONSHIPS OR FRIENDSHIPS WITH HOST GOVT OFFICIALS. HEAD OF MISSION POSITION AND POLITICAL OFFICER POSITION WOULD IN OUR VIEW BE MOST VULNERABLE. OTHER POSITIONS CONSIDERABLY LESS SO.

5. IN HIS PERSONAL LIFE, ANY EMPLOYEE KNOWN TO BE HOMOSEXUAL WOULD CERTAINLY EXPERIENCE SOME QUOTE SOCIAL AVOIDANCE UNQUOTE AND WOULD PROBABLY HAVE MORE DIFFICULTY MAKING FRIENDSHIPS IN LOCAL COMMUNITY, BUT OPEN HOSTILITY WOULD BE EXTREMELY UNLIKELY. GIVEN ILLEGALITY OF HOMOSEXUAL ACTIVITY, HOWEVER, SEXUAL RELATIONSHIP COULD OBVIOUSLY BE PURSUED ONLY AT SOME RISK.

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