



On Being LGBT in West Africa

A Virtual Student Foreign Service Project and Independent Report
Exploring Regional Sexual Orientation and Gender Identity Issues

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About the Author

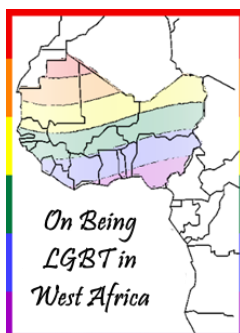
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Overview



USAID has always been committed to global prosperity, and in recent years that commitment has grown to include a focus on LGBT communities. On December 6th, 2011, President Obama signed a Presidential Memorandum directing all federal agencies abroad to ensure that US diplomacy promotes and protects the human rights of LGBT persons. Later that same day, Secretary Clinton delivered an historic speech on the human rights of LGBT individuals while commemorating Human Rights Day. Secretary Kerry continued to advance this cause by participating in the first UN ministerial event on LGBT rights. USAID has responded to such leadership by launching its *LGBT Vision for Action* as part of its policy framework for 2011-2015.¹ In line with this framework, and in order to better promote the human rights of LGBT persons in the regions it serves, this independent VSFS report describes the current status of LGBT persons in West Africa.

On Being LGBT in West Africa is an independent research study and report that details the status of LGBT communities in the UN-designated Western Africa region (as defined in table 1). The report provides a comprehensive analysis of regional LGBT human rights. Careful consideration is given to local attitudes, rhetoric, and treatment of the LGBT community. These baseline descriptions of LGBT communities will be used by USAID to assess the progress of future programming.

Summary

In short, being LGBT in West Africa is not easy. Homophobia is rampant, discrimination is frequent, and stigmatization is common. Legal barriers prevent LGBT persons from equal treatment, and even in countries without such barriers, social attitudes are often strong and pervasive enough to achieve the same end. Political leaders are generally hostile towards LGBT persons, and virtually all countries in the region categorically reject official calls from the UN to respect the human rights of LGBT persons.

LGBT communities do vary from country to country within the West Africa region. Based on the research in this project, the situation for gays is best in Cape Verde, Guinea-Bissau, and Cote d'Ivoire, where there is some relative tolerance and freedom. The situation is worst in Senegal, Gambia, and Nigeria, where gays are actively castigated and/or imprisoned. The case in Nigeria is particularly bad because it recently enacted stricter anti-LGBT laws. Though Mauritania still has the harshest laws against homosexuality, it is also one of the countries where the subject is most taboo, along with Niger and Guinea.

Despite these challenges, there is still hope that the situation can improve. Most countries do have active pro-LGBT groups that work to change mentalities. And pro-LGBT opinion pieces reports do occasionally appear in local media. LGBT leaders in the region all express a common willingness to partner with development organizations such as USAID. Robbie Corey-Boulet, an Institute of Current World Affairs Fellow studying LGBT advocacy in West Africa (whose works are often cited in this project) expressed in a personal email interview² that these groups are often in need of small seed grants so that they can find their voice. It can be problematic when these emerging LGBT groups face donor requirements that they be officially recognized by the state and that they have previous experience managing large grants. In any case, despite the difficulties they face, LGBT leaders in the region are optimistic that over time they can work together to build a more inclusive and more equitable society.

The West Africa Region



Table 1: Countries of West Africa

Country	Capital	Largest City	Country Population (millions)	Country Area (thousand km ²)	Flag
Benin	Porto Novo	Cotonou	10	114	
Burkina Faso	Ouagadougou	Ouagadougou	15	274	
Cape Verde	Praia	Praia	0.5	4	
Cote d'Ivoire	Yamoussoukro	Abidjan	22	322	
Gambia	Banjul	Serekunda	1.8	10	

Ghana	Accra	Kumasi	24	238	
Guinea	Conakry	Conakry	10	245	
Guinea-Bissau	Bissau	Bissau	1.6	36	
Liberia	Monrovia	Monrovia	4.1	111	
Mali	Bamako	Bamako	14	1240	
Mauritania	Nouakchott	Nouakchott	3.3	1030	
Niger	Niamey	Niamey	17	1267	
Nigeria	Abuja	Lagos	174	923	
Senegal	Dakar	Dakar	13	196	
Sierra Leone	Freetown	Freetown	6.1	71	
Togo	Lomé	Lomé	7.1	56	

Regional Legal Overview

Of the sixteen countries of West Africa, nine have laws explicitly criminalizing consensual homosexual activities. One country (Benin) has conflicting reports on the legality of homosexuality there, and the other six countries do not have laws that speak to LGBT issues. *Making Love a Crime: Criminalization of Same-Sex Conduct in Sub-Saharan Africa*,³ a publication from *Amnesty International*, provides a relatively comprehensive review of the legal status of homosexuality in the region. The rule of law in West Africa is not always strict, however, so really the law is only part of the story. Some countries with criminalization laws have clear instances of official prosecutions for homosexuality, whereas others do not, as summarized in table 2. In almost all cases, laws against homosexuality serve to justify vigilantism action and social discrimination against LGBT persons. In addition, police in the region are prone to arbitrary arrest and detention, especially in regard to the LGBT community. In table 2, extrajudicial punishment is taken to mean clear reports of unchecked mob violence or police brutality without trial.

No sources mention anything about official laws relating to changing gender/sex on ID documents, probably because there are no such laws. It would probably be difficult to effect such a change, although bribery is certainly a feasible method. Wealthy LGBT West Africans have often attested that money can bend laws.

There are no protections for LGBT communities written into any West African laws, nor are same-sex civil unions recognized. The closest to official recognition is the rumored granting of diplomatic visas to same-sex partners of foreign diplomats from Western countries.

Table 2: Legal Overview of Homosexuality in West Africa			
Country	Laws Against Consensual Homosexual Behavior?	Evidence of Official Conviction and Jail Time?	Evidence of Extrajudicial Punishment?
Benin	Unclear	Yes	Yes
Burkina Faso	No	No	Yes
Cape Verde	No	No	Yes
Cote d'Ivoire	No	No	Yes
Gambia	Yes	Yes	Yes
Ghana	Yes	Yes	Yes
Guinea	Yes	No	Yes
Guinea-Bissau	No	No	No
Liberia	Yes	No	Yes
Mali	No	No	Yes
Mauritania	Yes	No	Yes

Niger	No	No	No
Nigeria	Yes	No	Yes
Senegal	Yes	Yes	Yes
Sierra Leone	Yes	No	Yes
Togo	Yes	Yes	Yes

Regional Socio-Cultural Overview

In general, West African attitudes towards homosexuality are negative. The Pew Center regularly reports that over 90% of West Africans are against homosexuality, although there are concerns with these kinds of statistics as explored in the Nigeria country profile.

Two of the most well-researched and thorough reports on the socio-cultural environment for LGBT individuals are published by Human Rights Watch. They explore the challenges that LGBT persons face in Senegal⁴ and in Liberia,⁵ but many of the experiences recounted in the reports can be generalized to the West Africa region.

West African LGBT identities can be different from modern Western LGBT identities. Oftentimes men who have sex with men do not identify as gay, and may even marry women in order to conform to societal pressure. Some special aspects of West African LGBT identities are explored in the Ivoirian film *Woubi Cheri*, which features Barbara, who is perhaps the best known transgender woman in West Africa. Beyond Barbara, Transgender persons in the region are mostly invisible, inaccessible, or ignored.⁶

Access for LGBT individuals to health, education, housing, and employment is hindered across the region, regardless of the legal status of homosexuality. In Burkina Faso protesters demonstrated and effectively evicted a couple of men assumed to be gay, with no intervention from police. Even in Cape Verde, which probably has the best record on LGBT rights in the entire region, job offers are denied if suspicions of homosexuality arise. This is due to cultural stigmatization, which does not automatically disappear after decriminalization.

There is some limited evidence to suggest that there was tolerance towards certain manifestations of LGBT identities in traditional indigenous belief systems in West Africa. Unfortunately any such tolerance has mostly given way to the widespread rhetoric that homosexuality is an un-African import from Western countries.

Table 3 provides some benchmarks of the socio-cultural status of LGBT persons in West Africa. Evidence of societal discrimination is taken to mean clear instances of direct hindrances to the well-being of LGBT persons based on their sexual orientation or gender identity, based on accessible media reports. A strong taboo against LGBT issues is meant to indicate a dearth of national conversation on the topic as evidenced by either a lack of media coverage or direct commentary by observers. In some cases (like Guinea-Bissau) a taboo may be intertwined with a simple lack of national presence on globally accessible media.

Table 3: Socio-Cultural Overview of LGBT Communities in West Africa

Country	Evidence of Societal Discrimination?	Evidence of Prominent Negative Local Media Coverage?	Evidence of Prominent Positive Local Media Coverage?	Strong Taboo Against LGBT Issues?
Benin	Yes	Yes	No	No
Burkina Faso	Yes	Yes	Yes	No
Cape Verde	Yes	No	Yes	No
Cote d'Ivoire	Yes	Yes	Yes	No
Gambia	Yes	Yes	No	No
Ghana	Yes	Yes	Yes	No
Guinea	Yes	Yes	No	Yes
Guinea-Bissau	No	No	No	Yes
Liberia	Yes	Yes	No	No
Mali	Yes	Yes	Yes	No
Mauritania	Yes	Yes	No	Yes
Niger	No	Yes	Yes	Yes
Nigeria	Yes	Yes	Yes	No
Senegal	Yes	Yes	No	No
Sierra Leone	Yes	Yes	No	No
Togo	Yes	Yes	No	No

Regional Health Overview

Health services tailored to the LGBT community are often absent in West Africa. This report focuses on the availability of HIV/AIDS services. Virtually all West African countries have specialized health programs dedicated to fighting HIV/AIDS. Despite the increased risk for men who have sex with men (MSM), only a handful of countries have HIV/AIDS programs focused on or tailored to this community. Data on the MSM community is often lacking, but when present, it indicates that the MSM HIV/AIDS rate can be five to ten times that of the general population.

UNAIDS is generally a useful source for relevant health data, although some of the numbers they report are worrisome. For example, UNAIDS reports that there are 150 MSM in Gambia, but includes the disclaimer that it “did not request sources or methods for key population size estimates. We present these data as reflective of the reporting countries’ commitments to estimate population size. UNAIDS cannot vouch for the accuracy of these estimates. Any secondary use of these data should be conducted

with very careful consideration.”⁷ Giving actively homophobic governments free license to report MSM population sizes may be a potentially problematic practice.

Robbie Corey-Boulet expressed that LGBT groups are often leaders in the fight against HIV/AIDS, which is great for grant donor priorities, but can sometimes lead to the unhelpful association of LGBT persons with HIV/AIDS in the minds of the general community. Beyond MSM communities, health resources for lesbians or transgender persons are not known in West Africa.

Table 4: LGBT Health Overview in West Africa			
Country	HIV Prevalence	MSM HIV Prevalence	Evidence of MSM HIV/AIDS Groups?
Benin	1.1%	4.9%	No
Burkina Faso	1%	1.1-16.3%	Yes
Cape Verde	0.01%	Unknown	No
Cote d’Ivoire	1-5%	20-50%	Yes
Gambia	1.3%	Unknown	No
Ghana	1.4%	Unknown	Yes
Guinea	1.7%	56.6%	Yes
Guinea-Bissau	1.8%	Unknown	Yes
Liberia	0.9%	Unknown	Yes
Mali	<1%	Unknown	Yes
Mauritania	0.4%	Unknown	No
Niger	0.5%	Unknown	No
Nigeria	3.1%	15%	Yes
Senegal	<1%	>20%	Yes
Sierra Leone	1.5%	Unknown	Yes
Togo	2.9%	20.4%	Yes

Regional Political Overview

Political advocacy and change in favor of LGBT rights is difficult in West Africa. There is virtually no record of West African leaders (political, religious, or otherwise) speaking out in favor of LGBT rights, save one lone Ghanaian Cardinal, Peter Turkson. But even his support has been lukewarm at best, saying in some instances that homosexuals are not criminals,⁸ but defending African anti-gay legislation in other instances.⁹ Many West African leaders have well-documented instances of speaking out against

LGBT rights. President Yahya Jammeh of Gambia is the worst offender in this context. Although Nigeria recently enacted laws that further penalized homosexuality, its president has not been particularly vocal on the subject. A few countries, most notably Liberia, have been actively considering legislation to further criminalize homosexuality. Even with the strong anti-LGBT attitudes of the population and leaders, passing such laws may not be politically feasible: the President of Liberia publicly announced her refusal to consider both decriminalization and further criminalization. Leader rhetoric is summarized in table 5, where leaders are interpreted broadly to include political and/or important religious/community leaders.

Many West African nations have active pro-LGBT groups and a few have active anti-LGBT groups, as summarized in table 5. In virtually all cases the groups are young and in the early stages of establishing themselves. One of the most prominent pro-LGBT groups is Alternative Côte d'Ivoire, which has made news both when it received a small grant from the French government, and when it came under attack from protestors in Abidjan. Robbie Corey-Boulet reports that following the attack, Alternative Côte d'Ivoire has reestablished its headquarters in the same place, a defiant indication of its permanence. Another interesting group is the Queer African Youth Networking Center in Burkina Faso, notable for both its regional aspirations and its focus on the inclusion of lesbians.

Table 5: LGBT Political Overview in West Africa			
Country	Leaders Prominently on Record as Anti-LGBT	Anti-LGBT Groups Known	Pro-LGBT Groups Known
Benin	No	No	Yes
Burkina Faso	Yes	Yes	Yes
Cape Verde	No	No	Yes
Cote d'Ivoire	Yes	No	Yes
Gambia	Yes	No	No
Ghana	Yes	No	Yes
Guinea	No	No	No
Guinea-Bissau	No	No	No
Liberia	Yes	Yes	Yes
Mali	No	No	No
Mauritania	No	Yes	No
Niger	No	No	No
Nigeria	Yes	No	Yes
Senegal	Yes	No	Yes

Sierra Leone	No	No	Yes
Togo	No	No	Yes

Regional UN Overview

The UN, as an international body, is an excellent platform for countries to discuss human rights. Historically, the human rights of LGBT persons have been discussed at the UN on several occasions.

One of the earliest mentions of the human rights of LGBT persons at the UN came from Norway during a Human Rights Committee (HRC) meeting in 2006. The statement urged the HRC to examine human rights violations based on sexual orientation and gender identity. Including the US, 54 nations were signatory, but none from Africa.¹⁰

A much more prominent discussion of LGBT issues came in 2008 UN General Assembly (GA), the main body of the UN that has more clout than the HRC. A declaration was made affirming that all persons are entitled to human rights without discrimination based on sexual orientation and gender identity. Very few African nations signed; among the signatory nations were Guinea-Bissau and Cape Verde. The US did not sign at first; it added its name later under the Obama administration. In response to this pro-LGBT statement, an anti-LGBT statement was made by Syria. The Syrian declaration opposed protection based on sexual orientation and gender identity, and linked homosexuality to pedophilia. Most West-African nations were signatory to this statement. Table 6 details which nations supported the pro-LGBT declaration in 2008, and which supported the simultaneous Syrian anti-LGBT declaration.

Later, in 2011, the US sponsored a separate declaration of LGBT rights in the HRC. This was supported by all of the nations that supported the 2008 pro-LGBT GA statement, plus a few converts, including Sierra Leone.¹¹ Also in 2011, South Africa sponsored an official resolution to conduct a study on the status of LGBT communities worldwide. Of the West African nations that had the opportunity to vote on this issue, four voted no (Ghana, Senegal, Mauritania, and Nigeria), while one abstained (Burkina Faso), as indicated in table 6. With support from other countries, the report was officially commissioned. When it was released it highlighted the struggles of LGBT communities worldwide.¹²

More recently, an unprecedented ministerial-level meeting on LGBT rights took place at the UN in September 2013. Among the participants were Secretary Kerry, foreign ministers from Europe and South America, and leaders from NGOs. At the meeting, leaders expressed their commitment to stay engaged in the struggle for global LGBT rights. Leaders from African nations were not noted as being present at the event.¹³

Perhaps most importantly, the UN HRC has been conducting Universal Periodic Reviews (UPR) since 2006. The UN HRC describes¹⁴ the UPRs as follows:

“The Universal Periodic Review (UPR) is a unique process which involves a review of the human rights records of all UN Member States. The UPR is a State-driven process, under the auspices of the Human Rights Council, which provides the opportunity for each State to declare what actions they have taken to improve the human rights situations in their countries and to fulfil their human rights obligations. As one of the main features of the Council, the UPR is designed to ensure equal treatment for every country when their human rights situations are assessed.”

UPRs cover all countries, on all human rights issues. They are an excellent platform on which LGBT issues are often (but not always) discussed. UPRs often require countries to explain their stance on LGBT rights, even if those countries would rather avoid the issue altogether. At the close of the UPR, any country can make human rights recommendations to the country under review. The results can be illuminating: recommendations to better protect the human rights of LGBT persons are often the *only* recommendations (usually out of more 100 recommendations in all) that are outright rejected by West African nations.

Table 6 summarizes how West African nations voted on LGBT issues at the UN. The final column indicates whether LGBT issues were raised at that country's UPR. Raising LGBT issues in this context means that other countries make recommendations to the country under review to improve its treatment of the LGBT community. A positive or negative reception refers to whether or not the country under review accepted or rejected the pro-LGBT recommendations.

Table 6: West Africa LGBT Issues at the UN				
Country	Signatory to 2008 Pro-LGBT UN Statement?	Signatory to 2008 Anti-LGBT UN Statement?	Vote to Commission Worldwide LGBT Study in 2011?	LGBT Issues Raised at UPR?
Benin	No	Yes	Not Party To Vote	Yes - Negatively Received
Burkina Faso	No	No	Chose To Abstain	No
Cape Verde	Yes	No	Not Party To Vote	Yes - Positively Received
Cote d'Ivoire	No	Yes	Not Party To Vote	Yes - Negatively Received
Gambia	No	Yes	Not Party To Vote	Yes - Negatively Received
Ghana	No	No	Voted No	Yes - Negatively Received
Guinea	No	Yes	Not Party To Vote	No
Guinea-Bissau	Yes	No	Not Party To Vote	No
Liberia	No	No	Not Party To Vote	No
Mali	No	Yes	Not Party To Vote	No
Mauritania	No	Yes	Voted No	Yes - Negatively Received
Niger	No	Yes	Not Party To Vote	No
Nigeria	No	Yes	Voted No	Yes - Negatively Received
Senegal	No	Yes	Voted No	Yes - Negatively Received
Sierra Leone	No	Yes	Not Party To Vote	Yes - Negatively Received
Togo	No	Yes	Not Party To Vote	Yes - Negatively Received

Research Methods & Country Profiles

The rest of this report consists of individual country profiles detailing the status of LGBT communities in each of the sixteen nations of West Africa. Research for this project was conducted remotely from New York. The country profiles feature analysis of local media, examination of NGO reports, highlights from peer-reviewed journal articles, contributions from knowledgeable journalists, and opinions from academic experts, all filtered through the author's in-depth understanding of the cultural nuances of West Africa.

Each country profile is broken down into five different sections: legal environment, socio-cultural environment, health issues, political issues, and UN record. The legal environment sections describe the laws relating to LGBT persons and review any official or unofficial convictions under such laws. The socio-cultural environment sections describe how LGBT persons interact with their general community and vice-versa. These sections paint a picture of what it is actually like being an LGBT person in that particular country. The health issues sections provide stats on HIV rates, and highlight work being done to help improve the health of LGBT communities in particular. The political issues sections highlight the work of pro- and anti-LGBT groups, as well as national rhetoric on the human rights of LGBT persons. The UN records sections report how that country voted on LGBT-related UN measures, and how that country responded to any international criticism of its human rights records with respect to LGBT persons.



Legal Environment

There are conflicting reports of the legality of same-sex activity in Benin. One source, Amnesty International, says that article 88 of Benin's Penal Code of 1996 states "anyone who commits an indecent act or an act against nature with an individual of the same sex will be punished by 1 to 3 years imprisonment and a fine of 100,000 to 500,000 francs."³ The ILGA claimed in 2009 that this penal code article is actually a Togo sodomy provision from a book published by the University of Benin.¹⁵ An updated 2013 ILGA document states that the confusion was due to a mistranslation.¹⁶ This source goes on to say that there is an age of consent for same-sex acts in Benin of 21 year old, which is higher than the age of consent for opposite-sex acts. The US Department of State, for its part, claims that there are no laws explicitly criminalizing same-sex sexual activity in Benin. Strangely, the US Peace Corps, which usually works closely the US Department of State, disagrees, advising its volunteers that homosexuality is illegal in Benin.¹⁷

In its human rights report on Benin, the US Department of State also declared no reports of legal cases involving same-sex sexual conduct. The report goes even so far as to say that there were not even any reports of "societal discrimination or violence based on a person's sexual orientation" and that "although homosexual behavior was socially discouraged, it was neither prosecuted nor persecuted."¹⁸ Alternative sources suggest Benin has a history of imprisoning gays.¹⁹

When pressed on this issue at the UN, Benin made statements implying that homosexuality is indeed illegal there, while simultaneously denying that criminal rulings have ever actually been issued thereupon.³

Same-sex relationships are in no way recognized in Benin, although there are unverified reports that same-sex partners of foreign diplomats in Benin may have been recognized by the issuance of diplomatic visas and related documents.²⁰

Socio-Cultural Environment

Woman-woman marriages have historically been documented in certain ethnic groups in Benin.³ In addition, there is some evidence that in pre-colonial Benin, same-sex activities were accepted among young boys. It was seen as a phase that they were expected to grow out of.²¹ Sometimes they did not grow out of it, and the bonds between these Beninese boys lasted a lifetime.²²

Contemporarily, Freedom House describes social prejudice against open homosexuals in Benin as evident, but not ubiquitous.²³

Jill Aeschlimann from the Swiss Refugee Council published an extensive report on the social status of LGBT communities in Benin.²⁴ In it, she describes that homosexuality in Benin is viewed as something artificial, not natural. It is generally not accepted, and some report gays to be highly stigmatized. Verbal aggression is common, as are threats of physical violence. These threats of physical violence can include death threats. Sometimes homosexuality is viewed as a sickness in Benin. Most LGBT Beninese persons choose to stay hidden.

The US Peace Corps advises American Peace Corps volunteers stationed in Benin as follows:

“Benin’s sexual mores are conservative and you are expected to respect them. Many people in Benin still believe that gay and lesbian relationships are wrong, and that such relationships do not exist in their country. Although you may see signs of physical intimacy among men and women in Benin, this is not necessarily a sign of a gay or lesbian relationship. Engaging in homosexual sex is against the law in Benin.”¹⁷

Health Issues

Benin has a relatively low HIV prevalence in its general population, about 1.1%. The MSM community has an elevated HIV prevalence of 4.9%, according to UNAIDS.²⁵ HIV services tailored to the LGBT community are not well known.

Political Issues



Figure 1: Photo of Hironnelle Club Benin, an LGBT rights group in Benin with a Facebook page.

There are a small handful of LGBT groups in Benin, including *Hironnelle Club Benin*, as seen in Figure 1, which keeps a Facebook page.²⁶ The Facebook page may not be very active, but the group apparently is. Its leader, Luc, is reachable by phone and email. Luc says that the main goal of *Hironnelle Club Benin* is networking and peer support, so that gays can realize that they are not alone. He expresses that the situation for LGBT people in Benin is slowly improving, but many still remain hidden to avoid drawing unwanted attention. He implied that homosexuality is legal in Benin, and he is interested in further collaboration with international organizations.²⁷ Luc also keeps a detailed archive of local newspaper stories about homosexuals which he shares eagerly. The stories often take the form of “alerts” and equate homosexuality with the apocalypse.

The French Institute in Benin recently held a conference event celebrating the international day against homophobia,²⁸ and groups of European institutions stationed in Benin have called for increased tolerance of the local LGBT community there.²⁹

UN Record

Benin did not sign the December 2008 UN declaration in support of LGBT rights.³⁰ It is signatory to the opposition statement which expresses disapproval towards the idea of LGBT rights.³¹

During its UPR in 2008, several nations called on Benin to decriminalize same-sex acts between consenting adults. In response, Benin made the following statement:

“With regard to [the recommendation concerning the decriminalization of homosexual acts between consenting adults,] it was pointed out that during the interactive dialogue the Beninese delegation had stated that that phenomenon was marginal in Benin and that no Beninese court had in fact prosecuted or punished anyone for such acts. Given the current state of Beninese positive law and taking into account certain endemic factors, it would be difficult to contemplate any such decriminalization in the near future.”³²

Similar events unfolded at the 2012 UPR.³³



Legal Environment

Article 411 of the Burkina Faso Penal Code prohibits “indecent sexual acts contrary to morality.”³⁴ This article is usually interpreted in a public indecency sense, and so Burkina Faso is widely reported to have no laws prohibiting homosexuality. The US Department State Human Rights Report on Burkina Faso³⁵ asserts that there is no legal or official discrimination on the basis of sexual orientation, although societal discrimination is problematically commonplace. In typical West African fashion, the government does not have a strong history of protecting LGBT persons against verbal and physical abuse. In particular, the State Department report describes that hundreds of people in Ouagadougou publicly demonstrated for the eviction of a gay couple from their neighborhood. The protesters claimed that the gay couple was a bad example for children. The gay couple was effectively forced from their home, and no legal action was taken. A secondary source confirms that hundreds protested against the unfortunate gay couple, and that police took no protective action.³⁶

In addition to article 411, article 410 states that “any deliberate act that is contrary to good morals and is committed in public or in a private place visible to the public and may offend the sense of decency of third parties who involuntarily witness the act shall constitute a public nuisance.” Although there are fears that these articles could be used to prosecute homosexuality, no such instances are documented.

The Burkina Faso Constitution³⁷ states that “The family is the basic unit of society. The state must protect it. Marriage is based on the free consent of (the) man and (the) woman.” Some have interpreted this as a constitutional prohibition on same-sex marriage.³⁸

Burkina Faso does have laws against prostitution, and these have been used to prosecute same-sex acts, although it is unclear if the same-sex acts are cases of *bona fide* prostitution. The local news article³⁹ that mentions a particular homosexual prostitution case editorializes that difficult economic conditions in Burkina Faso justify “ignoring the issue of homosexuals. But [homosexuals] do exist and we will have to address the issue eventually.” Another local media report describes a homosexual statutory rape case involving an 18-year old girl and a 13-year old girl.⁴⁰

Socio-Cultural Environment

There is a particularly good resource that speaks to the socio-cultural environment that gay men deal with in Burkina Faso: it is an article by Cheikh Ibrahima Niang that appears in *Africa Region Human Development Working Paper Series*.⁴¹ Although overall the paper’s goal is to understand how to best treat HIV/AIDS in MSM, the “Social Situation of MSM in The Gambia, Burkina Faso and Senegal” chapter is particularly insightful. Selected excerpts follow:

“In Burkina Faso, some qualitative studies have indicated that the majority of MSM appear to have bi-sexual behavior. In all three countries in fact, a significant number of MSM are married to women. Marriage serves as a means of fitting into the social norms, and of hiding sexual preferences that are considered outside the norm. In addition, sexual relationships may exist without being admitted socially or even without being recognized, assumed or accepted individually. The gap between behavior and identity is socially and individually determined by intrinsic norms, values, concepts and interactions. In several communities in Senegal, the

Gambia and Burkina Faso, a male-to-male sexual relationship is considered a highly personal and private affair that requires the highest level of protection, privacy, discretion and 'veil'...

"In Burkina Faso, reports exist of MSM having been beaten, publicly disrobed or otherwise humiliated by members of their own families. One informant revealed: 'Someone sent an anonymous letter to my mother telling her that I was prostituting myself to men. My own mother threatened to kill me with her own hands to preserve the honor of the family if it turned out to be true.' Ostracism is another frequent reaction by families. MSM are excluded from any network of communication, consultation or decision-making. Some may never be spoken to again by their families or only in the most limited fashion...."

"There are some MSM who are well off, if not affluent. In fact, the study's researchers conducted many of their interviews in Burkina Faso with members of the social elite."

An amateur filmmaker published a short video telling the story of what happens when a gay Burkinabé man returned home in feminine attire after a long absence. Spoiler alert: his father gets out the shotgun.⁴² A screenshot is shown in Figure 2.



Figure 2: A screenshot from Zi Yaabo, a short film about a gay man in Burkina Faso.

There are several interesting claims made about LGBT communities in Burkina Faso, but unfortunately many of them have very few substantiating details. A *Guardian* article mentions in passing that some tribes in pre-colonial Burkina Faso "regarded lesbians as astrologers and traditional healers."²¹ An article in *Africa in Fact* claims that Burkinabé public figures have come out recently, although it does not specify who exactly.⁴³ The article continues and asserts that gays are stigmatized and rejected, that gays often hide their practices, and that the main challenge for the LGBT community is the attitude of the general public.

The US Peace Corps advises its volunteers stationed in Burkina Faso as follows:⁴⁴

"Given the society's conservative values, homosexuality is not likely to be tolerated by the general public in Burkina Faso. There may even be potential safety and security concerns. It will probably be impossible to be open about your sexual orientation and maintain a positive working relationship with members of your community, and you will have to exercise extreme

discretion. Other Volunteers and the Peace Corps staff will provide support, but you will find it very difficult to be open outside of that circle."

Health Issues

Burkina Faso has an HIV prevalence rate of 1% in the general population.²⁵ UNAIDS reports that the MSM HIV prevalence rate is 1.3%, but an alternative source reports the rate to be 16.3%.³⁸ Neither source details any methodology, casting doubt on the authenticity of either figure.

There are at least a handful of HIV/AIDS organizations in Burkina Faso that offer specialized MSM services, including *Vie Positive*, *Association African Solidarité (AAS)*, and *Responsabilité Espoir Vie Solidarité (REVS+)*. In addition, the *Reseau Africain de Formations sur le VIH/SIDA* (the African Network of Training on HIV and Aids) (RAF-VIH) conducted a workshop in Burkina Faso in 2011 to address specifically how to best work with MSM communities.⁴⁵

Political Issues



Figure 3: The report cover for a study published by QAYN

There are several LGBT rights groups in Burkina Faso. One of the most prominent is the Queer African Youth Networking Center (QAYN), which stylizes itself as a regional network of LGBT youth in West Africa. The organization has published several reports on the condition of LGBT communities in Burkina Faso and elsewhere in West Africa. The organization is particularly noteworthy because of its strong focus on lesbians, who the organization claims are often overlooked in the context of MSM HIV/AIDS programs. In one of their studies they polled students at the University of Ouagadougou on a range of LGBT-related questions. Some of the more interesting results: 15% of male students believe that homosexuality does not exist in Ouagadougou, more than 80% of students believe that homosexuality does not have a place in African culture, and more than 80% of students believe that Burkina Faso ought to penalize homosexuality. The cover page of their report is shown in Figure 3.⁴⁶

Another LGBT organization called Lambda is referenced in some sources, but direct contact information for the organization is elusive.³⁸

The Archbishop of Ouagadougou recently spoke out against same-sex marriage, saying that it threatens Africa and the world with destruction.⁴⁷ Muslim leaders in Burkina Faso have made similar statements.⁴⁸ A recent local media article features an interview with a lesbian who claims that such public statements condemning homosexuality result in her not wanting to participate in LGBT rights events.⁴⁹

There was a minor political scandal in Ouagadougou in 2013 when a group of young people discovered that certain HIV funds were earmarked by the mayor specially for MSM groups. They formed an entire movement and protest, claiming that the government should not be supporting

homosexuality, and that the funds should only go to heterosexuals. The president of the movement is quoted in local media as saying: “We will fight until the National Assembly passes a law against the practice of homosexual marriage in Burkina Faso.” A picture of the protest appears in Figure 4.⁵⁰

UN Record

Burkina Faso did not sign the December 2008 UN declaration in support of LGBT rights,³⁰ but neither did it sign the opposition statement which expresses disapproval towards the idea of LGBT rights.³¹ Burkina Faso was part of the committee that decided whether the UN should commission a study on global LGBT rights. It chose to abstain from voting on the issue.⁵¹

Burkina Faso faced UN human rights review in 2008 and 2013. LGBT issues were not raised in either session.⁵² The Sexual Rights Initiative (SRI) made a submission to the 2008 review session claiming that article 338 of Burkina Faso’s Penal Code prohibited homosexuality, recommending that the article be repealed.⁵³ The submission was not included in the final report, probably because article 338 actually covers punishments for causing sicknesses that result in work absences, nothing to do with homosexuality.³⁴ It is unclear why SRI made this mistake.



Figure 4: A youth group protesting the allocation of HIV/AIDS funds to MSM groups.



Legal Environment

Cape Verde is an unusual case in the West Africa region in that its colonial-era laws forbid homosexuality, but legislative modernizations took place in 2004 that decriminalized homosexuality. Article 71 of the 1886 penal code had criminalized “vice against nature.” This was widely interpreted to include homosexuality.⁵⁴ In 2004 the penal code was revised. Although the motives for and details of this revision are elusive, it seems that Cape Verde was responding to criticisms from international bodies such as the UN that were critical of its 19th-century penal code and its outdated treatment of women. Indeed, Cape Verde later touted its reformed penal code at the UN:

“In the legal system of Cape Verde, as established by the new Penal Code in force since 1 July 2004, the issue of trafficking in women and forced prostitution is connected to the freedom of the human person, in this case, sexual freedom and self-determination. In general, crimes of a sexual nature, such as rape and sexual assault, no longer come under the heading of offences against decency, as was the case in the previous Penal Code. Thus, sexual freedom is now seen, not as a matter coming under the heading of morality, but as an inherent right of all persons. Thus, the legal right protected in sexual offences is the freedom and independence of the human person.”⁵⁵

Cape Verde’s responsiveness to the international community is a relatively sharp contrast to its West African neighbors. This responsiveness may very well be simply an outcome of good governance. Indeed, according to the Mo Ibrahim Foundation’s Ibrahim Index of African Governance, Cape Verde is one of the top three best-governed African states, by far the highest ranking in the West Africa region. Cape Verde is the only country in the West Africa region to have a former president win a Mo Ibrahim Prize, a highly prestigious award celebrating excellence in African leadership.⁵⁶ It is possible that Cape Verde’s good governance is tied to its unique history: the country consisted of uninhabited islands up to the 15th century, when Portuguese settlers colonized the archipelago and brought African slaves from the mainland. Even today, the Cape Verdean cultural identity is somewhat independent from the West African identity, probably due both to history and geography.

The US Human Rights Report on Cape Verde declares that there were no reported cases of discrimination against LGBT persons. It also reported that there were no official anti-discrimination laws.⁵⁷

Socio-cultural Environment

Although homosexuality has been legal since 2004, celebration of that fact seems to be a more recent phenomenon. A pair of articles⁵⁸ in LGBT media describe the first pride events in Cape Verde in 2013. The events were organized by the Cape Verdean Gay Association, whose headquarters are located at Mindelo, and supported by the Spanish organization “Fundación Triángulo” (the triangle foundation). The events included a parade, a photograph exhibit, a series of lectures, and public screenings of LGBT-themed films from Brazil, Spain, Argentina, and South Africa. One of the articles describes the goal of the events:

“For Elvis Tolentino, the vice-president of the Cape Verdean Gay Association, this event is a way of raising awareness of LGBT issues in the Cape Verdean society in general, and exploring

*different issues related to social integration, promoting respect, homophobic struggles, as well as contributing to the construction of a united and cohesive LGBT community. 'Our activities are meant to create contacts and exchanges within Africa to from a rich perspective and international cooperation. We hope these actions will be the beginning of a journey in favour of the human rights for diverse people on the entire African continent.'"*⁵⁹



Figure 5: A photo from the inaugural LGBT pride event in Cape Verde in 2013.

The events were celebrated in the international LGBT media, but a local article on gay life in Cape Verde paints a slightly less euphoric picture than that seen in Figure 5. Although there is significant tolerance of homosexuality in Cape Verde, it also claims that there is “unquestionable prejudice” against the LGBT community, in government, schools, and churches. The article interviews Elvis Tolentino again, who says that homosexuals in lower social classes “suffer a lot of discrimination, eventually dropping out of school. Most do not finish high school, and then it is very difficult.” He goes on to say that Cape Verde is lucky not to be host to any homophobic organizations, but that he has still been the victim of violence. “Discrimination exists in a disguised form... If they find out you're gay, now you see with other eyes. In an interview if they already see that you are gay they will not give you a job.”⁶⁰

Health Issues

UNAIDS reports that Cape Verde has a very low HIV incidence rate of 0.01%, with no specific data given for MSM populations.²⁵ General HIV/AIDS services are provided by a branch of Planned Parenthood in Cape Verde.⁶¹

Political Issues

The US Human Rights report on Cape Verde says that the Association of Cape Verdean Gays Against Discrimination (which is probably the same organization that put on the pride events in 2013) was established in 2011 as the first Cape Verdean LGBT NGO. It is reported to have 40 members.⁶²

Cape Verde is widely cited, along with Guinea-Bissau, as one of the most vocal advocates for the decriminalization of homosexuality in an international context.⁶³ No anti-gay organizations are known in Cape Verde.⁶⁰

UN Record

Cape Verde is an original signatory nation of the December 2008 UN declaration in support of LGBT rights.³⁰ It did not sign the opposition statement which expressed disapproval towards the idea of LGBT rights.³¹

Cape Verde has been the subject of two UN human rights reviews in 2008 and 2013. In the first review, Sweden recommended that Cape Verde consider policy measure to promote tolerance and non-discrimination for LGBT persons. Although in its response the government of Cape Verde claimed to have no records of allegations of discrimination against LGBT persons, the Swedish recommendation was ultimately recorded as officially accepted by Cape Verde.⁶⁴ LGBT issues were not raised in the 2013 review.⁶⁵



Legal environment

Côte d'Ivoire has never had explicit laws prohibiting same-sex sexual activity, so in general, consensual same-sex acts are legal there.³ Public indecency laws, however, specifically mention same-sex behavior, making certain acts illegal in that context. And although there is no official discrimination based on sexual orientation in employment, housing, education, or health care, the LGBT community nonetheless finds itself the target of strong societal stigmatization. Police, gendarmes, and members of the armed forces reportedly beat, imprison, verbally abuse, extort, and humiliate members of the LGBT community.⁶⁶ Police routinely demand bribes from members of the LGBT community, and when the bribes are refused, physical violence follows. There is little recourse for these actions, which have increased since Allasane Outtara took the presidency in 2011.⁶⁷

Socio-cultural environment

In general, members of the LGBT community must be secretive in Côte d'Ivoire, as is the case in much of West Africa. When a community finds out that someone is gay, that community is no longer a safe place. A passage from a French newspaper article explains:

*"Ibrahim Touré came to France from Ivory Coast in October 2011, on false documents. He says he is gay, and his sexual orientation had become known in his neighborhood back home. He continued to stay on good terms with his ex-wife and small daughter and to work as an Abidjan taxi driver until civil war broke out in the country in late 2010. 'The new group that has come to power since the electoral crisis are Islamists, and they detest gays,' says Touré, who is himself a Muslim. 'There is a threat to my life, and I can't go back.' Touré lived in metro stations and shopping centres in Paris before an acquaintance told him about a Red Cross shelter. He has been living there for several weeks while he explores other options. 'I didn't even get a chance to say goodbye to anyone. I was working and my grandmother called and said the militias had come looking for me. My brother helped me get to the airport. I just left. I decided to claim asylum... I couldn't even call my grandma back.' Touré is afraid he will be sent back."*¹⁹

An official report from a coalition of LGBT groups in Côte d'Ivoire explains further that Ivoirian LGBT community members face continuous intimidation and arbitrary arrest because of their sexual orientation.⁶⁸ The report mentions in particular a case where a disturbing video surfaced and was widely circulated online in June 2011. The video, known as *Le Trainli De Lasso A N'zikro*, features an effeminate 17-year old boy, Lasso, being attacked in his village in rural Côte d'Ivoire. A group of men violently beat, strip, forcibly shave, and kick Lasso, while the community looks on. The report hails this as representative of the abuse LGBT community members face in Côte d'Ivoire.

Despite reports of violence, the LGBT community in Abidjan has at least some minimal liberties. A recent article in *Jeune Afrique* reports that many gays throughout West Africa flock to Abidjan for its liberal freedoms, although it is not yet a "gay eldorado," as other sources have claimed. The *Jeune Afrique* article cites instances in which the LGBT community is violently repressed.⁶⁹ At the same time, reports of a gay bar closing recently made some international news,⁷⁰ as did a Miss Gay Abidjan competition.⁷¹ The LGBT community of Côte d'Ivoire has a cinematic history: the 1998 documentary *Woubi Cheri* tells the story of how a community of homosexuals, transvestites, and *woubis* (men playing

the role of 'wife' in their relationships with other men) live their lives in Abidjan.^{72, 73} The cover of the movie is shown in Figure 6.

Health issues

The HIV prevalence in Abidjan is estimated to be much higher among MSM (20-50%) than among the general population (1-5%).⁷⁴ Specialized services catering specifically to this community are lacking.⁷⁵

There are reports of Ivoirians being denied health care on the basis of their sexual orientation. An LGBT organization protested one instance and successfully demanded that a gay man be treated.⁷⁶ In a separate case, a transgender Ivoirian woman reports that she is often refused health services because of her gender identity.⁷⁷

Côte d'Ivoire briefly considered legislation criminalizing HIV transmission, but there is little evidence of follow-through.⁷⁸

Political environment

Politicians occasionally speak out against homosexuality in Cote d'Ivoire: in July 2013, a prominent Ivoirian minister publicly proclaimed that gay marriage would mark the end of the world.⁷⁹

The U.S. embassy in Abidjan hosted a gay pride reception in June 2013. There are some indications that reporters may have barred from entering the event, but apparently more than 20 openly gay Ivoirians attended. In a speech published on the embassy webpage, Ambassador Philip Carter thanked the guests for their courage in the face of persecution and vowed that the U.S. would continue to advocate on their behalf.^{80, 81}

The two most prominent LGBT organizations in Côte d'Ivoire are *Arc-en-Ciel* and *Alternative Côte d'Ivoire*, the latter being easier to contact. Indeed, Claver Touré, president of Alternative Côte d'Ivoire, expressed in a personal interview⁸² that his organization operates with relative freedom. He further indicated that his organization is very grateful that homosexuality is not openly criminalized in Côte d'Ivoire. As a result, Abidjan has historically been a magnet for the LGBT community, drawing in persons both from rural Côte d'Ivoire and from neighboring, more conservative countries. He did express, however, concern about the deteriorating situation for LGBT community members in Abidjan since Allasane Ouattara came to power. Touré is eager to expand his portfolio of international partner organizations.⁸³

Some months after the phone interview, and shortly after Nigeria further criminalized homosexuality in January 2014, Touré's organization came under mob attack in a well-publicized and well-documented incidence. Both his personal home and his organization's office were attacked. Touré explains what happened:

"It was around 6.50pm when me and my colleagues heard whistles and chanting... Around 60 people gathered outside, shouting things like: 'the house of fags', 'we will kill them', 'we do not

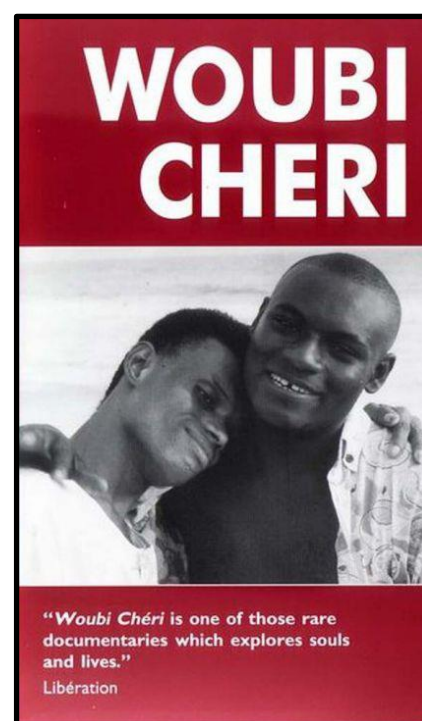


Figure 6: The cover of Woubi Chéri.

*want fags in our area.' The angry neighbors then attempted to burn the house down with the occupants still inside. They tried to break down the doors and threw garbage and all kinds of projectiles including human excrement at the building."*⁸⁴

The office was also defaced with homophobic slurs, as seen in Figure 7.⁸⁵ The office was cleaned up and reestablished in the same location shortly after the incident.



Figure 7: Hate message graffiti on a pro-LGBT organization in Abidjan.

UN Record

Côte d'Ivoire did not sign the December 2008 UN declaration in support of LGBT rights.³⁰ It is signatory to the opposition statement which expresses disapproval towards the idea of LGBT rights.³¹

During its UPR in 2010, Côte d'Ivoire accepted a recommendation to "take measures to ensure non-discrimination on grounds of sexual orientation and gender identity." A separate and further recommendation was made that that Côte d'Ivoire "put in practice concrete programs for awareness raising against discrimination for gender identity and sexual orientation, guarantee the respect for privacy." This was the only recommendation out of more than 100 in the entire review that was outright rejected by Côte d'Ivoire. The Ivorian government noted that it does not penalize sexual relationships between consenting adults of the same sex, and thus that "the implementation of awareness-raising campaigns in this field is not one of the current priorities of the Government of Côte d'Ivoire."⁸⁶



Legal Environment

In Gambia, committing a “homosexual act” is a felony that carries a 14-year prison sentence. This is described in article 144 of the 1965 criminal code. The criminal code was amended in 2005, but article 144 remained unchanged.³

The most recent US Human Rights Report on Gambia suggests that, despite ubiquitous anti-LGBT rhetoric by President Jammeh and extreme societal discrimination, the law against homosexual acts has never been enforced or officially prosecuted.⁸⁷ Arrests and detentions without charge are known to occur, nonetheless, and they are reported in local media.⁸⁸

Socio-Cultural Environment

Robbie Corey-Boulet, in one of articles,⁸⁹ describes an incidence in Gambia in 2012:

“Alhaji, a 21-year-old gay man, knew there was trouble when he heard that an uninvited guest was snapping photos in the middle of his poolside birthday party in Gambia's capital. That photographer turned out to be a member of Gambia's feared National Intelligence Agency, and accused Alhaji of throwing “a gay party” in violation of Gambian law.

“He and 17 other men were taken into custody that night. In the months that followed, he said they were interrogated, beaten and subjected to a very public trial that destroyed their reputations in a country where President Yahya Jammeh has called for sexual minorities to be decapitated.

“As they were escorted from the courtroom after their acquittal, Alhaji heard someone yell: “You think you're free, but you're not. This is just the beginning. When the law can't do anything, we can do something.”

The article, which features the image shown in Figure 8, goes on to explain that:



Figure 8: Photo accompanying Robbie Corey-Boulet's article on gay men in Gambia.

“For two weeks after the raid on his birthday party, Alhaji says he was kept in solitary confinement in Banjul. Guards woke him up each morning by dousing him in cold water, then beat him during interrogation sessions so he would divulge the names of other gay men and lesbians.”

Alhaji and his friends struggled to rebuild their lives after the trial, but the stigma was too much, and they fled the country.

In sum, LGBT Gambians face a hostile socio-cultural environment.

There is a scattering of reports of gay tourists from Europe being harassed by police in Gambia, in some cases with upheld convictions on homosexuality charges.⁹⁰

Health Issues

UNAIDS reports the general HIV prevalence rate in Gambia to be 1.3%, with no separate estimate for the MSM community. In an egregious error in its 2009 report, UNAIDS claims that Gambia does *not* have “laws that present obstacles to men who have sex with men” in regards to access to HIV care. Apparently a 14-year prison sentence for same-sex activities does not qualify. The 2011 report sees the correction of this stance. UNAIDS reports the entire MSM community of Gambia to consist of 150 persons,²⁵ but includes a disclaimer indicating that they asked governments for estimates of population sizes without details,⁷ as discussed in the overview (health issues section) of this project. The accuracy of such a figure is doubtful.

Political Issues

The president of Gambia, Yahya Jammeh, is by far the most vocal opponent of the LGBT community in the West Africa region. His rhetoric against LGBT Africans is shocking.

“Homosexuality will never be tolerated and in fact will attract the ultimate penalty... We will fight these vermins called Homosexuals or gays the same way we are fighting malaria-causing mosquitoes; if not more aggressively.... We will therefore not accept any friendship, aid or any other gesture that is conditional on accepting Homosexuals... As far as I am concerned, L.G.B.T can only stand for Leprosy, Gonorrhoea, Bacteria and Tuberculosis; all of which are detrimental to human existence....”⁹¹

“Promoting homosexuality and imposing it on weaker or poorer nations is a declaration of war on both religions and human existence. For Muslims, this is a declaration of war on Islam, a declaration of war against Allah, a declaration of war on human existence - for which every true believer must be ready to lay down your life to defend Islam....”⁹²

“Homosexuality is anti-humanity. I have never seen homosexual chicken, or turkey... If you are convicted of homosexuality in this country, there will be no mercy for offenders. We will put you in the female wing of the prison....”

“We want the population to grow. There will be children in this country. Homosexuality is anti-god, anti-human, and anti-civilization. Homosexuals are not welcome in the Gambia. If we catch you, you will regret why you are born....”

*"I have buffalos from South Africa and Brazil and they never date each other. We are ready to eat grass but we will not compromise on this. Allowing homosexuality means allowing satanic rights. We will not allow gays here...."*⁹³

Furthermore, President Jammeh has said that gay people have 24 hours to leave the country, that he supports laws stricter than Iran, that he would cut off the head of any homosexual found in Gambia, and that same-sex attraction represents one of the biggest threats to human existence.⁹⁴

President Jammeh's dangerous rhetoric is not limited to LGBT issues - he has also claimed to possess a secret herbal remedy for HIV.⁹⁵

The US Human Rights Report declares that there are no LGBT groups in Gambia,⁹⁶ and there is no easily accessible evidence to suggest that the report is incorrect in that regard.

UN Record

Gambia did not sign the December 2008 UN declaration in support of LGBT rights.³⁰ It is signatory to the opposition statement which expresses disapproval towards the idea of LGBT rights.³¹

Gambia faced its UPR in 2010. Therein, the Gambian representative commented:

"With regard to homosexuality and sexual orientation in general, Gambia emphasized that the President had never said that homosexuals should be killed. The Gambia had cultural values, norms and practices that were different from those of other countries, and it did not recognize sexual orientation as a universal human right. The law punishes sexual activity between persons of the same sex."

Later in the UPR, Gambia faced widespread calls to decriminalize homosexuality and stop discrimination against the LGBT community. These LGBT-related recommendations, along with a host of others such as those to condemn "witch hunts," were rejected by Gambia.⁹⁷



Legal Environment

The Criminal Code of 1960 Act 29 criminalizes “sexual intercourse with a person in an unnatural manner,” and this is widely interpreted as a criminalization of homosexuality, at least for men.³ The case for lesbians is less clear. Some sources indicate that this law was strengthened or upheld in 2003, although the details are unclear.⁹⁸ The US Human Rights Report⁹⁹ on Ghana recognizes societal discrimination against LGBT Ghanaian, saying they faced employment and education barriers as well as police harassment and extortion. The report cites cases where high school students (both male and female) were expelled for practicing same-sex activities. It also cites a 2012 where nine suspected homosexuals were forced from their homes and beaten with canes and sticks by a gang of men. The police did not investigate. The US human rights report indicates no cases of violence against LGBT persons, but notes that they are probably underreported. In fact local Ghanaian media reported on official prosecutions for homosexuality in 2013.¹⁰⁰ Anti-gay mobs are not unknown in Ghana.¹⁰¹

Gay rights issues have gone as far as the Supreme Court in Ghana, although it is unclear what outcomes were produced other than widespread public outrage against homosexuality.¹⁰²

Socio-Cultural Environment

Ghanaian media can be very homophobic. A religious pamphlet from Ghana was published in the Western media outlet BuzzFeed, and exhibits mostly nonsensical arguments against homosexuality.¹⁰³ More tempered articles do exist, such as one that featured an interview with a gay sex worker. Its opening line was “Do gays really exist in Ghana?”¹⁰⁴ It then continued to have an open and honest conversation with a young gay man who habitually exchanges money for sex.

There was even a very positive opinion piece published in local Ghanaian media recently. It opined that people should not waste time on the gay issue, and that “Ghana needs to guarantee and protect the human rights of homosexuals and they should be free to be who they are.” It drew the interesting parallel to inter-tribal marriages in Ghana, which were once frowned upon but are now accepted. The author says that “Society can evolve once again.”¹⁰⁵ Another positive opinion piece on Ghana Web says that “There are many ills in society that we have to fight tooth and nail. Homosexuality is not one of them. We must fight wrong-doing, not sexuality.”¹⁰⁶

The Peace Corps advises volunteers stationed in Ghana as follows:

“Ghanaians feel that homosexuality is immoral and depraved behavior. Homosexuality is against the law. Being sensible about revealing one’s sexual orientation in one’s home, workplace, and community is advisable. Being ‘out’ can invite harassment and physical attack.”¹⁰⁷

Health Issues

The HIV prevalence rate in Ghana is 1.4%.²⁵ UNAIDS does not report an MSM HIV prevalence rate, but instead reports that there are 30,583 gay men in Ghana.⁷ Concerns with this type of reporting are

explored in the overview (health issues section) of this project. In short, the accuracy of such numbers are doubtful.

Political Issues

Several cases in Ghana illustrate the importance of contextualizing aid to LGBT groups in homophobic environments. Ghana's largest newspaper, *The Daily Graphic*, stirred up hysteria when it ran a story on homosexuality on its front page in 2011. It claimed that there were over 8,000 HIV-positive gays in two regions of Ghana, numbers that came from a workshop for health workers. The workshop was sponsored by USAID. Religious leaders quickly denounced the presence of gays in Ghana, and fear started circulating that gays would be lynched like robbers.¹⁰⁸

There was another scandal in early 2013 when Ghanaian press picked up a story about President Mahama's relationship with American journalist Andrew Solomon, who is an LGBT advocate. Local press crafted a story about President Mahama accepting great sums of money from Solomon in exchange for advancing gay rights in Ghana. Solomon put out a piece in the *New York Times* to rebuke the absurd story; President Mahama was an acquaintance and nothing more.¹⁰⁹

President Mahama was asked about gay rights during a visit to the US. When asked if he would support gay marriage in Ghana in the future, he laughed and said: "It's very difficult for me to ... I'd rather not comment on it."¹¹⁰

Cardinal Peter Turkson of Ghana, however, has spoken out on LGBT issues, condemning Uganda's further criminalization of homosexuality, saying that homosexuals are not criminals and should not be sentenced for up to life in prison.⁸ In other situations he has been less supportive: he has also been known to defend anti-gay legislation in Africa.⁹

The assistant secretary of the US Bureau of African Affairs, Linda Thomas-Greenfield, gave an interview to *The Daily Graphic* in Ghana in which she said that she is willing to work with Ghanaian legislatures to develop protections for LGBT Ghanaians. It is reported that at least one of the president's ministers supports decriminalizing homosexuality (although President Mahama himself has diplomatically said that he opposes such decriminalization).¹¹¹ Other government ministers have publicly said that homosexuality has "no foundation in our culture."¹¹²

There are a few LGBT groups in Ghana. One is The Centre for Popular Education and Human Rights Ghana. The organization used to be called the Gay and Lesbian Association of Ghana but was renamed to maintain a lower profile. It maintains a website¹¹³ and in an interview,¹¹⁴ its founder described it as the first Ghanaian-led LGBT rights organization founded in Ghana. The founder has been the target of death threats. He is pictured in Figure 9.



Figure 9: Mac-Darling Cobbinah, a Ghanaian LGBT rights leader.

Another group is the Human Rights Advocacy Centre. This group focuses mostly but not exclusively on LGBT issues. It maintains an active Facebook page and website.¹¹⁵

A recent US Ambassador to Ghana spoke out in favor of LGBT Rights in Ghana on one of his last days in office.¹¹⁶ He said:

“It is not for me to tell Ghanaians how to think or how to act. But what I will say is that I really do believe that Ghanaians, first and foremost, I see it every day in the way Ghanaians act, that Ghanaians accept the idea of respecting people’s fundamental rights, because you treat each other this way every day.

“I know that Ghanaians have strong moral viewpoints of their own.

“It is my view that Ghana properly needs to do something like we have done in the United States, and have open respectful dialogue about how you can reconcile your belief and rights, because the Ghanaian constitution, as I understand it, guarantees rights based on citizenship.”

UN Record

Ghana did not sign the December 2008 UN declaration in support of LGBT rights,³⁰ but neither did it sign the opposition statement which expresses disapproval towards the idea of LGBT rights.³¹ Ghana was part of the committee that decided whether the UN should commission a study on global LGBT rights. It voted no.⁵¹

Ghana faced a UPR in 2008 and again in 2012. In the 2008 review,¹¹⁷ three separate requests were made for Ghana to decriminalize homosexuality. Ghana said it would review those recommendations and make a decision on them at a later time, although the decision was never publicized

In the 2012 review,¹¹⁸ recommendations were made to Ghana to make sure that discriminations do not occur based on sexuality. Ghana supported this by considered that this was already implemented. An increased number of countries called on Ghana for decriminalization; these recommendations did not enjoy the support of Ghana.



Legal Environment

Same-sex acts are illegal in Guinea. The Penal Code 1998 Article 325 states that “Any indecent act or act against nature committed with an individual of the same sex will be punished by six months to three years of imprisonment and a fine of 100,000 to 1,000,000 Guinean francs.”³ The US State department has incorrectly reported in the past that there are no laws against homosexuality.¹¹⁹ It further reports that there have not been any prosecutions under this law, although the Guinean government recently created a special investigation unit dedicated to moral offences including homosexuality.¹²⁰ Guinea has anti-discrimination laws on the books, but they do not apply to the LGBT community.

Official prosecutions of any sort are relatively rare in Guinea, and communities often function outside legal frameworks. For example, an article¹²¹ from the Guinean newspaper *Aminata* describes a young gay man whose sexual preference became known in his community in the suburbs of Conakry. Community members accused him of sending lewd and threatening text messages, so they set a trap, gathered a mob, and attacked the young man. A friend intervened and saved the young man from death by lynching. The young man was then handed over the local authorities, but not before being attacked by another mob there again. A government official, upon accepting the young man into police custody, says that he will solve the problem and eradicate the social evil of homosexuality that does not fit with tradition. The story does not follow-up on the fate of the young man after being transferred to police custody. It is unlikely he ever saw trial or officially prosecuted.

In this instance and in others, LGBT Guineans have been documented to be the victims of severe hate crimes.¹²² They have little recourse available to them.

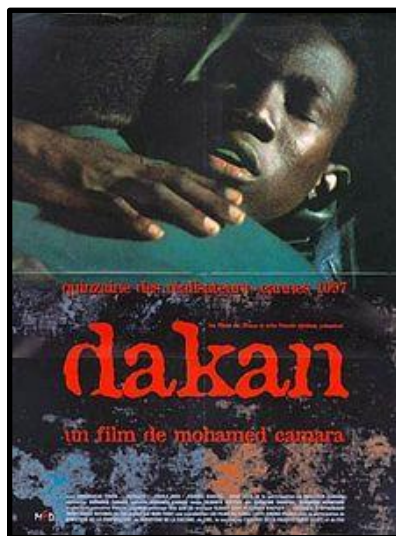


Figure 10: Dakan, widely considered to be the first film on sub-Saharan homosexuality.

Socio-cultural Environment

The official US Peace Corps / Guinea volunteer handbook stated in 2009 that “homosexuality is not accepted in Guinean culture or law, even between consenting adults. Volunteers accused of homosexuality may be physically threatened and harassed to the point of having to leave the country.” It has since been amended to read “Homosexuality is not publicly acknowledged or discussed in Guinean society. Although gay and lesbian Volunteers generally choose not to be open about their sexual orientation, they have successfully worked in Guinea.”¹²³

Guinea is home to the first feature film on homosexuality in sub-Saharan Africa. The movie *Dakan*, in Figure 10,¹²⁴ was filmed in Guinea by a Guinean director. It explores the lives of two young gay men in Guinea, and how they deal with their conflicting social, cultural, and sexual identities.⁷² The director had initial support from the Guinean government, until they learned of the subject matter, at which point they withdrew all funding. The crew had to contend with angry mobs of protesters demanding that he cease filming.¹²⁵ He did not, and the film was released in 1997.

A recent article in local Guinean media exposes a bar reputed to be a gathering place for gays and interviews locals on how they feel about the presence of gays in their country. Most of the community members had negative comments, but one of the respondents was notably positive about his feelings that gays and lesbians deserve protection.¹²⁶

Health Issues

UNAIDS reports that the general population of Guinea exhibits an HIV prevalence of 1.7%, whereas the MSM population of Guinea has an HIV rate of 56.6%.²⁵

HIV transmission in Guinea is criminalized, although it is unclear if the law is actually enforced. And the relevant legal code in Guinea was recently amended to limit its reach, as recommended by UNAIDS.⁷⁸

There are few groups in Guinea that deal specifically with MSM health issues. Fraternité Médicale Guinée (FMG) and Enda Santé launched a joint project in 2008 called Borders and Vulnerabilities to HIV/AIDS in West Africa. The project has served MSM in Conakry since 2010 and more recently added services in Kamsar in 2011. Currently FMG offers treatment, care and support to a small group of 20 MSM in Conakry. Separately, a domestic Guinea NGO called Guinea Assistance and Development (GUIAD) has been working with MSM by offering specialized services in Conakry since 2008.¹²⁷



Figure 11: Attendees at a screening of Dakan at the US Embassy in Conakry.

Political Issues

The US embassy held a public screening of Dakan in 2011, seen in Figure 11, which the director Mohamed Camara attended. There, he stated “I think no matter what the problem is if there is no way to discuss it openly, it will get worse. I made this film so that there would be an open discussion, so that people may begin to discuss among themselves and that the entire community may gain from it.”¹²⁸

During the inauguration of the office of Human Rights of the UN in Conakry, the Prime Minister of Guinea declared that homosexuality was wrong and should be prohibited by law, as it is in Guinea.¹²⁹

The general attitude towards the LGBT community is extremely bad in Guinea. An article¹³⁰ in local Guinean media describes a father discovering his son’s homosexuality and subsequently threatening to kill him. The son fled for his life. The article opines that homosexuality is forbidden by tradition in Guinea, and that laws correctly reflect this. Another article,¹³¹ again published in local Guinea media, describes a man being beaten to death by a mob for being gay. There was no mention of police follow-up, and community members even expressed joy at the death of an accused homosexual.

Beyond limited MSM HIV groups, records of more general LGBT groups in Guinea are virtually non-existent, with the US State department declaring that there are none at all.¹³²

UN Record

Guinea did not sign the December 2008 UN declaration in support of LGBT rights.³⁰ It is signatory to the opposition statement which expresses disapproval towards the idea of LGBT rights.

In a preliminary stakeholder meeting preceding its official human rights review, stakeholders including ARC International noted Guinea's laws criminalizing same-sex activity and recommended that they be repealed. These recommendations were not brought to the official working group review, and so the formal report of the Human Rights Council plenary session contains no reference to homosexuality in Guinea whatsoever.¹³³



Legal Environment

In lusophone tradition like Cape Verde, Guinea-Bissau is relatively advanced in its legal treatment of the LGBT community for the West Africa. Although colonial-era laws prohibited same-sex activities, a new penal code was enacted in 1993 which did not criminalize homosexuality. Articles 133-138 discuss sexual offences, and since same-sex acts are not explicitly mentioned, this effectively decriminalizes homosexuality.¹⁶

The US Human Rights Report published by the US State Department in 2013 confirms that Guinea-Bissau has no laws criminalizing sexual orientation, but also describes the absence of antidiscrimination laws applying to LGBT individuals. The report does not find instances of violence or official discrimination, but it does acknowledge that social taboos contribute to restricted freedoms.¹³⁴

Socio-Cultural Environment

Reports on the lives of LGBT individuals in Guinea-Bissau are few and far between, but one paper in particular from *Culture, Health, and Sexuality* contains some revealing details.¹²⁷ It reports that 10% of the men in their MSM study were married to women, and the vast majority had recently had sex with women (as well as men). The report suggests that many of the MSM interviewed were sex workers responding to tourist demand. It references another study where 31 out of 47 MSM self-identified as exclusively heterosexual, but admitted to frequent transactional sex with men. The authors note that although Guinea-Bissau decriminalized homosexuality, there is widespread stigma and silence on gay issues. Wisely, it notes that “decriminalisation in the absence of social change is not enough.”

Health Issues



Figure 12: An Enda Tiers Monde screenshot taken from a promotional video. Unclear whether events are taking place in Guinea-Bissau or Senegal.

The same *Culture, Health, and Sexuality* paper laments that MSM communities are notably absent from the government’s official strategic plan to combat HIV/AIDS, with significant consequences in terms of funding and political willpower. To Guinea-Bissau’s credit, a 2005 law ensures care, support and treatment for HIV, regardless of sexual orientation.

Although there are more than 10 NGOs working on HIV/AIDS, only one (Enda Tiers Monde Guinee-Bissau, or Enda Sante) has MSM-specific programming. In addition to its MSM-specific programming, Enda Tiers Monde has a wide variety of other programs: a water sanitation event can be seen in Figure 12.¹³⁵ The organization has featured MSM-specific programming since 2010 and it reached 117 individual MSM in 2011.

A presentation on HIV among MSM in Guinea-Bissau was given at the African Same-Sex Sexualities and Gender Diversity conference in South Africa in February 2011, and parts of the original text has been preserved on a gay-interest site.¹³⁶ It reports that the HIV prevalence rate in Guinea-Bissau is 1.8% among the general adult population, and among their sample size of 50 MSM the presenters found “a disproportionate burden of infectious diseases among MSM in Bissau.” The presenters also reported widespread bisexual behavior among MSM, and extremely low condom usage.

A UNAIDS account gives more details.¹³⁷ It says that about 2% of young men have reported to have had sexual relations with men, and among those 64% had never used a condom. It reports the MSM HIV rate to be 25% in Bissau.

Political Issues

The authors of the *Culture, Health, and Sexuality* paper remark that MSM enjoy relative freedom from police harassment and they attribute this to the positive legal climate. This is tempered by reports that MSM still face social stigma and homophobia, and thus they often choose not to openly disclose their orientation.

UN Record

Guinea-Bissau is an original signatory nation of the December 2008 UN declaration in support of LGBT rights.³⁰ It did not sign the opposition statement which expressed disapproval towards the idea of LGBT rights.³¹

Guinea-Bissau was subject to a UN human rights review in 2010. LGBT issues were not raised.¹³⁸ Arc International submitted a commentary commending Guinea-Bissau for its support of the LGBT community and encouraging further measures to promote equality and respect, but this submission was not included in the final UN report.¹³⁹



Legal Environment

US Secretary of State Hillary Clinton's December 2011 speech in which she declared that "gay rights are human rights" was a landmark event in the development of LGBT rights in Liberia, as this report will detail. The Liberian media had a field day misreporting that US aid to Liberia would cease unless same-sex marriage was legalized there. This sparked the formation of new groups, both pro- and anti-gay. It also sparked legislative discussion about how to toughen the anti-gay laws in Liberia, which has already had the effect of worsening the situation on the ground for LGBT Liberians. This recent political development frames much of the discussion of LGBT rights in Liberia.

"Voluntary sodomy" is a first degree misdemeanor under Liberian law, and has been for a very long time. The law is written into Liberian criminal law section 14.74,¹⁴⁰ and it is punishable by up to a year in prison.¹⁴¹ Although there have been virtually zero official prosecutions under the law, the US Human Rights Report on Liberia characterizes discrimination against LGBT Liberians as one of the country's most serious human rights abuses. It describes a particular instance in which two men who were suspected of being gay were attacked by a mob. Threats of physical violence continued after the attack, and the men's appeals to the police for protection were ignored.¹⁴² Human Rights Watch confirms that LGBT Liberians are subject to persistent harassment and stigmatization.¹⁴³

There are multiple laws under consideration in the Liberian Legislature that would further criminalize homosexuality. One of the proposed bills would make it a crime to "purposefully engage in acts that arouse or tend to arouse another person of the same gender (male/female) to have sexual intercourse."¹⁴⁴ Even the official discussion of such laws in the legislature has already made the situation for LGBT Liberians worse: they report facing increased harassment since the consideration of the bills.⁵

Publicly, the Liberian president Ellen Johnson Sirleaf has said she will never support laws recognizing gay rights.¹⁴⁵ The Nobel Peace Prize winner refuses to dismantle the longstanding prohibition on sodomy, but at the same time has declared that she will not further criminalize homosexuality. On her country's anti-sodomy laws, the Sirleaf said "We like ourselves just the way we are," and that "We've got certain traditional values in our society that we would like to preserve."¹⁴⁶

Socio-Cultural Environment

A beautifully detailed piece in *The Atlantic* by Robbie Corey-Boulet paints a remarkable picture of gay life in Liberia. Its opening paragraphs are reproduced below.

"After their private ceremony in the Liberian capital, a newly married gay couple traveled with a small group of friends to a strip of shore known locally as Miami Beach. It was a Sunday in late January, a time of year when the sky is often thick with haze, but the private beach was crowded anyway. The group, mostly young gay men, had just started in on their Club Beer, chicken, and Pringles when another beachgoer walked directly into one of the newlyweds. He refused to apologize to "a bunch of fags" and an argument broke out, but it was defused when the beach's owner threatened to kick them all out if the commotion continued. The man walked off and no one in the wedding party thought much of it.

“When they left around 6 pm, the group found a mob of some 20 people waiting for them. The mob threw stones and empty bottles, and the besieged wedding party threw them back. When it was over, only one of them had more than minor injuries: a member of the group had passed out after an asthma attack and had to be carried away. But the altercation, and the violent homophobia that sparked it, highlight the rising tensions surrounding gay rights in Liberia -- tensions that have only become more visible since the announcement of a new U.S. policy intended to counter them.”¹⁴⁴

Such acts of mob violence appear to be typical in Liberia. One gay Liberian said to the Guardian that “You and your brother [may be] walking down the street, they may actually jump on you and beat you, kill you, and when they say: ‘Oh they are gay, that’s the reason we killed them,’ nothing will come of it.”¹⁴⁶

The Atlantic piece is a prelude to the landmark study of LGBT West Africans released by the Human Rights Watched in 2013, entitled “It’s Nature, Not a Crime: Discriminatory Laws and LGBT People in Liberia.”⁵ Along with the similar report on Senegal, it is one of the most thorough and meticulous characterizations of LGBT West Africans in print. Although the report is specific to Liberia, many of its illustrations and conclusions can be generalized to the West Africa region. It is essential reading for anyone seeking to understand the plight of the LGBT West African. Highlights from the report are reproduced below:

“LGBT men and women—all aged between 18 and 40—told Human Rights Watch how, even before the [anti-gay] bills were introduced, neighbors, family, and even strangers harassed, insulted, and beat them in public; disgraced and threw them out of homes; and ridiculed and bullied them in school. One gay man said a “friend” had stabbed him with a broken bottle because she could not accept that he was happy being a homosexual. Another told Human Rights Watch how a neighbor bit part of his ear off and threatened to hit him with a metal rod...

“Interviewees described increased intolerance and homophobia against the LGBT community after the new bills were introduced by the legislature in February 2012. Many described living in fear and hiding their sexual identity due to increased verbal assaults, harassment, and stigmatization, which sometimes impedes their ability to access essential public services, such as health care. All 30 LGBT interviewees said they always felt compelled to curtail their movements, limit their social circle, and watch where they socialized to avoid harassment. Several said that since the bills’ introduction they had stopped going to social clubs because people invariably picked on them—and that they were then blamed for causing trouble and asked to leave...

“The catalyst for both the increase in hostilities and the proposed legislation were much-discussed—and widely misunderstood—statements by British Prime Minister David Cameron and then-US Secretary of State Hillary Clinton in late 2011, which many Liberians perceived as threats to cut off foreign assistance due to the country’s anti-LGBT laws. Neither Cameron nor Clinton had in fact made such a call— Clinton, for example, had called for more assistance to improve the situation of LGBT people in Liberia. But the comments tapped into deeply held beliefs in Liberia that the West imposes its values on Africa, and the intensifying domestic debate about homosexuality, exacerbated passive intolerance towards LGBT people and paved the way for more overt discrimination and hostility...

“Before these laws, LGBT persons had few problems, they were able to come and go freely, even had gay parties without interference from the public. There was public harassment here and there but hardly ever anything to the degree that it is experienced today. Since the proposed laws were introduced, [there have been] more and more cases of public harassment, violent attacks, families disowning their children, and even evictions from rented spaces...”

“Criminalizing homosexuality has negative consequences for LGBT people beyond the threat of arrest and prosecution. The fact that such laws exist at all—even if unenforced—means that LGBT people may be further stigmatized and subject to discrimination, threats of physical violence, blackmail, and extortion and have little recourse to justice when these abuses occur. The laws also give politicians license to speak in derogatory ways about LGBT people...”

The report describes numerous specific instances of LGBT discrimination, among them a quintessential story about LGBT Liberians and their lack of access to justice:

“One day... these boys became abusive and violent, beat us up really badly, breaking everything in the shop. We called the police who arrested them. But when we attended at the police station, the boys had told the police that we were gay and had been trying to entice them to have sex. The police immediately forgot about our report and arrested us instead, kept us in detention. The boys were released immediately and never charged, not even for damaging our property. We were subsequently released as well after being kept in a police cell for six hours, also without being charged. The boys continue to abuse and insult us. I have lost all faith in the police. They act like gays deserve the abuse and humiliation.”

Although cultural homophobia has certainly been inflamed since 2011, it is not entirely new since then. Once reporter said just prior to the 2011 events that Liberia was not a hotspot for homophobia, and at the time she was mostly right.¹⁴⁷ A Liberian blogger, however, describes the homophobic murder of a popular Liberian singer during the civil war of the 1990s:

“Charged a homosexual, Tecumseh was subjected to a voyeuristic anal examination, then murdered. A well-loved human being, an important and respected artist was butchered for no reason by inquisitors whose extremist ideology was predicated on fundamentalist ethnocentric politics. What Liberians remember most today is the obscene story Johnson told about Tecumseh’s murder during his testimony before the Truth and Reconciliation Commission, that Tecumseh had a “rotten” body cavity, conjuring an image that violated Tecumseh’s personal dignity and exploited his naked body even in death.”¹⁴⁸

Health Issues

UNAIDS reports that HIV prevalence rate in Liberia is 0.9%.²⁵ As with Gambia and Ghana, UNAIDS does not report an MSM HIV prevalence rate, but instead reports that there are 711 MSM in all of Liberia.⁷ Concerns about these kinds of numbers are explained in the overview (health issues section) of this project. In short, the accuracy of such a number is doubtful.

SAIL is one of the premiere HIV groups in Liberia, and it works extensively on LGBT issues. Its leader, Stephen McGill, is reachable by phone and email. In a personal interview,¹⁴⁹ he expressed that homophobia and discrimination are rampant in Liberia, and that the local media is particularly unhelpful. He hopes that the future will bring high-quality organizations to Liberia, along with increased

networking and development. His organization is funded by some global partners like AJWS, and is open to further collaboration with international partners.

Political Issues

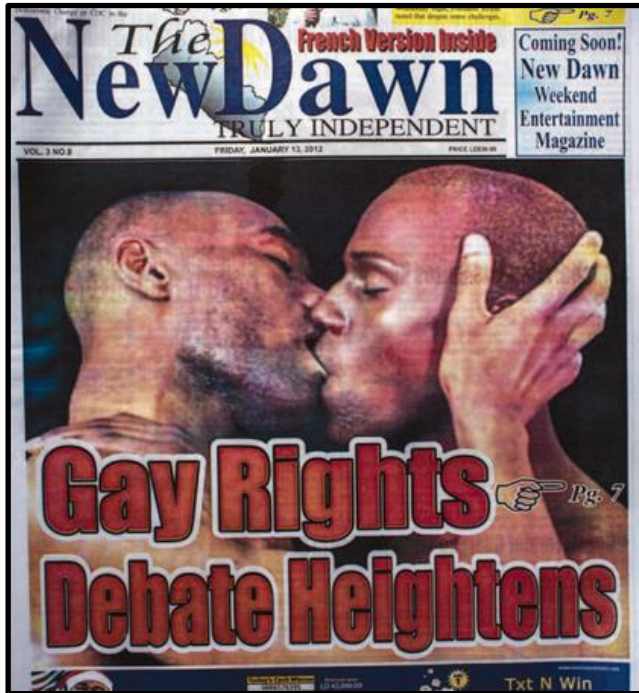


Figure 13: Local Liberian media prominently features gay rights issues.

To local Liberian media, gay issues are not at all taboo, and many feature LGBT rights pieces prominently, as in **Error! Reference source not found..** Unfortunately, local media coverage is often negative and in many cases false and damaging. Local media, in response to Secretary Clinton's 2011 speech on gay rights, has erroneously reported that "America wants Liberia to introduce same-sex marriage or else it will stop giving aid to the country."¹⁵⁰ One local headline read: "'No Gay Law, No Help,' Obama threatens African Leaders."¹⁵¹ Before this media firestorm, Corey-Boulet says that the gay community in Liberia was essentially underground and unmolested (although it was always and still is unacceptable).¹⁴⁴

Secretary Clinton's comments, despite their intentions, caused significant backlash against the LGBT community in Liberia. Some gay Liberians say that American efforts to help them are actually harmful because they draw unwanted attention to a community still too fragile to deal with a negative media storm.¹⁴⁴ "I'm not really happy about what

Hillary Clinton said because it made things worse," said one gay Liberian.¹⁵¹ Another explains the changes that resulted after the speech:

"At first, people were so free with everything, but now people are holding back on their dress code... Say there's five people, and everybody wants to go out. Someone will decide that we can't go together, because there's a huge possibility that one of us among the group is well known to be a gay. Everybody will carry their own burden. Because some people walk in a feminine way, some people dress in a feminine way. So we say, 'Oh, we can't go together, we'll spread out.'"¹⁴⁴

Liberian media is consistently terrible at reporting on LGBT issues. One local piece says (with zero justification) that homosexuality is on the rise, and propagates the unfortunate notion that the legalization of same-sex marriage will increase the number of gay people.¹⁵²

Liberian politicians have spoken out forcefully against LGBT rights. The Speaker of the House of Representatives has declared in the name of traditionalism that he will never support gay rights because it is "damaging to the survival of the country."¹⁵² Political appointees to important government posts have failed legislative confirmation due to concerns about unconfirmed gay rumors.¹⁴⁰

Gay rights organizations have struggled to emerge and flourish in Liberia. A group founded at the University of Liberia (Movement in Defense of Gays and Lesbians in Liberia Rights, MODEGAL) came under physical attack from local Liberians. The founders, LeRoy Archie Pon-pon and Abraham Kamara, were threatened with death, and Pon-pon's mother's house was burned to the ground. The founding of the group caused a national sensation, "dominating discussions on radio talk shows, street corner teashops and university campuses."¹⁵³ The group boldly called for the legalization of same-sex marriage. Their official article of incorporation, however, was denied, preventing the group from official governmental recognition. The group leaders say that they have written to the president, but that she has not responded. Pon-pon is an extremely controversial figure in Liberia. He claims to speak on behalf of the LGBT community, but in fact he receives very little support from LGBT Liberians, who blame him for attracting unwanted attention and hostility.⁵

Groups in opposition to gay rights enjoy broad public support. The Movement Against Gays in Liberia (MOGAL) recently distributed flyers expounding that gay rights "should not be given space to get a gulp of air," and encouraging vigilante action against a specific list of gay leaders. The flyers further bemoan what it calls Liberia's insufficiently specific laws, which only mention "voluntary sodomy" instead of explicit homosexuality.¹⁵⁴ Another anti-gay group, The New Citizen Movement, has been gathering signatures urging the president to ban gay marriage.¹⁵⁵

UN Record

Liberia did not sign the December 2008 UN declaration in support of LGBT rights,³⁰ but neither did it sign the opposition statement which expresses disapproval towards the idea of LGBT rights.³¹

Liberia had its UPR in 2010. This was before the local media firestorm related to Secretary Clinton's comments in 2011. There was no mention of any LGBT issues during the 2010 review.¹⁵⁶



Legal Environment

Homosexuality has never been illegal in Mali. The most recent US Department of State Human Rights report for Mali notes that freedom of assembly for LGBT persons is impeded by a law which prohibits association “for an immoral purpose.” Reports from previous years recall a case in 2005 where the mayor of Bamako used Mali’s anti-association laws to deny official recognition of a gay rights organization. The 2009 report recalls a then-recent case where a group of homosexuals were prevented from assembling at an HIV/AIDS conference. That report goes as far to say that “societal discrimination based on sexual orientation was widespread,” although none of the discrimination was officially state-sanctioned.¹⁵⁷

Socio-cultural Environment

The treatment of the LGBT community in Mali has not received as much international attention as in, say, Senegal, but there are instances of local coverage of LGBT issues.

One article¹⁵⁸ published in local Malian media reads like a satire from *The Onion*, but is unfortunately serious. It starts out by saying that one Malian national guard member has been injured and another has been killed. The homosexuals who “provoked” the violence had wanted to have a private party in the Malian city of Mopti. Community members learned of the gay celebration, so “naturally” they ransacked the group and destroyed or stole all of their possessions. “It could have stopped there, but the homosexuals did not hear the message, and instead they went to the police.” This further angered the general community who quickly formed a mob and started violently attacking the LGBT group. The police, and eventually the national guard, were called in to calm things down. This is when two national guard members were killed, while the military was trying to defend the LGBT group against the attacks of the general community. The article ends by condemning the LGBT group, accusing them of going beyond provocation and of organizing for legal rights. The stock photo seen in Figure 14 accompanies the article.



Figure 14: Stock photo accompanying a Malian newspaper article on an incident in Mopti.

Another local article tells the story of a young man who had moved to Timbuktu because his family in Bamako has rejected him. He had found himself a lover (who was married to a woman), but rebels took over the town during the Malian crisis in the north. The rebels suspected he was gay and threatened to burn him alive. He tore up his official identification documents and fled to Dakar.¹⁵⁹

Apparently some of the gay men involved in the Senegalese gay marriage scandal (described in the Senegal chapter of this project) have relocated to Mali, and though they may have avoided a lynching in Senegal, they are not finding life to be much easier in Mali.¹⁶⁰

Malians write into their local newspapers complaining of a supposed increase in homosexual presence in Bamako. One letter to the editor accuses gays of pursuing men and women at the same

time, of pursuing money, and of universally prostituting themselves. The author decries the emergence of supposed gay clubs in Bamako, citing it as evidence of the moral decline of the country.¹⁶¹

Many articles are simple fear-mongering, asking readers if Mali has the courage to escape the global gay-marriage fever consuming the world, threatening that Malian society will collapse otherwise.¹⁶²

Another alarmist article reads like the author is in an actual panic: *The gays are invading! There was a private party with twelve of them! Does the government know? Why aren't they doing anything? A mysterious new chapter in Malian history that will end with Bamako being destroyed like Sodom and Gomorrah!*¹⁶³

Despite the negative cultural attitudes and media reports, the occasional positive story is published. A local news source ran a story in 2009 that told of the difficulties that gays go through to hide their identity. It cites an apparently well-known traditional Malian singer (griot) Fouskass as evidence that homosexuality is not just a Western phenomenon, but can be African in origin as well. The story emphasized that gays were victims of societal bias, not aggressors.¹⁶⁴

Another sympathetic story ran in 2013 documenting how hard it is to be gay in Mali: gay men are rejected from their family, their friends, and society at large.¹⁶⁵

The LGBT community has found a rare celebrity ally in Salif Keita, a world-renowned Malian singer who is albino. The singer recently spoke out in a “vibrant homage” to the gays that he knows in Bamako. Keita said that the LGBT communities in Bamako were some of his biggest supporters early on in his career, and he is still thankful for their support. The article author draws parallels between the marginalization faced by albinos and LGBT persons in West Africa.¹⁶⁶

It's typically much harder to find stories about lesbian women in West Africa, compared to gay men, but a piece in local Malian media documents the struggles of a lesbian couple: one Swiss woman and one Malian woman who met online. The Swiss woman travels to Mali frequently and apparently they had a marriage ceremony at their Malian home. They plan to eventually move to Switzerland together where they can get at least some recognition of their relationship. The tone of article is generally positive, noting that science has made it possible to change genders, and so that maybe the traditional Malian view of marriage deserves revisiting.¹⁶⁷

Health Issues

There is at least one HIV/AIDS group that focuses on MSM issues in Mali. Their contact information is posted online, but it is unintelligible and/or outdated.¹⁶⁸ The director of the group went as far to say that “all cultural beliefs towards MSM are negative.” He goes on to explain that many gay men are married to women to save face, but in fact actively have sex with other men.¹⁶⁹

UNAIDS reports that Mali has an HIV prevalence rate of under 1%, but reports no specific MSM data.²⁵

Political Issues

The law preventing associations for immoral purposes greatly hinders the ability of LGBT communities to effect political action.

The US Peace Corps advises volunteers stationed in Mali as follows:

“Given their conservative values, homosexuality is not likely to be tolerated by the general Malian population. It will probably be impossible to be open about your sexual orientation and maintain a positive working relationship with members of your community. Other Volunteers and the Peace Corps staff will provide support, but you will find it very difficult to be open outside of that circle.”¹⁷⁰

UN Record

Mali did not sign the December 2008 UN declaration in support of LGBT rights.³⁰ It is signatory to the opposition statement which expresses disapproval towards the idea of LGBT rights.³¹

Mali had its UPRs in 2008 and in 2013. LGBT issues were not raised in either review.¹⁷¹



Legal Environment

In its asylum resource manual, The US Citizen and Immigration Services (USCIS) summarizes the legal status of homosexuality in Mauritania:

“Before Mauritanian independence in 1960, punishment for homosexual activity was limited to a maximum of three years in prison and a fine of one million francs. This was superseded by shari’a law which was established after 1980. In Islamic countries governed by shari’a, sodomy is a crime against the Koran’s divine will, subject to divine retribution. In Mauritania, male Muslims convicted of homosexual acts are eligible for the death sentence under the revised Islamic penal code.”¹⁷²

A report from Canadian Immigration authorities further specifies that men are subject to death by public stoning, whereas women are subject to three months to two years in prison and a fine of 5,000 to 60,000 UM¹⁷³ (about 17-200 USD). This puts Mauritania in an exclusive group of countries (along with Iran, Saudi Arabia, Sudan, and Yemen) that impose the death penalty for same sex-acts.¹⁷⁴

The same Canadian report indicates that no cases of homosexuality have been officially prosecuted in recent years, and suggests that the death penalty punishment has never actually been carried out.

Although there is no evidence that the death penalty has actually been issued as formal punishment for tried and convicted homosexuals, the legal situation for LGBT Mauritians is still very bad. Amnesty International reports that 14 men were arrested in 2011 based on accusations of being homosexuals.¹⁷⁵ The men were sent to a police station, stripped naked, insulted, blindfolded, tied up, and beaten with electrical cables.¹⁷⁶ They were apparently released after several weeks.¹⁷³ The Amnesty International report generalizes that homosexuals face arbitrary arrest, harassment, and discrimination.

Even if gay executions had been carried out in Mauritania, it is not entirely clear that there would be accessible evidence of the fact. An asylum lawyer at Columbia University explains:

“One of the difficulties in confronting Mauritania’s violently homophobic law is that reported instances of state or tribal execution are not published.... The Mauritanian government and the country’s powerful tribal system often cover up their execution of GLBT individuals, recording other causes of death.”¹⁷⁴

Socio-Cultural Environment

USCIS issued a rare statement on the treatment of homosexuals in Mauritania. Although the statement is no longer directly available from USCIS, it has been archived by a legal group. The statement claims:

“The country’s attitude toward homosexuality is negative. Discussing sexual matters is taboo. Sexual relations are believed to be the preserve of marriage between a man and a woman. Because there is no societal recognition of the existence of homosexuality, there is no visible public support for gay rights....”¹⁷²

A gay news source¹⁷⁷ interviewed an asylee in France from Mauritania who claimed that because of his sexuality he was ostracized from his village, stoned, and stabbed with a knife in his stomach. He survived and fled to France.

There are certainly less grim reports on homosexuality in Mauritania. Canadian Immigration highlights reports that Mauritanian society was not actively violent or discriminatory toward sexual minorities, and that homosexuality is somewhat tolerated in urban settings, although it remains very taboo.¹⁷³ The US human rights report on Mauritania claims (albeit dubiously) that “there was no evidence of societal violence, societal discrimination, or systematic government discrimination based on sexual orientation.”¹⁷⁸

A blog discussion on an article published by Columbia University lawyers provides an interesting insight into gay life in Mauritania. The article describes a recent successful asylum petition for a gay Mauritanian man. The article recounts his difficulties at home. The commenter claims to be an expat in Nouakchott who is friends with gay men there. He claims that:

“I can assure you that there is a very lively gay scene. Many gays here do not hide their orientation, and love and live quite openly with their partners. Yes, formally homosexuality is forbidden and punishable by death. However, as far as I am aware the law is not actively enforced.... They are part of a vibrant and relatively open gay scene. Although their families strongly disapprove of their lifestyle, they experience no threats and they do not feel that the legislation poses a risk to them.”

The head lawyer responds to the commenter by saying:

“The Mauritanian government may prosecute gay people under the auspices of crimes other than their sexual orientation, that tribal communities initiate local executions that are characterized as accidents, and that extrajudicial killings are not uncommon.... Moreover, the government is highly unlikely to protect individuals against violence by non-government actors, such as family or tribe members.”¹⁷⁹

An expat working an international company in Nouakchott certainly has exposure to a very specific subset of Mauritanian society and probably should not generalize the experience of a few fortunate gay men to the entirety of the gay community in Mauritania. Nonetheless, this commentary confirms the vibrancy of LGBT communities even in the worst of legal conditions.

Such expat experiences can provide valuable insight into foreign LGBT communities. A gay Peace Corps Volunteer (Figure 15) who served in Mauritania from 2003 to 2005 has publicly documented some of experiences with the LGBT community there. He recalls:

“It was from one of my fellow trainees that I had the invitation to meet Mamadou, my first gay Mauritanian... Once Mamadou found out where I lived, there was no holding him back. Not only did he come to visit without notice, as is the custom here, but he usually brought a friend with him. This built up the network of gay men I met. Meeting this way was a good way to meet men, as there are no gay bars, social networks or known cruising areas for making contacts.

“Even without Mamadou, however, there have still been other opportunities, all of which are unexpected: the taxi driver who smiled at me and put his hand in my lap; the hotel manager who offered to show me more than a room; the kickboxing instructor who was with his wife when we met, and lost no time telling me he gives massage; the shop owner who, upon finding out I was an American, told that the best part about his visit to his brother in ‘Texas, Dallas’ was that he could see sexy movies where he sat in his own little room and invited others to join him.

“As for being gay, I have come to learn that the people here have a different understanding of what that means. The majority of ‘gay’ men whom I have met are married. It appears to be perfectly natural for them to express sexual intimacy with other men, and they have no qualms about this.”¹⁸⁰

Health Issues

Mauritania has an HIV prevalence rate of 0.4%, 4.55% for MSM.²⁵ No specialized health services for LGBT Mauritians are known.

Political Issues



Figure 15: Jay Davidson, a Returned Peace Corps Volunteer who has written publicly about his experience with the LGBT community in Mauritania.



Figure 16: Photo accompanying local media story of a campaign against homosexuals.

Pro-LGBT groups are not known in Mauritania. The ILGA claims that extreme homophobia makes it impossible to form such a group.¹⁷³ The US human rights report on Mauritania suggests that there are no legal barriers to the formation of such groups. Apparently the death penalty for homosexuality does not qualify as a legal barrier to the authors of that report.¹⁸¹ There is a general human rights group in Mauritania, but they do not advertise themselves as working on LGBT issues.¹⁸²

Local media reported the 2012 launch of a campaign called *Non à la débauche* (No to debauchery). The campaign called for the eradication of

homosexuals and prostitutes in Mauritania.¹⁸³ The image seen in Figure 16 was published with the news story, and although it may be a stock photo, it implies mass support of the campaign.

Coverage of homosexuality, apart from the *Non à la débauche* campaign, is virtually absent in Mauritanian media, over which the government exercises strong control.¹⁸⁴

The US Peace Corps advises its volunteers stationed in Mauritania as follows:

“As homosexuality is forbidden in the Koran, most Mauritians believe that same-sex relationships are wrong. While this may not be surprising, what is confusing is the fact that Mauritanian men and women tend to be more physically affectionate with members of their own gender than with the opposite sex. This should not be taken as a sign that homosexual relationships are accepted. Even the most open-minded Mauritians judge gays and lesbians rather harshly. Many even refuse to admit that homosexuality exists in this country. While this is certainly not the case, most gay and lesbian Volunteers have found that they are not able to be open about their sexual orientation. Another challenge is finding peer support. While Peace Corps/Mauritania is committed to supporting diversity, it is a relatively small program, and gay, lesbian, and bisexual Volunteers may serve for two years without meeting other openly gay Volunteers.”¹⁸⁵

UN Record

Mauritania did not sign the December 2008 UN declaration in support of LGBT rights.³⁰ It is signatory to the opposition statement which expresses disapproval towards the idea of LGBT rights.³¹ Mauritania was part of the committee that decided whether the UN should commission a study on global LGBT rights in 2011. It voted no.⁵¹ In addition to the no vote, Mauritania had the following to say:

“Mauritania considered that this issue was not within the scope of any international treaty. In addition to be a highly controversial subject on many levels, cultural, moral, religious, this issue had nothing to do with human rights, as did other issues dealt with in the Human Rights Council, such as violence against women or violations of human dignity. Imposing this issue was unacceptable and that was why Mauritania called on all Member States to vote against this draft resolution.... the resolution did not promote the advancement of human rights but rather the dehumanization of human beings.”

During Mauritania’s UPR in 2011, it was noted that the death penalty has not been used de facto since 1987 in Mauritania, although the law is still on the books and applies to homosexuality. Several countries recommended that Mauritania repeal laws forbidding same-sex activity between consenting adults. Mauritania noted that such laws are “based on Muslim sharia law, personal ethics and the specific nature of the country.” It initially signaled that it may study such provisions in detail with an intention to bring them into line with international standards, but ultimately rejected calls to decriminalize homosexuality.¹⁸⁶ Mauritania later added that “the Republic ensures all its citizens equality before the law, without distinction as to origin, race, sex or social condition.”¹⁸⁷



Legal Environment

Same-sex activity is legal in Niger. The US Department of State human rights report in 2012 stated that although there was no official state-sanctioned discrimination against LGBT individuals, societal stigmatization was extremely strong and likely hindered any documentation of discrimination.¹⁸⁸

Socio-Cultural Environment



Figure 17: Stock photo used in local Nigerien media article about homosexuality.

One article in local media seems to depict the general public stance on homosexuality. It warns that gay sex can result in STIs, and warns that homosexuality is contagious. It decries a perceived increase in homosexual activity and alerts readers that the country is going adrift in the wrong direction. It ends with a call to leaders to help eradicate homosexuality from Niger. Their stock photo of choice is shown in Figure 17.¹⁸⁹

A different local article, entitled “It’s hard to be gay in Niger,” is written with a little more sensibly. It notes that although LGBT issues are prominent in countries like Cote d’Ivoire and Senegal, they are more taboo in Niger. It points to use of derogatory terms like “Dan daouri” or “Alborna waybora” to illustrate how gay men in Niger are marginalized, although the meaning behind such words (beyond being anti-gay pejoratives) is unclear. The article notes that homosexuality is condemned in the Koran, and that although official Nigerien courts are silent on the issue, the strongly Muslim culture of Niger does not welcome homosexuals. It includes an interview from a gay Nigerien who says that social networking is the primary way that gays meet each other, as public gatherings are often not possible.¹⁹⁰

A US Peace Corps volunteer briefly describes her meeting what may be described as a transgender Nigerien. She depicts the experience as follows:

“When I first met Amadou four months into my service in Niger, I felt unimaginable relief. Amadou was an enthusiastic, warm, generous Nigerien living in the rural village next to mine. He had a man’s name, a low voice, huge hands, facial hair, and was tall and built. Amadou also had painted nails, long braided hair, and wore high heels, make-up, and lots of jewelry. It was like a revelation meeting him. I had yet to find anyone in Niger, PCV or Nigerien, who fit into the L, G, or B category. But now I had discovered a T.

“Amadou was the only Nigerien I ever met who did not fit firmly and solidly into an obvious gender category, and this came as a beautiful relief for me. I met him through my host mother, his distant relative. I often accompanied my mother on trips to Amadou’s place to purchase various herbs and spices. Amadou’s social circle consisted of a series of loosely-related, ostracized adults, ranging from childless women and effeminate men, to those with various disabilities and diseases. I never experienced anything from Amadou’s mini-community but welcoming, friendly, and selfless engagement. Consistent with the hospitality and generosity ubiquitous in Niger, I was showered with gifts every time I visited Amadou and his housemates.

*Although we developed a friendship throughout my periodic visits to his household, Amadou warned me when he happened to be in my village that he should never be seen near my home or talking to me. He didn't want to tarnish my reputation within my village by "outing" our friendship. Apparently his was already tarnished."*¹⁹¹

Beyond Amadou, the most famous LGBT resident of Niger may be Al-Saadi Gaddafi, the third son of former Libya ruler Colonel Gaddafi. It was rumored that Al-Saadi had his father lock up a male friend for scorning his sexual advanced, and that a stash of gay pornography was found in his villa during a raid. He currently resides in Niamey under asylum status. Niger has been asked to extradite him but has so far refused to do so. Al-Saadi has been, of course, silent on the issue of his sexuality.¹⁹² Recent developments indicate Niger may have changed its mind and extradited Al-Saadi after all.¹⁹³

A detailed book on Hausa communities in Niamey has a short snippet on gay culture there. It reports that "repressed" gay community and culture exists in the shadows of city social life. The author admits that someone could live in Niamey for years without meeting the gay community of Niamey because it is extremely secretive. Most residents of Niamey simply deny their existence, claiming that "we do not have gays here because we are a Muslim country," or "gays only live in Western and Christian Countries."¹⁹⁴

Health Issues

UNAIDS and AIDINFO have no specific data for MSM HIV rates in Niger.²⁵ There is one organization, Bipoma Yema, that is listed in an international directory of MSM HIV organizations, but a phone call interview failed to elucidate if the organization actually works openly with MSM. On the phone, the organization characterized itself as focusing on women's issues, in respect to HIV and beyond. It may be that any MSM operations are slightly more covert.¹⁹⁵ Subsequent email communications further hinted that the organization does work on LGBT issues, but very secretly.

A USAID report indicates that at least some of the money being spent by the Nigerien government on HIV/AIDS programs is going to MSM-specific services.¹⁹⁶ And a report from the global fund has the following to say about LGBT health in Niger:

*"Sexual minorities, or LGBT (Lesbians, gays, bisexuals and transgender people) are poorly documented in Niger and HIV rate among men having sex with other men (MSM) is not known. A study has shown existence of MSM and permitted to identify 100 leaders: 92.3% are single, between 18 and 47 years of age, and are not much educated. Condom accessibility rate is 61.5% and lubricating gel is rarely used despite widespread sexual multi-partnership. Absence of STD/HIV prevention activities for this group is a paradox."*¹⁹⁷

Political Issues

There are no known LGBT rights groups in Niger. Although laws may allow for such groups, they may be too extremely culturally taboo to exist and function.¹ Homosexuality in Niger is described as taboo by the Belgian office of foreign affairs.¹⁹⁸

The US Peace Corps advises volunteers stationed in Niger similarly to how it does with other West African countries:¹⁹⁹

“Nigerien culture has been described as homophobic, and gay, lesbian, and bisexual Volunteers may find it difficult to serve here. Because of the negative attitudes regarding homosexuality, it would very difficult to maintain a positive working relationship with villagers and be open about your sexual orientation. You are likely to find a support system within the Volunteer group, but you are unlikely to be able to be open outside that circle.”

UN Record

Niger did not sign the December 2008 UN declaration in support of LGBT rights.³⁰ It is signatory to the opposition statement which expresses disapproval towards the idea of LGBT rights.³¹

Niger had its UPR in 2011. LGBT issues were not raised.²⁰⁰

Legal Environment

Homosexuality has been illegal in Nigeria since colonial times. The official criminal code provides punishment of 14 years in prison for “carnal knowledge of any person against the order of nature.” In 2000 & 2001 the northern states in Nigeria adopted Islamic Sharia law, under which homosexuality can be punished by death.³

Bills that would increase the severity of existing anti-homosexuality laws had been debated in the Nigerian legislature since 2006.²⁰¹ In January 2014, President Jonathan Goodluck officially signed into law the Same-Sex Marriage Prohibition (SSMP) bill. This further criminalized homosexuality, with the prohibition of making a “public show” of same-sex relationships, and the imposition a 10-year sentence on all those who “register, operate, or participate in gay clubs, societies, and organizations,” including supporters of those groups.²⁰²

The New York Times reports that prior to the SSMP law, convictions were rare in the south and only occasional in the north.²⁰³ It may be the case that the death sentence has never been carried out under Sharia law in Nigeria.²⁰⁴ But the signing of the SSMP law has sparked unprecedented violence against gays in Nigeria.

The New York Times reports on an instance of mob justice following the signing of the law:

“A mob attacked gay people in a neighborhood in Abuja, the capital of Nigeria, dragging young men from their homes, beating them with nail-studded clubs and whips, and shouting that they were “cleansing the community” of gays....

“The attack took place late Wednesday night in the Gishiri neighborhood, and one victim was beaten nearly to death.... Afterward, the mob of about 50 young men dragged four of the victims to a nearby police station, where the police further beat and insulted them....”²⁰⁵



Figure 18: A widely-circulated photo of gay men who were beaten and paraded through streets in Abuja.

Another source describes another similar incidence where supposedly gay men were paraded naked through the streets. The photo seen in Figure 18 was widely circulated in media outlets describing the incidence.²⁰⁶ It was also reported that suspected gay men were removed from their home by a mob and forced to have sex with each other in public.

It is hard to overstate the danger that Nigerian LGBT communities face due to the new law. Just days after the law was signed, The Advocate reported that 38 gay people had already been arrested and a list of 168 LGBT persons was compiled through torture.²⁰⁷ A follow-up article states:

“11 men have been ‘fished’ out by the community and there is a hunt for others. Nigeria is a country where armed robbery suspects are lynched with the wilful cooperation of the police.

Blatant disregard for due process, combined with this kind of legislation, puts the lives of gays and their supporters in danger.”²⁰⁸

Beyond devastating the local LGBT community, the Nigerian law has stirred up homophobia beyond its border. Uganda’s president signed an anti-homosexual law only six weeks after Nigeria, and Amfar reports that due to the Nigerian law “activists in Kenya have been threatened by mob justice, and Kenya, the Democratic Republic of the Congo, Malawi, and other countries have all seen a reinvigorated flurry of movement toward similar anti-gay legislation.”²⁰⁹

Socio-Cultural Environment

A film from the 2013 London Independent Film Festival, entitled *Unspoken*, tackles the issue of homosexuality in the Nigerian diaspora.²¹⁰ Its poster is depicted in Figure 19.

Homophobia in Nigeria is not at all evenly distributed. One article, written just before the passage of the SSMP law, says that wealthy gay Nigerians are able to live a “quasi-open” lifestyle on the Westernized Victoria Island section of Lagos. A lesbian Nigerian said:

“If you’re economically independent, you can be fine being gay in Nigeria.... If I walk into a restaurant and say, ‘Shut it down, I’m having dinner with my girlfriend,’ they’re not going to say, ‘Oh, 14 years.’ Money talks.”²¹¹

Local Nigerian media coverage of LGBT issues is often troubling. One headline from Nigeria’s self-declared most influential newspaper reads “Homosexuality Causes Infertility, Cancer, Says Expert.”²¹² Another widely circulated story tells of the discovery of teenage gay cults.²¹³

President Goodluck has cited polls that the vast majority of Nigerians support the SSMP law. After the passage of the law, The Washington Post interviewed Bisi Alimi, a Nigerian gay rights activist who came out on Nigerian television in 2004 but now lives in the UK. Alimi is sometimes regarded as Nigeria’s first (or at least most prominent) openly gay man. He gave the most brilliant response to a question about popular support of the SSMP law. His response is essential to the conversation about LGBT rights in West Africa because it puts the question into cultural context. It is reproduced in its near entirety here:

“You know, this is ridiculous. And this isn’t just Pew, there’s another research company in Nigeria that did the same thing, and came back with 98 percent. What kind of question do you ask to people? You have to start with that. I remember, when I was on a BBC program with a director of the polling company from Nigeria, and I remember saying, ‘You can’t ask an average Nigerian if he is in favor of gay marriage. It doesn’t make sense.’ Even myself, I would not support gay marriage in the context of Nigeria. We don’t need gay marriage in Nigeria, what we need is a respect for the fundamental human rights of every Nigerian, irrespective of whether they are male or female, straight or gay, able or disabled, rich or poor. What I am saying is that everyone should be respected according to the 1999 constitution. I don’t want to redefine marriage. This is not the time to redefine marriage in Nigeria....



Figure 19: *Unspoken*, a movie that tackles the issue of homosexuality in the Nigerian diaspora.

“What education do they have when it comes to the issue of sexuality? Because the whole idea of same-sex relationships within Nigeria are still limited to sex. It is not about two people falling in love. It is not about two people in a mutual loving relationship. So when you hear the word ‘gay,’ the mental picture that comes to someones mind will be, y’know, someone shagging somebody. There’s no respect, and I come from a culture where we don’t talk about sex. We don’t view sex as pleasurable, we view it as a means to an end. A man marries a woman, has sex with a woman, only to have children, because they want to have children, and that’s where it stops. And you only do that again when you want to have children. You do not see it as something pleasurable. And so when you attribute that to people of the same sex, you don’t get it. That’s when the question comes, ‘So who is the man? Who is the woman? Who is the husband or the wife?’

“People like me are not given the platform to say things differently. To give the alternative point of view. You know, if you feed people one sort of food, and then ask them, what is your favorite food, what will they tell you? The only food I know, that’s what I am going to say. It’s very difficult to know otherwise. The Pew Research is good, because then we know what people are thinking. But to so many Nigerians, including our straight allies who are putting their lives on the line, that research does not do them any good at all. It’s not doing them justice. There are millions of Nigerians on the street who are in support of LGBT, and they are more than the 2 percent that others say.”²¹⁴

Health Issues

According to UNAIDS, the general HIV prevalence rate in Nigeria is estimated to be 3.1%, whereas the MSM HIV prevalence rate is estimated to be 15%. An MSM population size estimate is given at 25,476. In a terrible error in its 2009 report, UNAIDS claims that Nigeria does *not* have laws that present obstacles to MSM. The 2011 report sees the correction of this stance.²⁵

Many health organizations fear that the SSMP law could be used to deny health services to LGBT individuals. This is particularly serious given that Nigeria has the second-largest HIV epidemic in the world.²¹⁵

Political Issues

The signing of the SSMP law pushed gay rights into the Nigerian spotlight like never before. Politicians and other leaders from around the world have spoken out on the issue.

The US ambassador to Nigeria spoke on a local radio program, in Nigerian Pidgin English, and said that the US would not be cutting aid in response to the SSMP law, a move that drew criticism from some gay rights groups.²¹⁶ The US embassy has said in other contexts that it “encourage[s] Nigeria to reconsider a policy of discrimination, and criminalization of this community, which encourages violence.”²¹⁷

The US response to the SSMP law is an area of particular concern. When pressed on the issue, and asked if its position amounted to interfering with the internal affairs of Nigeria, the US embassy replied as follows:

“Absolutely not. As a government, it is one of our highest priorities and our strongest values that discrimination against anyone based on their sexual orientation, based on their gender

identity, based on any identification, is wrong. We believe that human rights are – should be available to all people. And as a policy, we will continue to press the Government of Nigeria, as well as other governments who have provided legislation that discriminates against the LGBT community...

“So we’re prepared to push this as an arm of our policy, not just in Africa but across the world. We have had issues on – we’ve had concerns on this issue in other places in the world. It’s not just Africa. It’s in the United States. And our laws have been developed so that we can protect the human rights of the LGBT community here, and we also want to encourage that in our foreign policy and our approach to governments in Africa.”²¹⁸

While the position of the US has been made clear, some of the violence that has erupted after the signing of the 2014 law can be traced to wild rumors that the US was funding local gay rights activists in Nigeria to the tune of \$20 million.²¹⁹

It has been reported that in other West African countries that gay foreign diplomats from Western countries have had diplomatic visas issues to their same-sex partners. A Nigerian official was asked about this issue in local Nigerian media, and she said that “if we have diplomats with same-sex spouses posted to Nigeria, we have no choice but to accredit them accordingly because they come from countries where such law [legalizing same-sex marriage] is in place.” This caused uproar. Religious groups in Nigeria called for dismissal of the Nigerian official, and added that “We want to make it abundantly clear, be it America or Britain or any country that sends a gay diplomat to Nigeria; we will mobilize to chase him out of the country.”²²⁰

Although Nigerian President Jonathan Goodluck has not spoken out particularly forcefully on the SSMP law that he signed, religious leaders have openly applauded the law, praising god that the bill was passed.²²¹

The US Human Rights Report on Nigeria that was released in February 2014, right after the signing of the SSMP law, cites several LGBT organizations working in Nigeria: Global Rights, The Independent Project, Youths 2gether Network, and The Coalition for the Defense of Sexual Rights. It furthermore reports that the Nigerian government did not interfere with the functioning of these groups in 2013. Since the SSMP law specifically prohibits gay organizations, the future of these organizations is uncertain.²²²

UN Record

Nigeria did not sign the December 2008 UN declaration in support of LGBT rights.³⁰ It is signatory to the opposition statement which expresses disapproval towards the idea of LGBT rights.³¹ Nigeria was part of the committee that decided whether the UN should commission a study on global LGBT rights in 2011. It voted no.⁵¹

Nigeria faced Universal Periodic Reviews in 2009²²³ and again in 2013.²²⁴ In both cases the legislature was considering further criminalization of homosexuality. In both cases many countries called on Nigeria to reject further criminalization and pursue decriminalization. In both cases Nigeria dismissed such calls. In 2013 Nigeria even said “Regarding the Government’s position on lesbian, gay, bisexual and transgender rights, Nigeria has no record of any group of Nigerians having come together under the umbrella of a ‘Lesbian, Gay and Transgender’ group.” There were, of course, several active Nigerian

LGBT groups at the time, and Nigeria's dismissal of their very existence calls into question the purpose of laws targeting them.

The UN High Commissioner on Human Rights visited Nigeria in March 2014 and denounced the SSMP law, saying that it violates international law.²²⁵



Legal Environment

Homosexuality is a contentious issue in Senegal. Same-sex acts are illegal, and Senegal has prosecuted several high-profile cases of homosexuality, including long prison sentences. Specifically, article 319.3 of Senegal's Criminal Code of 1965 penalizes "unnatural" sexual acts with five years in prison and a fine of up to a sum corresponding to 3000 US dollars.

The Human Rights Watch published an extensive report on the treatment of homosexuals in Senegal entitled: *Fear for life: violence against gay men and men perceived as gay in Senegal*.⁴ At over 100 pages, it is extremely detailed and well-written. It includes not only analyses of specific legal cases in Senegal but also sections on *The Everyday Experience of Being Gay or Suspected of Being Gay* which speak to the broader plight of gays in the greater region. It is essential reading for anyone seeking to understand LGBT communities in West Africa.

The report highlights two key cases in 2008 that signaled a sharp increase in homophobia in Senegal. First was a case of gay marriage:

"In February 2008, Icône, a monthly Senegalese gossip magazine, published more than 20 photos from a party that had taken place in 2006. It claimed the people in the photos were homosexuals engaged in a "gay marriage" ceremony. Several faces were recognizable, and other media republished the pictures in ensuing weeks, provoking outraged condemnation from several religious leaders and organizations—and leading to arrests."

And the other case concerned nine homosexuals in Mbao:

"In December 2008, only days after Senegal hosted ICASA, the international conference on AIDS and STIs, police arrested nine members of AIDES Senegal, an HIV/AIDS association carrying out education and outreach among men who have sex with men. They were charged with engaging in homosexual conduct under Article 319.3 of the Criminal Code, and with forming a criminal association under Article 238. A court found them guilty, again in the absence of evidence of homosexual conduct, and sentenced each of them to eight years in prison. Though the nine were released in April 2009, their testimonies below reveal that they continue to suffer the aftereffects of their ordeal."

The report goes on to detail these cases and explain others. It is thought that 2008 was a particularly critical year for the LGBT community in Senegal because while these cases were receiving extensive local media attention, Senegal was also hosting the 11th Islamic Summit, a large international gathering of Islamic communities. During the Summit, press releases were issued denouncing an increasing in homosexuality in Senegal,²²⁶ and urging the government of Senegal to fight against homosexuality "before it will be too late."

As may be suspected, many gay Senegalese have little access to any kind of legal justice. As one gay Senegalese man puts it: "You can file a complaint for theft or assault, but as soon as the word 'homosexual' is heard, you become the accused."²²⁷ The US State Department reports that gays in Senegal face arrest, discrimination, intolerance, and violence.²²⁸

Much of the attention on the subject of homosexuality in West Africa is on gay men. In Senegal, lesbian women are also targeted. A group of 5 accused lesbians was arrested recently at a popular Dakar bar.²²⁹ The same news source states that there are at least 20 homosexuals currently imprisoned in Senegal. The women were later reported to have been freed based on lack of evidence.²³⁰

Socio-cultural Environment

Hatred towards homosexuals in Senegal is extreme. In 2010, NBC published the following report about a gay man in Senegal who had previously been part of the 2008 gay marriage scandal:²³¹

"Madiye Diallo's body had only been in the ground for a few hours when the mob descended on the weedy cemetery with shovels. They yanked out the corpse, spit on its torso, dragged it away and dumped it in front of the home of his elderly parents. The scene of May 2, 2009 was filmed on a cell phone and the video sold at the market. It passed from phone to phone, sowing panic among gay men who say they now feel like hunted animals. In the past two years, at least four men suspected of being gay have been exhumed by angry mobs in cemeteries in Senegal."

In that same report, NBC also published the photo and caption seen in Figure 20.



Figure 20: Photo and caption published by NBC news.

One gay Senegalese who fled his country and sought asylum abroad recounted that his father discovered he was gay and tried to kill him.¹⁹

The International Gay and Lesbian Human Rights Commission (IGLHRC) keeps an archive of news stories on the treatment of gays in Senegal. Its headlines alone tell plenty: arrests of gay men, convictions of gay men, years of jail time for gay men.²³² An asylum law website also collects similar stories of gays in Senegal.²³³ Certain gay news sources seem to keep a particularly close eye on Senegal as well.²³⁴

The US Peace Corps advises its volunteers stationed in Senegal that homosexuality is not accepted there, and that one volunteer was physically attacked when it was discovered that he was gay.²³⁵

Fashion model Babacar Ndiaye - who was born in Dakar but resides in Luxemburg - made some headlines when he publicly came out recently.²³⁶ There was controversy when he was granted a diplomatic passport from the Senegalese president.²³⁷

Health Issues

UNAIDS reports the general HIV prevalence rate in Senegal to be less than 1%, one of the lowest rates in the region.²⁵ The rate for MSM, however, is reported to be over 20%.⁷⁴ In a refreshingly positive note, the government of Senegal has officially recognized MSM as a particularly HIV-vulnerable group in its national AIDS plan, something that should facilitate groups that work with these populations.²³⁸

Political Issues

In one survey, 97% percent of Senegalese agreed that homosexuality should be rejected.¹²⁷ This makes political action on the issue difficult. When President Obama visited Senegal in 2013 he encouraged the nation to decriminalize homosexuality. The Senegalese president responded that his country was very tolerant, but not ready to decriminalize homosexuality.²³⁹

The US State Department reports that there are NGOs that work on LGBT issues in Senegal, but that they tend to keep an extremely low profile.²⁴⁰

UN Record

Senegal did not sign the December 2008 UN declaration in support of LGBT rights.³⁰ It is signatory to the opposition statement which expresses disapproval towards the idea of LGBT rights.³¹ Senegal was part of the committee that decided whether the UN should commission a study on global LGBT rights. It voted no.⁵¹

In its 2009 UN Human Rights review,²⁴¹ Senegal faced multiple calls to decriminalize homosexuality. Senegal responded as follows:

"In response to the statements relating to prosecutions of persons because of their sexual orientation, the head of the delegation said that homosexuality is a purely private matter, with a long history in Senegal, and is not in itself a cause for prosecution. The prosecutions referred to occurred only when the homosexual relations took place in public and were of an obtrusive

nature, therefore placing them in conflict with morality and religion. Concerning decriminalization, it is necessary to take account of the culture, and avoid exacerbating the rejection of homosexuals and endangering their lives."

Senegal faced another UN Human Rights review in 2013,²⁴² where it again faced numerous demands to decriminalize homosexuality. The LGBT-related recommendations were the only ones to be rejected outright. Senegal's representative had the following to say:

"There is no criminalization of homosexuality in Senegal. Article 319 talks about acts contrary to nature. The fact of being homosexual in Senegal is not a crime, and there has been no prosecution or trial of persons who are homosexual under the Criminal Code."

The representative's statement is, of course, a nonsensical parsing of words amounting to an outright lie.

Legal Environment

Section 61 of *The Offences Against the Person Act of 1861* criminalizes buggery in Sierra Leone, with a punishment of ranging from 10 years to life in prison.³ There are virtually no indications that the law is actively enforced through legal channels.

The US Human Rights Report on Sierra Leone considers societal discrimination against LGBT individuals in Sierra Leone as one of its major human rights problems. Despite a lack of reports of official prosecutions, unofficial discrimination is extremely widespread.²⁴³

Socio-Cultural Environment

The organization *Global Rights* put out a detailed report in 2013 entitled *Discrimination on the Basis of Sexual Orientation and Gender Identity in Access to Health Care and Violence/Bias: A Sierra Leone Case Study*.²⁴⁴ It is an excellent document. It reports that “there is generally a strong feeling of homophobia in Sierra Leone, cutting across all ages, ethnicities and religions.” It features numerous specific case studies, of which one of the most compelling is reproduced here:

“In January 2013, a gay male aged 17 who lives with his parents in the northern district headquarter town of Makeni had been experiencing serious stomach pains for over a week was finally taken to a hospital by his mother. The mother is aware that he is involved in a same sex relationship and had refused to take him to the hospital because she does not approve of his sexual orientation. On arrival at the hospital she started to shout at her son in the presence of a doctor and some nurses saying that he is a homosexual, his stomach is swollen with sperm and that is why he has stomach pains. The doctor immediately became angry, stated that he will not treat such a person (homosexual) and asked them to leave the hospital. The mother appealed to the doctor to treat her son but the doctor refused and instructed them to leave the hospital. When they arrived home the boy was ashamed and depressed and thus decided to leave his parents’ home to go and live with a friend, who took him to a local traditional herbalist. The herbalist provided treatment for him for a week.”



Figure 21: An image from the Global Rights report.

Beyond international reports, a local Sierra Leone article exhibits what is probably typical homophobic thinking in Sierra Leone: the first line of the article is “Pedophilia, bestiality, witchcraft, and aha: homosexuality,” illustrating the all-too-common tendency to lump four very different practices together in the same category.²⁴⁵

Health Issues

The *Global Rights* report details the manner in which LGBT Sierra Leoneans struggle to access healthcare, and furthermore this is probably common in the West Africa region. UNAIDS reports²⁵ that the HIV prevalence rate in Sierra Leone is 1.5%, but the MSM HIV rate is not reported.

In 2011, the government of Sierra Leone commissioned an official study on MSM that sought better ways to connect to the community to treat HIV/AIDS. The launching of the official study made international media; the results of the study did not.²⁴⁶

Political Issues

A key figure in Sierra Leonean LGBT history is FannyAnn Eddy. She founded her country's first LGBT organization, the *Sierra Leone Lesbian and Gay Association*, in 2002, and was an internationally respected activist. She spoke before the United Nations Commission on Human Rights in April 2004. She was brutally murdered in the office of her organization shortly after. The Human Rights Watch put out a press release²⁴⁷ on FannyAnn Eddy. The article reports:

"FannyAnn Eddy was a person of extraordinary bravery and integrity, who literally put her life on the line for human rights... Again and again, within her country's borders and beyond, she drew attention to the harassment, discrimination and violence lesbian and gay people face in Sierra Leone. Now, she has been murdered in the offices of the organization she founded, and there is grave concern that she herself has become a victim of hatred."

Although circumstances are suspicious, it is unclear whether Eddy was targeted because of her activism, or was a victim of random violence. The article also reproduces the entirety of FannyAnn Eddy's eloquent testimony before the UN Commission on Human Rights in April 2004, some of which is highlighted here:

"I would like to use this opportunity to bring to your attention the dangers vulnerable groups and individuals face not only in my beloved country, Sierra Leone, but throughout Africa... We live in fear... When African leaders use culture, tradition, religion and societal norms to deny our existence they send a message that tolerates discrimination, violence and overall indignity."

"Yet, despite all of the difficulties we face, I have faith that... respect for human rights can transform society. It can lead people to understand that in the end, we are all human and all entitled to respect and dignity. Silence creates vulnerability. You... can break the silence. You can acknowledge that we exist, throughout Africa and on every continent, and that human rights violations based on sexual orientation or gender identity are committed every day. You can help us combat those violations and achieve our full rights and freedoms, in every society, including my beloved Sierra Leone."

A recent key event in the LGBT community in Sierra Leone illustrates the danger that Sierra Leoneans face when coming out publicly. A Sierra Leone LGBT leader gave an interview to MTV in 2012 where he declined anonymity, saying that "I want to use my name so that I can empower others by sharing my experiences to build their lost hopes in life." The interview did not generate local attention when it was published in a Western outlet, but when local media did eventually pick up the story, via

MTV, their spin was different. The local coverage of the interview generated extreme homophobia and violence: the day the local story ran, two assailants attacked the LGBT leader in his car. Having narrowly escaped death, the LGBT leader fled to Spain.²⁴⁸ His organization, Pride Equality, continues to function in Sierra Leone, and maintains a webpage and Facebook page, although they are sparsely updated.²⁴⁹

Religious leaders commonly speak out against the LGBT community in Sierra Leone. A Sierra Leonean religious leader recently spoke out in favor of LGBT rights, but he did so while abroad, not in Sierra Leone.²⁵⁰

UN Record

Within the West Africa region, Sierra Leone has a unique UN record on LGBT rights. The 2008 General Assembly pro-LGBT declaration gathered much media attention, but in fact there have been less prominent declarations within the Human Rights Council. In particular, the US sponsored a pro-LGBT statement at the Human Rights Council in 2011. Sierra Leone is one of the few countries that signed the anti-LGBT statement in 2008,³¹ but then supported the 2011 pro-LGBT statement. This is often reported as Sierra Leone “switching sides” on the 2008 statement, but there is no accessible evidence that Sierra Leone actively sought to retroactively add its name to the 2008 statement (like the US did²⁵¹), so rather it seems Sierra Leone simply signed the 2011 statement.²⁵²

Sierra Leone faced its UPR in 2011. In an initial statement, Sierra Leone claimed:

“There was no discrimination on the grounds of sexual orientation. It was expressly prohibited under the Constitution. The delegation reiterated the Government’s commitment that persons under its jurisdiction will be protected by the law.”

Sierra Leone received praise for its support of the pro-LGBT statement earlier in the year, but criticism for not enacting such sentiment locally. It was also noted that in practice the constitutional provision does not cover LGBT persons. In total, there were three separate recommendations to repeal laws that prohibit same-sex activity. They were the only recommendations in the entire UPR (out of 129 total) that were flat-out rejected by Sierra Leone.²⁵³

The US ambassador to Sierra Leone spoke out in support of LGBT groups following Hillary Clinton’s famous comments on LGBT rights which occurred shortly after Sierra Leone’s UPR. He expressed his hopes that Sierra Leone would reconsider its rejection of the UPR recommendations to decriminalizing homosexuality.²⁵⁴

At another Human Rights Committee hearing, separate from the UPR, a Sierra Leone representative spoke out on LGBT issues in his country:

“Ms. Stevens insisted that no lesbian, gay, bisexual and transgender persons were being harassed in Sierra Leone. There was a “don’t ask don’t tell policy” and there had been no arrests on the grounds of anti-sodomy legislation, which was part of Sierra Leone’s colonial inheritance. Homosexual practices had been seen for many years as sinful and, therefore, changing mentalities would take time.”²⁵⁵



Legal Environment

Homosexuality is illegal in Togo. Article 88 of the Penal Code of 13 August 1980 states that “impudent acts or crimes against the nature with an individual of the same sex are punished with imprisonment from one to three years and 100,000-500,000 francs in fine.”³

The US Department of State declares in its Human Rights Report that the law was not routinely enforced, although several arrests were acknowledged, including a Ghanaian man in 2012. At least eight men were arrested in 2010 and remain in jail on charges of homosexuality.^{256, 257} The report recognizes that LGBT persons face “societal discrimination in employment, housing, and access to education and health care.”

Socio-cultural Environment

The LGBT community in Togo, although secretive and repressed, occasionally flourishes. There are semi-regular events such as a Valentine’s day soirée, and even a Miss Gay Togo competition.²⁵⁸ The Miss Gay Togo competition in particular was relatively widely reported in international gay media.²⁵⁹ It was apparently a joyous and festive occasion including participants from neighboring countries.

There was recently a very in-depth story in a mainstream Togolese newspaper on the subject of homosexuality. The piece was surprisingly well-balanced, including interviews with members of the LGBT community and opposing viewpoints from religious leaders. It promoted the idea that gays are a reality, not a myth, in Togo.²⁶⁰ Of course the newspaper did not go as far as publish photos of homosexuals. It instead took an image from an American activist’s page, and censored the faces (See Fig. 1).²⁶¹ Nonetheless, the thoughtful and insightful newspaper article represented a welcome change from the nonsensical homophobic rantings that usually appear in Togolese media.²⁶²



Figure 22: Stock photo published in mainstream Togo media. Implied to have been taken in Togo, but actually from an American source.

Elsa Meany at the Human Rights Program at Harvard Law School published an extensive review of the LGBT community in Togo.²⁶³ Therein, she reports that the LGBT communities of Togo live in constant fear because of the harsh laws against them. Even consensual sexual partners can be vulnerable to extortion and accusations of rape. The community is extremely stigmatized, and the report further confirms prison times for consensual same-sex acts.

Another extensive report on LGBT communities in Togo was presented at the 5th African Population Conference in 2007.²⁶⁴ It includes insightful quotes from gay Togolese that illustrate the diversity of opinions within the local LGBT community:

“...homosexuality as it exists nowadays is unknown to traditional African societies. There was no man-to-man sex... In contrast, traditional chiefs of priests in the process of their

enthronization were known to have lived in isolation and therefore participated in 'recurrent' masturbation to satisfy their sexual desires. This is what was perceived as homosexuality."

"...tendencies towards homosexual behavior have always existed among men as well as women. It is more pronounced among men and that's why they were called 'nyonu – sunu' (man – woman); that is, a man living as a woman. Or, alternatively, 'sunu nyonu' (woman-man) because they tend to behave like a person of the opposite sex."

"If a boy who is used to bathing and sleeping in the same bed as his boyhood peers from the time he is young, when he grows into adolescence he would want to do the same. As an adult he will realize that he is attracted by other males."

"... Homosexuality has never come from somewhere else... from your childhood. What you do and your habits show that you will become homosexual. One is born with it. It is not acquired."

The report goes on to explain secretive code words that are used among the MSM community in Togo to help identify one another: zangboin (gay man), zangbointés ('passive' gay man), zangbointeurs ('active' gay man), and zangbointoir (a place where men have sex). This helped to expand and protect the gay network in Togo. All gay men unanimously reported that that community perceptions of homosexuality are negative, resulting in severe discrimination and physical violence.

These reports of violence occasionally escalate and draw the attention of the international gay media. Gerard Selom Ephoe Sasou, a leader of gay rights in Togo, died in September 2010, and his death was widely mourned in the community (See Fig. 2).^{265, 266} Sasou had organized many LGBT events in Togo. Sources are unclear if his death was from violence or from natural causes.



Figure 23: Gerard Selom Ephoe Sasou, an LGBT rights leader in Togo who died in September 2010.

Health Issues

Togo has a 2.9% HIV prevalence rate in the general population, while the MSM HIV rate is 20.4%²⁵

Togo criminalizes HIV-positive persons having unprotected sex if the status is undisclosed to the partner. Although changes to the legislation are under review, this has nonetheless resulted in a handful of prosecutions and convictions.⁷⁸

Political Issues

The organization Espoir Vie Togo has been incorrectly implied to be involved in LGBT activities²⁶⁷; it actually works on infant AIDS issues.²⁶⁸ The US Department of State Human Rights Report on Togo incorrectly proclaims that there are no LGBT groups in Togo. In fact there are several.

The international organizations PSI and amfAR support at least three local Togolese organizations dedicated to LGBT issues: MENS, Club de 7 Jours, and Afrique Arc-en-Ciel.²⁶⁹ These organizations are difficult to contact, although they are reported to be hard at work improving the media representation of the LGBT community in Togo.

UN Record

Togo did not sign the December 2008 UN declaration in support of LGBT rights.³⁰ It is signatory to the opposition statement which expresses disapproval towards the idea of LGBT rights.³¹

In its UN Human Rights Review in 2011, Togo faced multiple forceful calls to decriminalize homosexuality and stop discriminating against the LGBT community. Togo rejected all such calls, claiming absurdly that “Togo was not prepared to legislate on the question of homosexuality, given that homosexuals were not subject to any form of discrimination.” Togo further claimed that “such legislation might in fact be counterproductive, given the attitude of the population.”²⁷⁰

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