

A stylized world map composed of a grid of grey dots, with several dots highlighted in red to represent specific regions or countries.

# The Political Use of Homophobia

## Human Rights and Persecution of LGBTI Activists in Africa

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- In Africa, as in other continents, homophobia is a political problem. Thus it is incumbent on governments there to curb the hatred that often gives rise to violence against lesbian, gay, bisexual, transgender and intersex (LGBTI) people.
- Governments should abolish anti-homosexual legislation and thus deprive homophobia of its legal basis.
- Comprehensive state measures and intersectional programmes are needed to take preventive counter-action against acts of homophobic violence and to bring the perpetrators of violence to justice.
- International human rights standards and the African Union's (AU) Charter on Human and Peoples' Rights, signed or ratified by governments, form the basis for urgently required action against homophobia and protection of people of different sexual orientation/gender identity. The signatory states of the human rights charter are obliged to do this.



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## 1. Introduction

### 1.1 Introduction and Theses

■ Violations of the human rights of lesbian, gay, bisexual, transgender and intersex (hereafter: LGBTI) people, the often populist incitements by politicians in media outlets close to the regime to attack homosexuals and their civil and political rights, as well as inadequate punishment of homophobic violent crime have to be put in the context of political power. Politicians and political advisors, as well as the staff of development organisations should not dismiss them as trivial, involving only a small minority. Rather the various incarnations of homophobia manifest poor government leadership, a lack of understanding of democracy, media muzzling, inadequate protection of people against violence, contempt for human rights, intolerance and defective gender policy.

■ Homophobia is deliberately fomented by political actors (often presidents and ministers – and not only in Africa) as soon as they get into a legitimacy crisis. In particular in economic crises, in which public criticism of abuses of power, excessive corruption, patronage and clientism by a small ruling elite begins to increase, heads of state and high-ranking politicians reach for the cudgel of homophobia and use it to attack people of different sexual orientation and/or gender identity vociferously in the regime-friendly media. This happened, for example, in Zimbabwe in 1995 when the rapidly increasing poverty and unemployment, accompanied by cuts in education and health care as a result of the Economic Structural Adjustment Programme (ESAP) demanded great sacrifices from the population. At that time the low-income urban and rural population were also hard hit by HIV/AIDS and deficiency diseases exacerbated by misdirected aid programmes during the many years of devastating drought. President Robert Mugabe diverted attention from abuses of power under his rule with homophobic hate speech and sought to legitimise his incitement by invoking the anti-colonial independence struggle. This pattern has been repeated by other politicians and presidents, for example, in Namibia, Zambia and Uganda.

■ In a number of countries, such as Uganda and South Africa, in which people have been murdered because of their sexual orientation and/or gender identity mar-

tial masculinity gave men a sense of identity during long years of armed conflict and state violence (apartheid). Because neither post-war and post-apartheid governments nor the numerous development organisations have recognised this problem and for the most part demobilisation programmes amounted to no more than the collection of weapons and dubious reintegration courses, young men came to accept violence as a means of exerting power in daily life. They sought to prove their masculinity with violence against their own partners, other women and men and homosexuals and to re-establish the gender patriarchy that had begun, at least partly, to crumble during the war.

■ With its humiliation of homosexual soldiers the military played a considerable role in escalating forms of gender-specific violence. In addition, commanders ordered sexual violence against women and men on the enemy side as a combat strategy and method of humiliation. These assaults were almost never punished. Instead, they served to confirm possessive sexuality and contributed to the rapid spread of HIV infections. These circumstances are particularly evident in Uganda.

■ In Uganda and other post-war countries with highly traumatised and impoverished populations fundamentalist Pentecostal churches from the southern states of the USA launched missionary campaigns, deliberately appointing charismatic local preachers to high-ranking positions in the church and winning over influential local politicians to their cause. The intensification of the anti-homosexual legislation stemming from the colonial era and the official registration of fundamentalist Pentecostal churches as non-government organisations are two ways in which they have extended their power, which a number of those active in human rights and development policy have criticised.<sup>1</sup>

■ The example of South Africa shows that the legalisation of homosexuality and the development of equality legislation do not necessarily lead to social acceptance of same-sex lifestyles. On the contrary, the higher visibility of LGBTI people often generates more violence against them. Legal reforms must therefore be accompanied by extensive information and awareness-raising programmes to gradually diminish homophobia in the

1. See: <http://www.dandc.eu/articles/175882/index.de.shtml> (all websites were accessed between 27.12.2013 and 4.1.2014).

population. South Africa provides an example of the analytical use of the intersectional approach. Here the mutual consolidation of social divergences on the basis of gender, race and class prevents LGBTI people from actually exercising their formal rights. Poor black lesbians and transgender people are particularly under threat in the townships, dominated by poverty and gang violence.<sup>2</sup>

## 1.2 An Intersectional View of LGBTI People in Africa

Intersectionality is related to interactions between gender and other differentiating categories, such as age, social status, race, class, religion, ethnicity or nationality. The concept of intersectionality is used by scholars to analyse reinforcements of different forms of discrimination with specific regard to time and context. In this respect differences are understood not as static but as »processual« and in relation to political, historical and cultural conditions. Application of the concept of intersectionality to concrete empirical examples involves categorising special and interdependent forms of inequality in contexts of political power and regarding them as modifiable.

In a multi-level approach social structures, systems of cultural symbols and processes of individual identity-building are examined. Studies on intersectionality, which consider bodies, gender and sexuality as dynamic categories, provide junctures in terms of which hegemonic masculinity, patriarchal heteronormativity and »queer« approaches can be addressed. Thus intersectional perspectives contribute to explaining violence against hetero- and homosexual men during and after wars, taking nationalism and ethnicity as politically laden categories of distinction with specific reference to time and country.<sup>3</sup> The sexualisation of social processes, for example, reflected in the fact that homosexuals are

made responsible for the spread of HIV/AIDS in African post-war countries with very high HIV infection- and AIDS death-rates, is also explained in terms of connections between intersectionality and queer approaches. Conceptual considerations regarding the mutual reinforcement effects of different dimensions of inequality were developed by South African gender researchers as early as the 1980s; however, they have not yet been taken note of by the international debate, which is oriented exclusively towards the USA. South Africans such as Jacklyn Cock and Belinda Bozzoli drew attention to the interdependencies between gender-specific, racist and economic structures of violence and exploitation as pillars of the apartheid state, pointedly criticising the police state and the militarisation of society. Finally, these political and legal foundations and the power processes constructed on top of them led to an intensification of hierarchies, inequalities and violence (Schäfer 2008).

While organisations set up to resist the apartheid regime, such as the United Democratic Front (UDF) tried to bridge the differences based on race, gender and class, in order to unify different social groups, the tumult concerning the Gay Association of South Africa (GASA) showed how controversial the self-definition of homosexuality was. GASA reflected the attitudes of white male homosexuals of the urban privileged middle and upper classes, who lived semi-legally and sometimes had coloured or black partners, but were neither ready to adopt a stance critical of the regime nor condemned the persecution of poor black homosexuals by the police and the secret service. While individual black homosexuals, who had to cope with massive problems of economic survival, reproached their white peers with racism, within the anti-apartheid movement it was an uphill struggle to overcome widespread homophobic attitudes. Thus openminded activists had to insist vehemently that human rights in post-apartheid South Africa were anchored in the new constitution of 1996 regardless of people's sexual orientation or gender identity (Hoad/Martin/Reid 2005).

How little the government and the state in South Africa have done to date to implement the constitutional foundations and legal reforms in legal reality is shown by widespread homophobic attitudes and, in particular, by the rape and murder of black lesbians in the townships of big cities, which are still characterised by enormous

2. Townships are urban settlements established by the Apartheid government in South Africa and Namibia and by the settler regime in Rhodesia (today's Zimbabwe) for blacks, coloureds and people of Indian origin. They are characterised by very cramped living conditions, extremely poor infrastructure and intensive police control. The miserable facilities of these areas that have grown up around the larger cities remain a structural problem. The words »black« and »coloured« are used here with reference to the black-consciousness movement in South Africa. In contrast to US-American discourse they are deemed to be positive attributions and are not discriminatory, but rather criticise the racist concepts of the Apartheid regime.

3. <http://www.gtz.de/de/dokumente/en-masculinity-and-civil-wars-2009.pdf>

poverty and gang crime. Hate violence is an expression of heteronormative and patriarchal gender systems, as well as of martial masculinity and violence, which were taken over directly from the apartheid state as instruments of masculine power, continuing in different garb. Socially marginalised perpetrators with no prospects align themselves with these patterns in their collective acts of violence in order to compensate for uncertainties regarding their masculine self-image and personal experiences of discrimination. It is evident that gender politics directed exclusively towards promoting women and included in neoliberal economic planning is not appropriate here for protecting the rights and lives of women of different sexual orientation.

### 1.3 International Legal Context and Legal Status of LGBTI People

Human rights concerning sexual orientation and gender identity are among the so-called »new« human rights. They are not contained explicitly in either the Universal Declaration of Human Rights nor in the two basic human rights covenants of the United Nations, the Civil Pact and the Social Pact of 1966. After long resistance from individual states and groups of states the publication of the Yogyakarta Principles in March 2007 was a significant milestone on the way towards international recognition of rights concerning sexual orientation and gender identity (Sauer/Heckemeyer 2011; Mengel 2010). It is true that the Yogyakarta Principles are not legally binding, but practice has shown that they represent an effective basis for the extension and protection of the rights of LGBTI people (Hirschfeld-Eddy-Stiftung 2011).

More recent successes in this area include the UN Human Rights Council's Resolution L9/Rev1 on human rights, sexual orientation and gender identity of 15 June 2011;<sup>4</sup> the study on discriminatory legislation and violence against LGBTI people commissioned by the High Commissioner for Human Rights Navanethem Pillay; and a dialogue of experts to discuss the results of the study. Another success was Resolution A/C.3/67/L.36 on extra-judicial, summary or arbitrary executions, adopted by the Third Committee of the UN General Assembly on 20 November 2012.<sup>5</sup> The Resolution, to be re-adopted

every two years, called on governments to, among other things, identify homicides motivated by sexual orientation until 2011. In the Resolution adopted in 2012 sexual orientation and gender identity are referred to for the first time. This is all the more significant because in 2010 the reference to sexual orientation had been all but dropped from the Resolution.<sup>6</sup> The repeated insistence of UN Secretary General Ban Ki Moon that rights related to sexual orientation and gender identity are part of universal human rights underlines the positive development at the level of the United Nations, outlined here.

A positive trend is also discernible in the European Union: recently, the directives of the Foreign Affairs Council affirmed the universality of human rights and laid down the decriminalisation of same-sex relationships, the promotion of equality and non-discrimination, as well as the protection of defenders of human rights as priority areas for action by EU institutions and member states.<sup>7</sup>

These positive developments in the UN and the EU system are not reflected at the national level, however. Worldwide same-sex acts between consenting adults are still illegal in 78 states (ILGA 2013) and currently LGBTI people are subject to abuse by organs of the state in many places (for example, Russia, Malaysia and Turkey).<sup>8</sup> In African states, too, there is no positive trend. Homosexual acts between consenting adults are legal or not subject to any specific legislation in only 18 states: Benin, Burkina Faso, Cape Verde, the Central African Republic, the Republic of Congo, Chad, Côte d'Ivoire, the Democratic Republic of Congo, Djibouti, Equatorial-Guinea, Gabon, Guinea-Bissau, Lesotho, Madagascar, Mali, Nigeria, Ruanda and South Africa. In the other 36 states homosexual acts between men and largely those between women are criminal offences.<sup>9</sup> The form and degree of punishment vary considerably depending on the state, ranging from fines through terms of imprisonment (including life imprisonment) to the death penalty (in Mauretania, Sudan, the 12 northern federal states of Nigeria and South Sudan).

6. See: <http://www.hrw.org/news/2012/11/21/un-seminal-vote-gender-identity>

7. [http://www.consilium.europa.eu/uedocs/cms\\_Data/docs/pressdata/EN/foraff/137584.pdf](http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/137584.pdf)

8. See: <http://www.iglhrc.org/>

9. Homosexual acts between women are not illegal in Ghana, Lesotho, Mauritius, Namibia, Sierra Leone, Swaziland, Zambia, Zimbabwe and the Seychelles. In Egypt their status is unclear (cf. ILGA 2012: 25–39).

4. See: <http://www.un.org/Depts/german/menschenrechte/a-hrc-17-l9rev1.pdf>

5. See: [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/C.3/67/L.36](http://www.un.org/ga/search/view_doc.asp?symbol=A/C.3/67/L.36)

At present, a dramatic increase can be observed in homophobia and hostility towards LGBTI people in many African countries (Jetz 2011). Furthermore, human rights related to sexual orientation and gender identity are not recognised explicitly in the central documents of African human rights protection. There are no corresponding references, for example, in either the African Charter on Human and Peoples' Rights of 1981 or the additional protocol on women's rights of 2003. Little support is to be expected for the rights of LGBTI people from the African Commission on Human and Peoples' Rights or the ruling elites. Although Ndashe (2011) recognises a commitment on the part of the African Commission on Human and Peoples' Rights with regard to sexual orientation and gender identity rights, it lacks coherence. On the one hand, this Commission constantly queries member states about human rights violations against sexual minorities; on the other hand, the pan-African NGO Coalition of African Lesbians (CAL) does not have observer status.

Furthermore, political elites committed to rights related to sexual orientation and gender identity are lacking in Africa. In the view of international and national human rights activists the South African government, too, has not consistently advocated such rights in international bodies, and has even blocked relevant initiatives. For example, the South African delegation twice voted against the accreditation of two international LGBTI NGOs in the Economic and Social Council (ECOSOC) of the United Nations in 2006.<sup>10</sup> At the Durban Review Conference in 2009 the South African delegation, as spokesman for the African states, demanded that the reference to »sexual orientation« be removed from the draft of the final declaration, against the protests of LGBTI organisations.<sup>11</sup> The fact that South Africa introduced Resolution L9/Rev1 into the Human Rights Council in 2011 allows one to hope that in future the country will show more support for rights related to sexual orientation and gender identity.

## 2. Outline of the Problem and Analysis in Regional Perspective

### 2.1 Case Study: Uganda

On 26 January 2011 David Kato, then the director of Sexual Minorities Uganda, was brutally murdered. The murderer, Nsubuga Sydney, a small-time criminal just released from prison, whom Kato had taken in for rehabilitation, was subsequently condemned to 30 years in prison. Sydney put into practice the appeals for lynch justice against homosexuals made over a series of months by Ugandan politicians, Pentecostal preachers and many in the media.

At the beginning of October 2010 the Ugandan publication *Rolling Stone* (not to be confused with the US music publication of the same name) published the photos, names and addresses of 100 Ugandan homosexuals and printed a picture of David Kato on the front page. The hitherto unknown weekly, which first appeared only in August 2010, selling 2000–3000 copies, called on its readers to »hang them!«. In this way editor-in-chief Giles Muhame was able to bring about a meteoric rise in its readership. Muhame compared homosexuality to a plague that was destroying the morals of Ugandan society. Homosexual organisations won a judicial injunction against Muhame that banned him from making any further appeals for violence and from publishing any more names and addresses.<sup>12</sup>

Muhame's smear campaign was preceded by repeated homophobic articles in the press loyal to the regime and a draft law by the MP and born-again Christian David Bahati.<sup>13</sup> There had also been a homophobic smear campaign against Sylvia Tamale, an internationally renowned law professor at Makerere University in Kampala. During a gender workshop Professor Tamale had demanded that the rights of homosexuals should be taken up in a position paper by the Gender Commission. The Gender Minister regarded this as strategically inopportune and countered that it was not the right time to make an issue of homosexual rights. Furthermore, a number of women's organisations opposed the proposal. In the

10. See: <http://www.jwng.org.za/content/view/82/39/>

11. See: <http://www.jwng.org.za/content/view/117/39/>

12. See: <http://www.hirschfeld-eddy-stiftung.de/presse/lgbti-news/new-sarchiv/archive/2011/januar/>; <http://www.iglrc.org/cgi-bin/iowa/region/60.html>

13. See: <http://www.hrw.org/news/2006/09/07/uganda-press-homophobia-raises-fears-crackdown>

regime-friendly press, reporters and readers (including the Minister for Affirmative Action), in letters to newspapers, vied with one another to personally attack Professor Tamale. She was accused of being in the pay of the West and of supporting the seduction of children by homosexual teachers in boarding schools (mainly church sponsored). The letters to the press were not reporting paedophile violence against children, however, but equated such assaults with homosexuality. This attitude remains a continuing theme of such moralised and politicised controversies (Tamale 2007).

On 14 October 2009 MP David Bahati introduced a draft law to Parliament aimed at tightening up the existing anti-homosexual law. He wanted to make even more severe the criminalisation of homosexuality introduced in 1950 – thus by the British colonial regime – and taken over by the post-colonial authorities when Uganda became independent in 1962. According to this law, sexual acts that were »against nature« were punishable by terms of imprisonment of up to 14 years. This affected only male homosexuals. The different presidents of Uganda, Milton Obote (1962–1971 and 1980–1985), Idi Amin (1971–1979) and since 1986 Yoweri Museveni, have retained it. In the course of criminal law reform in 2000 homosexual practices by women were also criminalised. On 29 September 2005 President Museveni signed a law that prohibited same-sex marriages.

For David Bahati, however, tightening up the law was not enough; he wanted the criminal prosecution selectively prescribed by President Museveni since 1999 and imprisonment for homosexuals to be converted into the death penalty. After massive international protests he withdrew his attempt, but all the other measures to toughen up existing legislation were retained in the draft law.<sup>14</sup> For example, both houseowners who rent accommodation to homosexuals and the relatives of homosexuals who do not report their family members to the police as criminals are liable to prosecution and seven years in prison. Staff of civil society organisations who do not report homosexuals are liable to three years in prison. Furthermore, the draft law envisages refusing treatment to HIV-positive homosexuals and banning ho-

mosexual organisations.<sup>15</sup> According to Bahati, his draft law would strengthen the Ugandan nation and halt the threats to the traditional family. He wanted to create a bulwark to protect Ugandan youth – especially orphans – from homosexuals from Europe and the USA. Bahati asserted that foreign and Ugandan gays wanted to force their homosexual promiscuity on Ugandan society. Media coverage and mainly positive commentary on his ideas gave Bahati much encouragement in a Ugandan society that, traumatised by years of civil war and military dictatorship, had to cope with high HIV/AIDS rates as a result of the wars.<sup>16</sup> Families and households that, despite minimal resources, cared for AIDS sufferers and looked after many orphans could expect no help from the state.

Museveni, who started his fourth term in 2011 after a controversial re-election, drastically curtailed press freedom and freedom of assembly, as well as the work of human rights organisations. Economically, he applies a markedly neoliberal economic policy, as a result of which poverty has become a structural problem for the majority. Many people are reliant on support from the 400 or so charismatic and evangelical churches, which promise prosperity and often even cures for HIV/AIDS sufferers. For a number of years it has been possible for them to register as non-government organisations; their leaders are often rewarded by the government before elections with expensive cars and other prestige goods. At the same time, Museveni continues to build a repressive state apparatus. One manifestation of his authoritarian government is its investments in the extremely corrupt military which long maintained a phantom army in the north of the country. Several military chiefs who benefit from the patronage system were not really interested in striking against Josef Kony, a Christian-spiritualist guerrilla leader with an army of pressganged child soldiers in order to end the civil war on the border with Sudan. As a result, violence, poverty and disease spread.

In search of the restoration of social order Bahati tapped attractive models of patriarchal family structures under authoritarian political and religious leadership. He ignored the fact that same-sex relationships existed in many Ugandan communities before and during colonial

14. See: <http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=B7-2009-0261&language=DE>; <http://www.amnesty-todesstrafe.de/index.php?id=613&PHPSID=24754c77cb085c5c427f8d3d68c5f658>

15. See: <http://www.amnesty.de/laenderbericht/uganda>

16. See: <http://www.hrw.org/news/2012/08/30/uganda-making-life-tough-ngos-lgbt-rights> <http://www.frauen-und-kriege-afrika.de/laender/uganda.php?lang=DE>

times, which were tolerated and met family requirements (Tamale 2007). Bahati's draft law was in keeping with his religious community »The Family«, founded by fundamentalist Christians in the USA. They engage in missionary work particularly in destabilised post-war countries and seek, like other homophobic US evangelical or charismatic (Pentecostal) churches, to combat homosexuality as »evil« and to »cure« homosexuals.

The Ugandan Minister for Ethics and Integrity, James Nsaba Buturo – one of the key actors in the homophobic smear campaign – also advocated the draft law, from similar motives. He attacked the international community for threatening to cut bilateral development aid if the law was adopted. Indeed, it was the dreaded cuts in the lucrative budget aid that kept President Yoweri Museveni from agreeing to the Law. His wife, like Bahati, belongs to the Family Life Network.<sup>17</sup> Another member is Steven Langa, who organised a workshop against homosexuality on World Women's Day in 2009, offering a forum to US Pentecostal preachers: Caleb Lee Brundidge, a »cured« gay man and fanatical Pentecostal preacher; Don Schmierer, board member of the anti-homosexual organisation Exodus International, who claimed that he was able to cure homosexuals with the power of the church; and Scott Lively, an author, who alleged that homosexual Nazis were responsible for the Holocaust. In addition, Langa founded the Uganda National Parents Network and received money from the UN's Global Fund to combat AIDS, Tuberculosis und Malaria, in return for which he did nothing more than preach abstinence and marital fidelity. Martin Ssempe, former representative of the fundamentalist Sattleback Church and later founder of his own church, also preached abstinence and established the »Alliance to wipe out AIDS« on the campus of Makerere University in Kampala. Ssempe's Alliance was liberally funded by former US President George W. Bush.<sup>18</sup> Rick Warren, founder of the politically influential Sattleback Church, also persuaded Rwandan President Paul Kagame to introduce an AIDS programme that rejected condoms. Since then HIV infections have risen in the two countries, both shattered by military and sexual-

ised violence and with repressive governments. At least at the beginning of his term of office in 1986 Museveni had an open AIDS prevention policy and in the course of a few years was able to halt HIV infections by distributing condoms. This trend has now gone into reverse.<sup>19</sup>

The draft of the new anti-homosexual law was discussed in the Ugandan Parliament on several occasions in October 2011 and also in 2012. Homophobic attitudes continued to be fomented by politicians and Speaker Rebecca Kadaga sought to raise her profile by avowing the purity of Ugandan culture and religion, which had to be protected from foreign homosexuality. She is a possible candidate to replace Museveni and is seeking political support by means of populist campaign speeches. Politician Cecilia Barbara Atim-Ogwal called, at a meeting of the Pan-African Parliament in South Africa in October 2012, for all homosexuals in Africa to be locked up to protect African culture. On 20 December 2013 Uganda's Parliament adopted the Bill. On 24 February 2014 President Museveni signed it into law, under intense pressure from church leaders and MPs.

In political terms, the controversy over the draft law to step up the criminal prosecution of homosexuals in Uganda, has diverted attention from the government's miserable record, the militarisation of public life – and not only before elections – and the rapid dismantling of the in any case only rudimentary democracy and human rights.<sup>20</sup> The main aim is to cover up the embezzlement of around 13 million US dollars of development aid intended for the north of Uganda, which has been devastated by years of civil war.<sup>21</sup> Attention also needs to be diverted from the massive corruption of high-ranking ministers with regard to the exploitation of new oil discoveries, estimated at at least 2 billion barrels, and the extensive sale of land to foreign investors, including China.<sup>22</sup> The public controversy over homosexuality

17. See: <http://www.dandc.eu/articles/175882/index.de.shtml>

18. Notwithstanding their similar ideological orientation, a number of fundamental churches in Uganda have competed for aid money and political influence in recent years. In pursuit of their aims they have even stooped to suggesting that their opponents are paedophiles. Ssempe, too, smeared an opponent in this way, which got him into trouble with the law in 2012.

19. See: <http://www.hrw.org/news/2007/10/10/letter-us-global-aids-coordinator-about-abstinence-only-funding-and-homophobia-uganda> <http://www.hrw.org/news/2007/10/10/uganda-rising-homophobia-threatens-hiv-prevention>

20. See: <http://www.amnesty.de/jahresbericht/2012/uganda> <http://www.ids.ac.uk/news/challenging-attempts-to-silence-civil-society-in-uganda>

21. See: [http://www.bmz.de/de/presse/aktuelleMeldungen/2012/november/20121130\\_pm\\_285\\_uganda/index.html](http://www.bmz.de/de/presse/aktuelleMeldungen/2012/november/20121130_pm_285_uganda/index.html)

22. See: <http://www.fian.org/world-wide/uganda>; [http://reliefweb.int/sites/reliefweb.int/files/resources/Full\\_Report\\_3823.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_3823.pdf); <http://www.global-witness.org/campaigns/corruption/oil-gas-and-mining/uganda>; [http://www.transparency.org/news/pressrelease/uganda\\_tops\\_east\\_africa\\_in\\_corruption](http://www.transparency.org/news/pressrelease/uganda_tops_east_africa_in_corruption)

also covers up domestic and international criticism of the repeated interventions of the Ugandan army in the Democratic Republic of Congo and its alleged support for guerrilla organisations there, such as M23. By attacking LGBTI people as »the enemy within« and »henchmen of Western imperialists« and conniving in the homophobic smear campaign of the regime-friendly media and the fundamentalist Pentecostal churches, the government is smoothing the way for its curtailment of freedom of the press and of expression, as well as weakening critical civil-society organisations and initiatives.<sup>23</sup>

#### LGBTI Organisations in Uganda: Activities, Alliances and Challenges

People of different sexual orientation and/or gender identity remain in jeopardy in Uganda, which means that protection against violence and prevention of new state repression and persecution of activists are central concerns. Besides that, meetings, medical and psycho-social consultations and economic aid are very important for the often socially and economically marginalised LGBTI people. Awareness-raising events and training courses for the Ugandan public are also important. The appointment of Flavia Kyomukama, an HIV-positive lesbian, as head of the Ugandan AIDS Commission was rather a symbolic gesture, a display of »good will« for the benefit of donors of state development aid: Ugandan politicians have not ceased their homophobic hate speech or their support for making anti-homosexual legislation even more severe. In mid-2011 the organisation Sexual Minorities Uganda called for a »hate no more« campaign in which human rights activists also participated. These included some women's rights and HIV organisations; others kept their distance, however. They were afraid that they, too, would be targeted by state security forces or be subjected to restrictions on their work by the repressive system if they showed solidarity with LGBTI activists.

Overall, the situation for non-government organisations that stand up for LGBTI rights is deteriorating. Their events and workshops, as in Zimbabwe, are broken up violently by state security forces and their henchmen. Directors and staff are repeatedly threatened with pros-

ecution.<sup>24</sup> Furthermore, these organisations have been told that they will lose their official NGO status if they continue their work. The best-known organisations are Sexual Minorities Uganda (SMUG) and Freedom and Roam Uganda (FARUG), with which the Hirschfeld-Eddy-Stiftung cooperates. To resist the adoption of the more severe anti-homosexual law, over 20 Ugandan women's rights, human rights, anti-violence and health organisations have joined together to form the Civil Society Coalition on Human Rights and Constitutional Law. They drafted an international appeal on how LGBTI organisations could best be supported and how a diplomatic dialogue could be conducted with political decision-makers against the planned law.<sup>25</sup>

At the international level SMUG and FARUG are members of the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), in which smaller Ugandan organisations are also represented, such as Fem Alliance, which brings together primarily lesbian, bisexual and transgender people, Trans Support Initiative Uganda, Spectrum Uganda, KLUUG, Uganda Q.Y.U. and Icebreakersuganda.<sup>26</sup> The human rights organisations East and Horn of Africa Human Rights Defenders (EHAHRD), Human Rights Watch and Amnesty International address LGBTI rights and the often brutal violations of these rights in Uganda. The importance of the campaign against the planned strengthening of the anti-homosexual law is illustrated by the continuing attacks by state security forces and their henchmen, as well as the homophobic hate speeches of politicians and preachers.<sup>27</sup> On top of all that, there is also the problem that countless men and boys were raped during the long years of civil war in Uganda and raped boys and men from the Democratic Republic of Congo seek protection in Uganda. Many of the perpetrators were heterosexual Ugandan or Congolese soldiers who sought to humiliate their victims and to drive whole population groups from resource-rich areas.<sup>28</sup> Sexualised violence against men is a widespread war tactic. Organisations that counsel

23. See: <http://www.ids.ac.uk/news/challenging-attempts-to-silence-civil-society-in-uganda> <http://www.hrw.org/news/2012/08/30/uganda-making-life-tough-ngos-lgbt-rights>

24. See: <http://www.ids.ac.uk/news/challenging-attempts-to-silence-civil-society-in-uganda>

25. See: [http://ugandans4rights.org/downloads/press/11\\_05\\_09\\_Final\\_Coalition\\_submission\\_to\\_Legal\\_committee\\_of\\_parliament.pdf](http://ugandans4rights.org/downloads/press/11_05_09_Final_Coalition_submission_to_Legal_committee_of_parliament.pdf); <http://www.lsvd-blog.de/?p=4184#more-4184>

26. See: <http://ilga.org/ilga/en/countries/UGANDA/Articles>

27. See: <http://www.hrw.org/news/2012/02/16/uganda-minister-shuts-down-rights-workshop>

28. See: <http://news.bbc.co.uk/2/hi/africa/4325397.stm>

the traumatised victims would be criminalised if the new law is passed. Thus even help for the survivors of martial masculinity and the rapidly increasing militarisation of the countries in the Great Lakes region of central Africa would be criminalised. The perpetrators of the original crimes continue to go unpunished, especially military personnel.<sup>29</sup> The fundamentalist preachers, meanwhile, remain silent about such impunity and the attacks.

While some bishops in the Anglican and the Catholic churches condemn sexism or Christian fundamentalism and stand up for homosexuals, the majority hold and disseminate homophobic views.<sup>30</sup> Christian homosexuals consider the paternalistic hierarchies in many churches to be a problem, although as believers they seek refuge and emotional support and often have their own families with heterosexual partners. This is because in the absence of state or other forms of old-age and sickness insurance children are the most important source of support in old age also for people of different sexual orientation.

## 2.2 Case Study: Zimbabwe

In mid-1995 the annual international book fair took place in the Zimbabwean capital Harare. Its motto was »Human rights and freedom of expression«. Shortly before it opened a political row broke out on the participation of the homosexual organisation Gays and Lesbians of Zimbabwe (GALZ), founded in 1989. The Ministry of Information put the organisers under pressure to exclude GALZ. As usual, around 240 publishers and non-government organisations took part in the book fair, especially from southern Africa. Then Minister of the Interior Dumiso Dabengwa explained that homosexuality is abnormal and prohibited in Zimbabwe. In his opening speech President Robert Mugabe emphasised that social morality, anchored in religion, had to be protected against »sexual perverts«. The common good had to take precedence over notions of the freedom of individuals who »practiced bestiality« and claimed rights for

themselves.<sup>31</sup> Nobel prizewinners for literature Nadine Gordimer from South Africa and Wole Soyinka from Nigeria criticised the attacks and demanded that GALZ no longer be excluded from the book fair. Their appeal was in vain. When Mugabe, who has always liked to be celebrated as a heroic freedom-fighter in Africa, participated shortly afterwards in a meeting of the Southern African Development Community (SADC) in South Africa, it became clear that he had been pushed into the background because of the political turn in South Africa. President Nelson Mandela, who took office in 1994, was long honoured internationally as Africa's most exemplary statesman. With the smear campaign against homosexuals, who, in his interpretation, wanted to debauch his people, President Mugabe diverted public attention back to himself.

Soon after his journey to South Africa, on Zimbabwe's Heroes' Day in August 1995, Mugabe raved that homosexuals »behave worse than dogs and pigs«. He stressed that homosexuality was punishable by up to 10 years in prison. The prosecution of homosexuals had been introduced by the British colonial authorities at the beginning of the twentieth century at the behest of European missionaries, who were particularly horrified by the sexual contacts between migrant workers in coal mines. These laws now criminalised sexual practices that had been tolerated in precolonial days as long as persons involved in same-sex contacts made social arrangements in keeping with the social requirements of the smallholding family economy (Aramo 1999; Epprecht 1998 and 2004). Nevertheless, Mugabe affirmed, at a major event held by the party's women's organisation ZANU Women's League, that homosexuality is against the culture and traditions of Zimbabwe and a white problem. Furthermore, he claimed, it is immoral and against the will of God. To repel the perversion that threatened the national identity he invoked both a selective neo-traditionalism and the influence of the Christian church, although the latter had proselytised in Zimbabwe only from the end of the nineteenth century within the framework of European colonialism.

29. See: <http://www.hrw.org/en/news/2009/07/16/dr-congo-hold-army-commanders-responsible-rapes>

30. See: <http://www.dandc.eu/de/article/kirchen-tragen-zu-homosexuellenhass-afrika-bei>

31. Ironically, three days after Mugabe's official opening speech the then popular US TV series »Golden Girls« was shown, in which the brother of one of the main characters outed himself as a homosexual; cf. Melber, Henning: Gays and Lesbians in Zimbabwe, SAPEM, August 1995, pp. 53–54.

In a parliamentary debate shortly after the book fair in 1995 Chief Chigwedere, one of the traditional authorities who held a parliamentary seat *ex officio* and gave many homophobic speeches, compared homosexuals to a »festering finger« that had to be »cut off« in order to save the body. He, too, called for draconian punishments for homosexuals (Dunton/Palmberg 1996). The year 1995 was a difficult one for the powers-that-be in Harare. At the end of the 1980s they had agreed to the IMF's Economic Structural Adjustment Programme, which provided for drastic cuts in state spending, under which the education and health care sectors, as well as small-scale agriculture suffered.

The government party, Zimbabwe National African Union (ZANU), which had come to power on political independence, had promised fundamental improvements in these very sectors. The white minority government of the racist Rhodesian settlers, who had ruled the country from the beginning of the twentieth century, had oppressed and impoverished the black population. In the early 1990s the Zimbabwean health service needed much investment because rapidly rising HIV/AIDS rates were disrupting a society characterised structurally by men's migrant labour. The rural population, furthermore, had not yet recovered from the traumatic decades of civil war, in particular a brutal army unit, which had run riot in two provinces after the official end of the war in search of dissidents. In addition, at the start of the 1990s there was a severe drought in these and other parts of the country, resulting in a struggle for survival, disease and death. In particular, massive corruption – corrupt politicians sold state grain stocks illegally – meant that international food aid only sometimes reached its intended recipients.

The smear campaign against a few white and black homosexuals who were brave enough to join GALZ was in many respects a diversionary tactic. GALZ's directors at that time were white gays and Mugabe, within the framework of an anti-colonial discourse, blamed all whites for his country's ills and the import of homosexuality (HRW 2003). Despite a change in GALZ's leadership – it was henceforth directed by black gays – the government threatened further violence against homosexuals. In Zimbabwe gender-specific violence ordered by the government had many facets. As early as 1983 the police arrested several hundred unmarried employed women in the country's two major cities. They

were mainly ex-combatants in the war of independence but now did not conform to neo-traditionalist gender norms and were branded prostitutes because of their economic independence. »Operation Clean-Up«, which was supposed to restore custom and morality, was followed by attacks on opposition voters at the parliamentary elections in 1985 and 1990 by young thugs loyal to the regime, supported by ZANU Youth and the ZANU Women's League (Dunton/Palmer 1996).

Between the book fairs in 1995 and 1996 there were many international protests against Mugabe's homophobic utterances, which encouraged the organisers of the book fair and GALZ to take further legal action (Eprecht 1998). This had become necessary because the Minister of Information had officially refused to allow GALZ to participate. The at that time still independent Constitutional Court enabled GALZ and the organisers of the book fair to defend themselves successfully against the state's action. However, young thugs loyal to the regime went on the rampage at GALZ's stand. Their leader was a young representative of a fundamental Pentecostal church who, despite his membership of the church, portrayed himself as saviour of the people, invoking an important pre-colonial – and thus non-Christian – ruler. GALZ cooperated closely with Zimbabwean human rights organisations during the book fair. They basically recognised that the attacks on GALZ heralded a new phase of government violence against non-government organisations. They underwent a strategic reorientation and henceforth saw themselves not only as implementing agencies for development projects in social, cultural or economic development areas in which the government did not offer adequate services. Instead, many organisations now considered it necessary to stem further violent assaults and curtailments of human rights (HRW 2003). Networks arose from among the ranks of NGOs critical of the regime at the end of the 1990s that successfully asserted civil society interests in the face of a draft constitution proposed by the government and rejected it in a referendum, to which the Mugabe regime responded from 2000 with repeated escalations of the violence. These were particularly brutal in the run-up to elections and also affected LGBTI people.

The conflicts also escalated in the religious domain. The starting point was an international meeting of the World Council of Churches (WCC) in 1998 in Harare. GALZ

was refused permission to participate after controversies between official churches from western and eastern Europe. However, the church-related and innovative men's organisation Padare, which had been set up by committed Christians of the Ecumenical Support Services in Harare in order to tackle gender-specific violence and martial male images, invited GALZ to take part in a discussion. Since then the controversy in Zimbabwe's official churches on dealing with homosexual Christians has continued. The rising number of evangelical – often fundamentalist – Pentecostal churches has inflamed homophobia; a number of chiefs, in league with government representatives, have even called for a »witch hunt on homosexuals«. The smear campaign escalated in 1998 when Canaan Banana, a former comrade-in-arms of Robert Mugabe and first President of Zimbabwe, was prosecuted for alleged sexual assaults on male subordinates. Mugabe ordered the secret service to investigate all MPs and ministers in order to discover who was a homosexual. Finally, shortly before all this he had asserted that the British cabinet was controlled by homosexuals, while his ministers were all real men. The regime-friendly Zimbabwean press intensified its smear campaign against GALZ in order to divert attention from Mugabe's predicament (HRW 2003). Besides the extension of censorship to the dissemination and possession of materials that were against society's morals – which meant primarily GALZ's information materials – in 2006 the criminal offence of sodomy was extended to include improper acts between men and now applied not only to sexual contacts.

In the run-up to all later elections, too, especially the contested election of 2008 and the constitutional debate of 2012 security-police operations against GALZ events escalated; GALZ's office was also searched and computers confiscated. GALZ representatives were accused of insulting the President; staff and activists were arrested, abused or threatened.<sup>32</sup> Since the politically motivated attacks on GALZ in the mid-1990s the organisation has constantly had to face infiltration by police informers and the bribery of individual members by state security forces, who testified against GALZ. On top of that it has experienced problems such as internal organisational disagreements with HIV-positive members who have been stigmatised for years by HIV-negative

members and, like the majority of HIV positive people in Zimbabwe, have no access to medicine because of the plight of the state health service. At the same time, HIV-positive homosexuals were excluded from national HIV/AIDS organisations and networks because of their sexual orientation.<sup>33</sup> Many women's and non-governmental organisations distanced themselves from homosexual activists, especially if it became known that they were HIV-positive. This illustrates how different forms of discrimination are interwoven and can become consolidated, even in civil society initiatives. This is especially the case if prejudices about socially taboo sexuality are not examined and state repression and threats of violence, as well as dire state services – particularly in the health service – and the precarious existence of the impoverished majority drastically compromise people's daily survival. Some lesbian members of GALZ were forced, due to renewed pressure from their families, to marry gay GALZ members, some, besides now formally falling in line with the heteronormative ideal of masculinity, were faced with demands for bride price from their fathers-in-law.

Within GALZ there are clearly frequent discussions concerning the direction the organisation should take, ranging from its social club to the implementation of programmes. People of different ages are active in GALZ. Thus young members participated in the Youth Leadership Training conceived and organised by the Friedrich-Ebert-Stiftung in 2011 and 2012, bringing LGBTI issues into the debate. They helped to change the attitudes and overcome the reservations of many participants. The FES country office in Harare also cooperates with the Katswe Sisterhood, an organisation of young feminists, who seek to address gender-specific violence and reproductive health issues and to challenge gender hierarchies in the context of political power structures. They also discuss different sexual orientations.

#### Excursus: Namibia

Shortly after the book fair in Harare in 1995 both the then President of Namibia, Sam Nujoma (in office from 1990 to 2005), and the Minister of Home Affairs and Immigration decided to pursue homophobic propaganda

32. See: <http://www.iglhrc.org/cgi-bin/iowa/region/63.html>

33. See: <http://www.hrw.org/news/2012/08/27/zimbabwe-end-attacks-lgbt-people>

to divert attention from the country's political and socio-economic structural problems. Like Zimbabwe, Namibia was a former colony characterised by migrant work and brutal exploitation. It had attained its independence after a long anti-colonial war in 1990. Racism, glaring economic inequalities, ethnic conflicts and political patronage on the part of the new black elite, together with high HIV/AIDS rates, resulted in escalating social conflicts after a few years. Similar to President Mugabe, President Nujoma and some vociferous ministers looked to selective cultural nationalism, neo-traditionalism, excessive nationalism and Christian morality to demonise homosexuals. On top of that, it was claimed that gays would betray the successful liberation campaign because they wanted to destroy the new social order. As in a number of other African countries homosexual practices had been prohibited since the colonial era. In pre-colonial times they were socially tolerated; pragmatic solutions were found to meet family and economic requirements.

At public events with policemen, students, schoolchildren and workers some ministers demanded that homosexuals be operated on to remove their unnatural hormones. Homosexuality was like a plague that had to be eradicated. In order to purify the country homosexuals were threatened with arrest and deportation (HRW 2003). Although the government party South West African People's Organisation (SWAPO), which emerged from the independence movement of the same name, had always promised rights for everyone in Namibia, it now made it clear that this did not apply to homosexuals (Dunton/Palmberg 1996). Instead, homosexuals should beware of trying to impose their human rights demands on Namibia. The accusations launched against homosexuals followed attacks on white farmers, non-government organisations, independent media and so-called imperialist forces in general.

There was further uproar in 1999 when the women's organisation Sister Namibia wanted to include legal equality for lesbians in a women's manifesto. The SWAPO Women's League, which opposed the competent and nationally influential non-government organisation with great animosity, saw this as an opportunity to weaken Sister Namibia fundamentally. The publically known fact that lesbians worked for Sister Namibia became a campaign issue. The regime-friendly SWAPO women's organisation and the Women's Ministry insinuated that

Sister Namibia wanted to disseminate homosexuality; the regime-friendly media conducted a smear campaign. As early as the end of 1996/beginning of 1997 the staff of Sister Namibia had founded The Rainbow Project (TRP) with other LGBTI activists. A number of human rights organisations belonged to this coalition, which the government accused of betraying the independence struggle. As in neighbouring Zimbabwe the government under Sam Nujoma sought to create a climate of fear, to intimidate LGBTI people and human rights activists and to stir up intolerance with threats of violence and the occasional deployment of the security police or the SWAPO Youth League.<sup>34</sup> Hardest hit by these attacks were poor black LGBTI people in the infrastructurally deprived township of the capital Windhoek, which is fraught with socio-economic problems (HRW 2003). State health care and HIV/AIDS programmes are largely closed to LGBTI people. Although current President Hifikepunye Lucas Pohamba, who succeeded Nujoma in 2005, has not continued his homophobic propaganda, formerly deployed at every opportunity, the climate of opinion fostered by government incitement means that everyday discrimination and violent assaults on LGBTI people continue (Currier 2012).

## 2.3 Case Study: South Africa

### Legal Framework, Political Arrangements and Background of Homophobia

On 4 February 1997 South Africa's new constitution came into force. Its comprehensive catalogue of human rights was supposed to signal a clear turning away from the human rights abuses that characterised apartheid and the colonial era. At the same time, it was the first constitution in the world that, in its »equality clause« (Article 9 of the South African Constitution of 1996), explicitly prohibited discrimination on the grounds of sexual orientation. However, the rights of homosexuals do not have much support among the South African population. The anchoring in constitutional law of the ban on discrimination on the grounds of sexual orientation was not the expression of a broad societal consensus, but the result of successful lobbying by South African gay and lesbian activists. Subsequently, activists campaigned

34. See: <http://www.iglhrc.org/cgi-bin/iowa/region/49.html>

through legal action to bring about legal equality with heterosexuals or couples, including the right to get married or, alternatively, enter into a civil partnership. They managed to achieve this in 2006. However, South African society has not undergone a change in attitudes. On the contrary, the extensive equality legislation, according to some observers, has even led to a conservative backlash. Transgender and intersex people in the Republic of South Africa are confronted with heteronormativity: since 15 March 2004 the Alteration of Sex Description and Sex Status Act has been in force, which regulates changes in personal status in relation to transgender and intersex people. Activists have criticised the law because it forces transgender people to undergo a sex change operation if they want to change their gender. However, access to operations is problematic for transgender people. On the other hand, there is no legal compulsion of this kind for intersex people who wish to change their personal status. However, in accordance with a worldwide trend parents in South Africa find themselves under strong pressure to allow their children to be operated on as early as possible. Activists for the rights of intersex people have long complained that the South African Interior Ministry often does not permit a change in personal status if the person concerned is not assigned the biological gender of female or male by an operation. At the end of November 2012 representatives of the two NGOs Gender Dynamix and Intersex South Africa presented a report on this issue before the Committee on Internal Affairs of the Lower House of Parliament. Subsequently, the Ministry of the Interior affirmed in a press release that it wanted to tackle discriminatory practices.

South African activists criticise secondary discrimination in state institutions. For example, LGBTI people fear being mocked at police stations if they want to report violent attacks on them as a result of their perceived sexual identity and/or gender identity. Furthermore, activists are critical of how the state authorities deal with crimes against LGBTI people, as well as of how prosecutions are brought and trials conducted. The general lack of interest in LGBTI issues and the widespread homophobia among state representatives indicate that state failures are not due to lack of resources alone, but also to a lack of political will. Thus South African activists are demanding that the South African government meet its obligations with regard to protection, respect and guarantees.

South African activists have a number of significant achievements to their name: one milestone was the court ruling in the murder case concerning Zoliswa Nkonyana, a lesbian woman, who was stabbed and stoned to death by a group of men in the township of Khayelitsha near Cape Town in February 2006. This was the first time in South Africa that a judge had explicitly recognised in a judgment that a lesbian woman had been murdered because of her sexual orientation. Another milestone was a political process initiated in 2011. Activists from the NGO Luleki Sizwe had sent a letter to the South African Justice Minister Jeff Radebe in which they complained of government inaction in the context of gender-based and homophobic violence. One concrete outcome of the different consultations to date is the establishment of an interim task team composed of NGO representatives and representatives of various ministries. The aim is to find a common path to combat gender-based violence as soon as possible.<sup>35</sup> In its practical work – for example, information events in schools, community centres and churches, as well as radio interviews – activists focus predominantly on social actors, however. They hope in this way to prevent further violence – sometimes of unbelievable brutality – against LGBTI people.

The Republic of South Africa has an immense problem with violence, including the phenomenon of gender-specific violence. Between March 2011 and April 2012, according to official crime statistics, 64,514 sexual offences were registered with the police.<sup>36</sup> In Germany, by contrast, 7,724 rapes were reported in 2010 and there were an estimated 46,869 crimes against sexual self-determination. South African women's rights organisations assume that only one in nine rapes are reported because the victims neither trust the process of criminal prosecution by sexist police officers nor want to be humiliated by judges. In any case, gender-specific violence is by no means restricted to violence against heterosexual women and men, but also includes violence inflicted because of people's perceived sexual orientation

35. See: <http://www.lulekisizwe.com/uncategorized/ndumie-appointed-to-hate-crimes-task-team>

36. See the South African police statistics online at: [http://www.saps.gov.za/statistics/reports/crimestats/2012/categories/total\\_sexual\\_offences.pdf](http://www.saps.gov.za/statistics/reports/crimestats/2012/categories/total_sexual_offences.pdf)

and/or gender identity. So-called »corrective rapes«<sup>37</sup> have received great international attention: men single out lesbian women to rape with the professed aim of »curing« them of their homosexuality and reasserting the heteronormative order.<sup>38</sup> Activists are particularly shocked by the extremely brutal murder of LGBTI people. When Sizakele Sigasa and Salome Masooa, two lesbian women, were murdered on 7 July 2007 LGBTI activists launched the so-called Triple Seven campaign to take action against violence against LGBTI people, which they declared a hate crime (Range 2009). On the occasion of the international Transgender Day of Remembrance on 20 December 2012 staff of the NGO Gender Dynamix commemorated the brutal murder of four transgender women in South Africa in the summer of the same year.

The staff of South African LGBTI NGOs use an intersectional approach to identify particularly vulnerable groups. In the South African case, the intersection of race, class and gender is particularly important. Black lesbian women and transgender people are especially at risk of violence. If a black woman lives openly as a lesbian in a township, with its poverty and gang violence, and also, by her masculine appearance and role behaviour, breaches heteronormative role expectations she will be even more in jeopardy. Experts also consider effeminate gay men or intersex people as under particular threat, although further research is needed. In still largely segregated post-Apartheid South Africa it is no surprise that black women are raped and/or murdered primarily by black men. Such crimes are seldom committed by individuals, but rather by groups (HRW 2011).

From the perspective of many observers the clash between feminist activists and participants in Johannesburg Pride in autumn 2012 epitomises the gap between different daily realities of LGBTI people in South Africa. According to the organisers' estimates, more than 20,000 people took part in the biggest parade to date. The march was interrupted when a group of feminists

of the One in Nine campaign<sup>39</sup> prostrated themselves across the street in order to demand a minute's silence for murdered lesbian women and transgender people from the organisers. As a result, the two groups attacked one another both verbally and even physically. The supporters of the One in Nine campaign accused the organisers of racism because the event's unpolitical orientation confirmed that white LGBTI people exercise their rights fully and are not bothered about violence against black lesbians and transgender people in the townships. The organisation team considered the incident primarily as a boycott of their event; they also took the view that the activists should have announced their political action in advance.

Attempts to explain the violence against LGBTI people in South Africa are wide-ranging. They may be based on the individual dispositions of the perpetrators or on structural and historical causes. Homophobia is part of South Africa's violent history, building on interdependencies, hierarchisations and discrimination founded on race, class and gender. Homophobia emerged in two different societal contexts almost at the same time: in mining areas and in the social positioning of Boer men. In the men's hostels that expanded around the gold and coal mines that proliferated rapidly from the end of the nineteenth century older black men had sexual contact with younger ones. The latter took on social and sexual female roles, while the older men claimed masculine dominance in accordance with traditional gerontocratic power relations. The older men thus compensated for the humiliation and physical violence inflicted by white racist foremen who often came from the Boer underclass and had no opportunities for social mobility. The young blacks put themselves in the care of an older man for protection against violence. In addition, the financial support of the older men enabled them to save money to pay a brideprice in their homelands. Temporary same-sex »mine marriages« were socially tolerated, as they had been in pre-colonial days. The young migrant workers planned heterosexual marriages and to produce offspring. Children were supposed to look after their parents in old age and honour them after their deaths. In the course of their lives migrant workers were thus both the »wives« of male partners in »mine marriages« and

37. South African activists prefer the terms »hate crime« or »gender-based violence« because in this way they can categorise the rapes of LGBTI people in terms of more general violent phenomena, which makes it possible to forge alliances with other groups (Anguita 2012). In personal discussions, activists also said that the exclusive reference to »corrective rapes« concealed the fact that LGBTI people, for example, had been deliberately targeted (Range 2009).

38. See: [http://www.hirschfeld-eddy-stiftung.de/fileadmin/images/laenderberichte/Suedafrika/Corrective\\_Rape\\_-\\_LGBT\\_and\\_NHRI\\_Int\\_J\\_HR\\_2012\\_.pdf](http://www.hirschfeld-eddy-stiftung.de/fileadmin/images/laenderberichte/Suedafrika/Corrective_Rape_-_LGBT_and_NHRI_Int_J_HR_2012_.pdf)

39. South African activists launched the One in Nine campaign in February 2006 in order to show solidarity with rape victims against the accused Jacob Zuma. The campaign, which encompasses more than 25 NGOs as well as individuals, is now dedicated to women's rights issues in general.

also husbands in heterosexual relationships, and then with advancing age they themselves became the »husbands« of younger men in »mine marriages« (Moodie 2001). These homosexual relationships were tolerated by the mine owners in order to keep the workers away from female prostitutes who were regarded as carriers of syphilis and other sexually transmitted diseases. From 1906 onwards white missionaries arriving from the United States and Switzerland were shocked by the sexual contacts between the mine workers, who came to the greater Johannesburg area from the rest of South Africa and neighbouring countries. They demanded that the colonial authorities introduce criminal prosecutions. However, because of the economic importance of the mines sexual contacts between migrant workers there were largely ignored by the authorities, despite official prohibition (Epprecht 1998). While many black opponents of colonialism complained that sexual contacts between mine workers were the result of the system of exploitation, others took the view that they were voluntary.

In another context Christian missionaries gained more of a hearing among government representatives when it came to taking action against homosexuals because it touched on the core of the national self-identity of the white settler society. For example, Boer men who had homosexual contacts with other white men were regarded as a threat to the social order, especially poor Boers. They were accused, similar to their socio-economically marginalised heterosexual peers who had sexual contact with black or coloured women, of contributing to the degeneration of the white »race«, which was considered to be superior. In 1912 – that is, two years after the founding of the South African Union and 10 years after the defeat of the Boers in the war against the British settlers –, Boer men experienced a severe identity crisis in relation to men of British origin. Their martial settler and frontier masculinity had been broken and they feared the feminisation of Boer society; in particular many impoverished Boer families were dependent on the contributions of their young women in the new urban centres from work or prostitution.

During and after the Second World War British soldiers who came to South Africa from Europe were demonised by the Boers as spreaders of homosexuality. All the more so because they deemed homosexual practices to

be »un-African«, especially as they considered themselves to be Afrikaaners. The Apartheid state, which was established in 1948 and lasted until 1994 emphasised heterosexual martial masculinity, such that homophobia became a structural principle in the South African Defence Force. Heteronormativity was enforced with violence. Because – between 1967 and 1991 – all white men, regardless of origin, had to do, at first nine, then from 1972 12 months' military service. Young white homosexuals were also involved, unless they went into exile or were ready to go to prison. They were subjected to psychoterror, electric shocks (so-called aversion therapy) and hormone treatment in army hospitals. In some cases the doctors responsible, such as Aubrey Levin, who after apartheid continued to practice at the University of Calgary, carried out sex-change operations without the consent of the young recruits. The Truth and Reconciliation Commission (1996–1998) did not deal really with these violent crimes (or politically motivated and homophobic violence in the military in general).

The extent to which even anti-apartheid activists had internalised homophobia is illustrated by Ruth Mompati, head of the ANC Women's Organisation in exile and female icon of the resistance to apartheid. In 1987 she characterised gays and lesbians contemptuously as abnormal and stressed that homosexuality is a European fashion. Despite the liberal constitution in post-apartheid South Africa key public figures openly carried on the homophobia that had become institutionalised during apartheid. Political and religious representatives, as well as traditional leaders constantly stir up hatred against homosexuals (Hoad/Martin/Reid 2005).

Other explanations of homophobia and gender-specific violence take the view that black men from a slaveholding society were systematically humiliated and rendered abject right through the colonial period up to the apartheid regime; they now want to gain at least an apparent sense of power through violence against women. After apartheid ended many black men were unable to participate in the fruits of economic upturn, which they interpreted as humiliation of their claims to masculine dominance. Women are often the breadwinner in large families, to which unemployed black men with no prospects in impoverished and run-down townships often react with violence. The militarised masculinity and macho culture that predominates in both Boer and black

population groups alike, but also the fact that the perpetrators largely go unpunished are further factors.

On top of all this comes culturally shaded, neo-traditionalist and populist propaganda: Jacob Zuma, President and chair of the government party African National Congress (ANC) and former head of the national AIDS Council, argued in 2006 at his trial for rape that it is a (in Jacob Zuma's case, Zulu) man's right and even duty to have sex with women. In the same year, when the law on same-sex marriage was due to be passed by the South African parliament, he posed as a staunch Zulu traditionalist: homosexuality and traditional Zulu values are incompatible. In a speech on the occasion of South Africa's Heritage Day he reported that as a young man he had beaten up homosexuals, whenever he met them. He went on to say that same-sex marriage is taboo and not to be tolerated in a normal society.

Traditional authorities (chiefs) stood shoulder to shoulder with Zuma on this, repeatedly declaring their rejection of homosexuality, mainly on the grounds that it is un-African. In a strongly conservative and religious society, like that of South Africa, in which over 80 per cent of the population declare that they consider homosexual relationships to be fundamentally wrong, homophobic utterances by politicians are populist attempts to win votes (Roberts/Reddy 2008). This is particularly evident during periods in which trust of the ANC has been exhausted in the face of rising poverty, unemployment, lack of prospects for young people and a growing gap between the desperate majority black population and the new, extremely corrupt black elite. The increasing number of street protests is evidence of this. Furthermore, traditional authorities fear that they are losing influence, which they seek to shore up with draft laws such as the homophobic Traditional Court Bill.<sup>40</sup>

#### LGBTI Organisations in South Africa: Activities, Alliances and Challenges

There is a broad spectrum of NGOs dealing with LGBTI issues in South Africa. In the past they were located predominantly in Johannesburg, Pretoria and Cape Town. More recently, activists have tended to establish NGOs

in townships, too. One example is Free Gender in the township of Khayelitsha near Cape Town. Since the end of apartheid there has been a change in personnel at LGBTI NGOs: before and immediately after the end of apartheid they were mainly white gay men, but now the majority of staff are black. Many NGOs are also headed by lesbian women.

Looking back, South African activists are ambivalent about the extension of equality via the law. Attitudes have not been changed; cultural but also economic factors continue to prevent the majority of the South African population from exercising their formal rights. The Triple Seven campaign of 2007 represents a change of strategy on the part of activists: activists for the first time in ages again took to the streets to demonstrate and to raise their profile. Their aim was the implementation of existing legislation and less to demand new laws (sometimes with the exception of hate crime legislation). Many NGOs continue to provide shelters for social exchange, psychosocial counselling and awareness-raising events. They also conduct training courses for police officers and judges and develop imaginative media campaigns addressed primarily to young people. They also organise workshops for NGOs that deal with other issues, as well as for trade unions and other civil society associations.

In 2002 seven NGOs joined together to form the Joint Working Group; by 2008 this nationwide network had 20 members. They include student organisations, such as Activate WITS, XX/Y Flame and Rainbow UCT. There is also the university institution, the UNISA Centre for Applied Psychology. From among cultural organisations Out in Africa is represented. Advocacy and service providing organization are also members: OUT-LGBT Well-Being, Behind the Mask, Forum for the Empowerment of Women (FEW), Durban Gay and Lesbian Community, Gay and Lesbian Memory in Action, Lesbian and Gay Equality Project, Triangle Project, Gender Dynamix, Pietermaritzburg Gay and Lesbian Network (PMB) and South African Youth Liberating Organisation (SAYLO).<sup>41</sup> The following religious organisations are also members of the national network: Glorious Light Metropolitan Community Church, Good Hope Metropolitan Community Church, Hope and Unity Metropolitan Commu-

40. See: <http://dailymaverick.co.za/article/2012-05-25-traditional-leaders-and-the-fuel-that-fires-homophobia>

41. The Lesbian and Gay Equality Project, which had used strategic litigation to advance the rights of homosexuals, and the africa-wide on-line information platform Behind the Mask were both shut down in the course of 2013.

nity Church, Jewish Outlook and The Inner Circle. The mandate of NGOs such as Gender Dynamix and Intersex South Africa in Cape Town or Transgender and Intersex Africa in Pretoria explicitly concerns intersex and transgender people.

South African LGBTI organisations have a very good national network. In the context of the Triple Seven campaign, for example, they worked with women's organisations such as People Opposing Womens' Abuse (POWA) and the Tshwaranang Legal Advocacy Centre, as well as with the South African Human Rights Commission and HIV/Aids organisations such as the Treatment Action Campaign (TAC). TAC was founded on 10 December 1998 and in 2001/2002, in a legal dispute with the South African government that drew international attention, won the right for HIV-positive people to receive treatment with anti-retroviral medicines. South Africa has had one of the world's highest HIV/AIDS rates for years, among other reasons because former President Thabo Mbeki (1996–2008) long prevented access to anti-retroviral medicines. In 2009, TAC received the Friedrich-Ebert-Stiftung's Human Rights Award.<sup>42</sup> Many homosexuals are active in TAC, such as Taghmeda and Zackie Achmat, from the Muslim coloured population in Cape Town, who participated in the anti-apartheid struggle. Taghmeda Achmat also founded the organisation Association of Bisexuals, Gays and Lesbians (ABIGALE) in Cape Town, the National Coalition of Lesbian and Gay Equality (NGCLE) and the Lesbian and Gay Film-festival in Cape Town.

With regard to international networking most South African LGBTI organisations are members of the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) and the pan-African federation Coalition of African Lesbians (CAL). In 2012 Transgender and Intersex Africa became affiliated with the Transitioning Africa alliance in order to work with Gender Dynamix and the Ugandan NGO Support Initiative for People with Atypical Sexual Development on transgender and intersex issues throughout Africa. Internationally, violence against sexual minorities in South Africa has received considerable attention. In 2009 Action Aid published the report »Hate crimes: The rise of corrective rape in South Africa«. In 2011 the Human Rights Watch study »We'll show

you you're a woman« appeared. Amnesty International has also criticised homophobic hate violence in South Africa as a serious violation of human rights. ILGA and the International Gay and Lesbian Human Rights Commission (IGLHRC) regularly issue press releases to complain about violence against LGBTI people.<sup>43</sup>

The Hirschfeld-Eddy-Stiftung supports the organisation Luleki Siswe and the Lesbian and Gay Equality Project (LGEP).<sup>44</sup> Furthermore, Mushin Hendricks, a gay imam from Cape Town, is on the Hirschfeld-Eddy-Stiftung's advisory council. He heads the organisation The Inner Circle for LGBTI people of the Islamic faith in South Africa. The Hirschfeld-Eddy-Stiftung is also in contact with Judith Kotzé, the first homosexual pastor in the Dutch Reformed Church, who advocates opening up religious communities in Africa to people of different sexual orientations and heads the organisation Inclusive and Affirming Ministries (IAM).<sup>45</sup>

## 2.4 Case Study: Cameroon

### Legal Framework, Political Arrangements and Background to Homophobia

A glance at Cameroon's recent history shows that homosexuality is despised and rejected by both politicians and the general public. Both groups rebuke homosexuality out of self-interest. In 1972 the first state president, Ahmadou Ahidjo (in office from 1960 to 1982), circumvented parliament by issuing Article 347a of the Cameroon Penal Code by presidential decree. This made consensual sexual acts between people of the same sex a criminal offence, punishable by imprisonment for between six months and five years or with fines of between 20,000 and 200,000 FCFA (around 30.5 to 305 euros).

Up to 2005 little information was available on the extent to which the Article was actually enforced (HRW 2010). Only when the police arrested 32 men in a night club on 21 May 2005 did homosexuality become a public issue

43. See: <http://ilga.org/ilga/en/organisations/ILGA%20AFRICA>; <http://arc-international.net/wp-content/uploads/2011/08/arc-guide-hrc.pdf>; <http://www.hrw.org/topic/lgbt-rights>

44. See: <http://www.hirschfeld-eddy-stiftung.de/laender-informationen/laenderberichte/suedafrika/luleki-sizwe/> [http://www.hirschfeld-eddy-stiftung.de/fileadmin/images/projekte/Suedafrika/LGEP\\_Flyer\\_German\\_Version.pdf](http://www.hirschfeld-eddy-stiftung.de/fileadmin/images/projekte/Suedafrika/LGEP_Flyer_German_Version.pdf) <http://www.equality.org.za/index.php>

45. See: <http://www.hirschfeld-eddy-stiftung.de/lgbt-plattform/vernetzung/>

42. See: <http://www.fes.de/themen/menschenrechtspreis/mrp2009.php>

in Cameroon. Then Deputy Prime Minister and Justice Minister Amadou Ali sought to justify state homophobia in a letter to the International Gay and Lesbian Human Rights Commission (IGLHRC) in 2006 with reference to »Cameroonian values«, with which homosexual acts were not compatible. At the beginning of January 2006 there was another scandal linked to accusations of homosexuality. This time the slurs were aimed at smearing and humiliating well-known personalities. On 24 January 2006 *L'Anecdote* published photos of alleged homosexuals, including politicians and journalists. Many of those who tried to clear their names were themselves keen to affirm how reprehensible homosexuality is. In the text accompanying the pictures the accusation was repeatedly made that the named men and women had forced young job applicants into homosexual acts. The media's charges of homosexuality were supported by broad segments of the population. The idea was to deliberately attack corrupt politicians to punish them for political and economic abuses in the country. The growing displeasure was ignited by President Paul Biya, who has remained in power by means of vote rigging since 1982, as well as by the harsh effects of the economic crisis on the population and by the rampant corruption. The newspaper *L'Anecdote* coined the terms »*anuscraty*« and »*homocracy*« for the deplorable state of Cameroon's government and economic system. President Paul Biya broke important ground for the alleged homosexuals by calling on the media in particular to respect people's right to privacy. In 2012, however, the same newspaper again published a list of names of alleged homosexuals.

The accusations in 2006 did not spring from nowhere, but were directly connected to a sermon given by the Archbishop of Yaoundé, Victor Tonye Bakot. In his Christmas sermon of 2005 he had fervently denounced the homosexuality of Cameroon's political elite. Paul Biya is a Catholic, who since coming to power has been committed to the Rosicrucian Order, which is widespread and politically influential in Cameroon, despite being rejected by the Catholic Church. He also cultivates rumours about his occult powers. Because freemasons and Rosicrucians are associated with homosexuality in Cameroon the Archbishop fulminated against both Cameroonian politicians and secret societies. The fact that many ethnic groups in the country – for example, the Beti, to which President Paul Biya belongs – asso-

ciate homosexuality with witchcraft and occult powers further boosts the alleged connection between secret societies and homosexuality.

In the wake of the events outlined here arrests grounded on Article 347a increased dramatically. According to Human Rights Watch more people were arrested, tried and convicted for same-sex acts between consenting adults in Cameroon than in any other African country.<sup>46</sup> In particular in 2011 when the ailing president Paul Biya was re-elected, there was a huge upsurge in arrests, according to IGLHRC.<sup>47</sup> However, it was not public figures who were targeted by the police, but ordinary people. Rumours that sentences for homosexual acts are to be raised to up to 15 years and a fine of 2 million FCFA<sup>48</sup> show that the Cameroon government is trying to shore up its power base and frantically playing the homosexual card. Furthermore, it regularly decries international interference (HRW 2010). When the UNO Human Rights Council, for example, in 2009 recommended that Cameroon abolish Article 347a of its Criminal Code the government countered that homosexuality was a sensitive issue and that human rights had to be weighed against culture (Mengel 2010: 34). In the meantime the Catholic Church and politicians seem to have cosied up together once again on this issue. Catholic Church representatives in particular inveigh incessantly against homosexuality.<sup>49</sup>

The case of Jean-Claude Roger Mbede demonstrates how arbitrary arrests under Article 347a are and how thin the evidence often is in legal proceedings. The then 32 year-old student was arrested in March 2011 after he had sent an acquaintance a text message saying he was in love with him. The acquaintance then denounced him to the police. As in many other cases, there was no evidence of sexual relations, as provided for in Article 347a. Jean-Claude Roger Mbede was sentenced to three years' imprisonment and a fine on 28 April 2011. With the support of his lawyers he appealed. After numerous delays the court of appeal upheld the original ruling on

46. See: <http://www.guardian.co.uk/world/2012/dec/17/cameroon-anti-gay-legislation-mbede-text>

47. See: <http://www.iglhrc.org/cgi-bin/iowa/article/pressroom/pressrelease/1590.html>

48. See: <http://www.iglhrc.org/binary-data/ATTACHMENT/file/000/000/535-1.pdf>

49. See: [http://www.africanews.com/site/OPINION\\_Gay\\_rights\\_in\\_Cameroon/list\\_messages/41151](http://www.africanews.com/site/OPINION_Gay_rights_in_Cameroon/list_messages/41151)

17 December 2012.<sup>50</sup> According to Jean-Claude Roger Mbede prison guards beat him to obtain further confessions.<sup>51</sup> Indignities, violence and sexual assaults are daily occurrences in Cameroon's prisons (HRW 2010). (Alleged) homosexuals are in grave jeopardy of abuse from prison staff and other inmates alike.

In May 2013 Franz Mananga, director of Alternatives Cameroun, accepted an invitation by ILGA to come to Geneva to confront the Cameroon government delegation during the Universal Periodic Review (UPR) concerning government inaction in the face of violence against LGBTI people and to make recommendations for possible action.<sup>52</sup>

In July 2013 Human Rights Watch demanded that the Cameroonian authorities should immediately conduct an effective and thorough investigation into the torture and killing of Eric Ohena Lembembe, an activist and journalist who was found dead at his home in Yaoundé on the evening of 15 July 2013. Lembembe, executive director of the Cameroonian Foundation for AIDS (CAMFAIDS), was an outspoken activist who defended the rights of lesbian, gay, bisexual, transgender, and intersex (LGBTI) people.<sup>53</sup>

#### LGBTI Organisations in Cameroon: Activities, Alliances and Challenges

Activists committed to the rights of LGBTI people in Cameroon are threatened by the state and society alike and their enjoyment of fundamental rights, such as freedom of association and of expression, is limited, to such an extent indeed that defenders of human rights risk both their own lives and those of their relatives. Since October 2012 lawyers Alice Nkom and Michel Togué have received e-mails and text messages in which not only they but also their children are threatened.<sup>54</sup> Both of them defend people arrested under Article 347a, like

Jean-Claude Roger Mbede. On 27 March 2012 a human rights workshop in the capital Yaoundé which, among other things, dealt with the rights of LGBTI people was violently broken up, although it had been duly notified. First to appear were representatives of the homophobic youth organisation Cameroonian Youth Rally, followed shortly afterwards by the police and political representatives, including the prefect of Mfoundi and the subprefect of Yaoundé. One activist was even briefly put under arrest. A workshop participant reported that the event was banned because it was to have discussed homosexuality, which is prohibited in Cameroon.<sup>55</sup> There are known to have been other violent attacks on events involving LGBTI people.

Alice Nkom's law office and the office of the organisation L'association pour la défense des droits des homosexuel(le)s (Association for the defence of the rights of homosexual men and women, ADEFHO), which she founded, are located in Douala, the country's biggest city. In the past Alice Nkom largely financed ADEFHO's work from her own resources; in 2011, however, the European Union granted ADEFHO and two other associations project funding of 300,000 euros. In March 2014 Alice Nkom's commitment was recognised by Amnesty International which awarded her its Human Rights Prize.

ADEFHO activists help people under arrest with professional legal advice and offer emotional support. They bolster homosexuals with information on their rights and advice in confrontations with the police. Furthermore, they engage in awareness-raising in Cameroon and work on HIV/AIDS because state HIV/AIDS programmes are not extended to men who have sex with men and women who have sex with women. ADEFHO is pursuing a legal course to try to legalise sexual contacts between consenting adults of the same sex. The aim is to bring a case before the country's highest court, whose judges would be obliged to apply international law. Another, very active organisation is Alternatives Cameroun, based in the capital Yaoundé. In November 2009 Alternatives Cameroun presented a petition to decriminalise homosexual acts – with more than 1,500 signatures – to Parliament. The petition was not accepted, however (HRW 2010). Other Cameroon NGOs focussing on LGBTI issues are: Les adolescents face au SIDA (Ado-

50. See: <http://www.mersi-amnesty.de/index.php?id=298>

51. See: <http://www.iglhc.org/cgi-bin/iowa/article/pressroom/press-release/1590.html>, <http://www.hrw.org/news/2012/12/18/cameroon-court-upholds-unjust-homosexuality-conviction>

52. See: <http://ilga.org/ilga/en/article/obbYF7J1dT>

53. See: <http://www.hrw.org/news/2013/07/16/cameroon-lgbti-rights-activist-found-dead-tortured>

54. See: <http://www.hrw.org/news/2012/10/24/cameroon-investigate-threats-against-rights-lawyers>

55. See: <http://www.hrw.org/news/2012/04/05/cameroon-lgbt-rights-workshop-shut-down>

lescents confronted with HIV/AIDS, SIDAHO), Le collectif des familles d'enfants homosexuel(le)s (Collective of families with homosexual children, COFENHO) and the Organisation for Gender, Civic Engagement and Youth Development.

Internationally, NGOs such as ADEFHO and Alternatives Cameroun are well networked: Alternatives Cameroun, IGLHRC, the Centre for Human Rights of the University of Pretoria and Global Rights produced a shadow report in June 2010 on LGBTI rights in Cameroon for the UN's Human Rights Committee.<sup>56</sup> In December 2010 they co-operated with Human Rights Watch and IGLHRC to produce the report »Criminalizing Identities. Rights Abuses in Cameroun based on Sexual Orientation and Gender Identity«. In September 2011 the same international and local organisations, together with Amnesty International, sent an open letter to the recently re-elected president Paul Biya, in which they, among other things, called for the release of prisoners arrested under Article 347a.<sup>57</sup> In October 2012 local and international human rights and LGBTI organisations, on the occasion of the upcoming UPR of Cameroon, contributed a report in which they denounced human rights violations against LGBTI people and formulated recommendations to Cameroon's government. The report was the outcome of cooperation between Affirmative Action, CAMFAIDS, Alternatives Cameroun, Evolve, Humanity First Cameroon, ADEFHO, Human Rights Watch and IGLHRC.<sup>58</sup> Cameroonian NGOs, with the support of international associates, are thus doing the rounds of the international human rights institutions.

### 3. Recommendations

#### 3.1 Cooperation with Local LGBTI Activists

Local activists can best assess the situation on the ground and have their own strategies for realising the rights of LGBTI people. They know the dangers and ways of improving the situation from their own experience.

56. See: [http://www2.ohchr.org/english/bodies/hrc/docs/ngos/LGBTI\\_Cameroon\\_HRC99.pdf](http://www2.ohchr.org/english/bodies/hrc/docs/ngos/LGBTI_Cameroon_HRC99.pdf)

57. See: <http://www.hrw.org/news/2011/09/30/cameroon-stop-criminalizing-same-sex-conduct>

58. See: [http://www.hrw.org/sites/default/files/related\\_material/2012%2010%20Cameroon%20LGBT%20UPR%20ENGLISH%20-%20FINAL.pdf](http://www.hrw.org/sites/default/files/related_material/2012%2010%20Cameroon%20LGBT%20UPR%20ENGLISH%20-%20FINAL.pdf)

Thus there should be close coordination with local partners.<sup>59</sup> The greatest possible caution and sensitivity must be deployed with regard to the pictures and personal data of activists. If pictures of activists are displayed on the internet they could become the targets of homophobic violence. Furthermore, defenders of human rights should not be reduced to their political activism but first and foremost should be presented as people who share their personal stories with strangers in the name of human rights.

Many LGBTI activists from African countries are involved in international debates and categorise themselves, in accordance with Western concepts of identity, as lesbian, gay, bisexual, transgender or intersex. However, not everyone is reflected in such descriptions. Specifically, many activists prefer to be known as »men who have sex with men« or »women who have sex with women« rather than as »gay« men or »lesbian« women. As an alternative to LGBTI the acronym SOGI (*Sexual Orientation and Gender Identity*) is available, which »[circumvents] Western hegemonic descriptions and attributions of identity in which definitions are conceptualised multidimensionally, not dichotomously« (Sauer/Heckemeyer 2011: 55).

With regard to possible strategies external sponsors/actors should not lay down priorities or strategies for local activists. In order to pre-empt a conservative backlash that could manifest itself in extreme violence activists themselves must decide what strategic goals to follow and at what time. In countries in which LGBTI people are arrested or even killed under anti-homosexual laws the aim should be the decriminalisation of homosexuality. As the example of South Africa shows the legalisation of homosexual acts is no guarantee of societal acceptance of homosexuality. However, it does mean that LGBTI people are able to claim rights and protection against violence as citizens, which should be not underestimated.<sup>60</sup>

**Financial support** is decisive because LGBTI organisations in countries with anti-homosexual legislation often cannot register officially and thus cannot receive donor

59. See: <http://www.dandc.eu/articles/175882/index.de.shtml>

60. On this see an article on South Africa of 29 May 2012 in the online edition of British newspaper The Guardian: <http://www.hrw.org/news/2012/05/29/traditional-courts-bill-threatens-lgbt-south-africans>

money in their own country. In such cases not only project support is important but also the funding of operating costs (office infrastructure, personnel), as well as making money available to defray the cost of trials involving activists or bail money. Organisational development and training of activists (*capacity development*) should be supported in accordance with demand and need. This also applies to training on regional and international human rights covenants, which can help to empower activists.

Also of crucial importance to activists is networking so that LGBTI activists can exchange views and experiences with one another and exercise greater political heft to implement their demands. Development cooperation actors should support the networking of LGBTI activists in their own country, in Africa and at the international level. This applies, among other things, to demands for protection against violence and legal equality with regard to the fundamental human rights of the African Union (AU). These and many other demands were put by the NGO Forum at the 46th session of the African Commission on Human and People's Rights in November 2009.<sup>61</sup>

Furthermore, LGBTI organisations must link up with the broader human rights movement. Here development-cooperation actors can sometimes help to arrange contacts between LGBTI and human rights groups. Networking would bring together resources and expertise, prevent the ghettoisation of LGBTI issues and emphasise that SOGI rights are part and parcel of universal human rights. Thus awareness of UN structures is important, specifically the Human Rights Council, the UN High Commissioner for Human Rights and the UN General Assembly, as well as international covenants, resolutions, agreements and opinions of the relevant UN committees condemning homophobic violence and on the protection of LGBTI people (Sauer Chebout 2011).<sup>62</sup> Reference to the Yogyakarta Principles, which define SOGI rights as human rights, can boost coalitions and serve as important arguments for activists. The handbook *Yogyakarta Plus* issued by the Hirschfeld-Eddy-Stiftung provides a good foundation for the human rights-based work of LGBTI activists (see Hirschfeld-Eddy-Stiftung 2011). It ex-

plains the Yogyakarta Principles and gives concrete examples of how they can be used in human rights work.

**Emotional support** is not to be underestimated, as activists from African countries emphasise. For example, those arrested for defending human rights draw much support and hope from letters they receive from sympathisers abroad, but also from other expressions of solidarity, such as vigils.

### 3.2 Work with Representatives of State Institutions and Civil Society Organisations

In order to increase popular acceptance of LGBTI people extensive awareness-raising and sensitivity measures are needed, such as training for police officers, judges, teachers, hospital personnel, the media and the church. Political foundations often have good contacts with local partners in countries where they have an office. The Friedrich-Ebert-Stiftung works closely with trade union and media representatives, for whom it conducts training. Such training courses should also provide information on the legal situation and the prosecution of LGBTI people. Even in states in which homosexual acts are criminal offences awareness-raising and sensitivity work is possible, as the GALZ training courses – including for young people – conducted by the Friedrich-Ebert-Stiftung in Zimbabwe show. They helped to reduce ignorance and prejudice. Such successful cooperation could serve as orientation and provide impetus for other development-cooperation organisations and for political foundations, who then need to come up with options for implementation adapted to local circumstances.

Many African societies are extremely religious; thus religion plays a major emotional role in the lives of LGBTI people. At the same time, in particular religious authorities rail against homosexuals. For this reason dialogue with religious representatives is especially important. As African activists at the conference »Persecution of Sexual Minorities and the Role of Religious Communities in Africa« in November 2012 in Berlin explained, they count on the intermediation of German partner churches in this.<sup>63</sup>

61. See: <http://arc-international.net/global-advocacy/sogi-statements/ngo-resolution-achpr-2009>

62. See: <http://arc-international.net/global-advocacy/sogi-statements>

63. See the documentation of the Hirschfeld-Eddy-Stiftung online at: <http://www.lsvd-blog.de/?p=4277>; <http://www.dandc.eu/de/article/kirchen-tragen-zu-homosexuellenhass-afrika-bei>

It is a controversial issue among activists from African countries and German activists whether pressure should be applied to governments that violate human rights by suspending funding within the framework of bilateral development cooperation (see Jetz 2011: 83–87). There is no generally applicable answer to this question; it has to be addressed according to circumstances. In the case of Uganda, in mid-November 2012 the Civil Society Coalition on Human Rights and Constitutional Law, in a so-called Action Alert, clearly formulated what support they expect from international partners and what international partners should never do. At this time it seemed likely that the Ugandan Parliament would vote on the draft law on stiffening existing anti-homosexual legislation. Accordingly, it was important that international partners refrain from launching big media campaigns or issuing press releases publicly condemning the draft law. Ugandan activists called instead for »quiet diplomacy«, in other words, attempts to influence key political figures behind the scenes. The coalition expressly called on international supporters not to demand that their own governments suspend development cooperation aid. They feared that LGBTI people would be scapegoated as a result.

### 3.3 German Development-policy Commitment – Importance of LGBTI Issues

In 2011 the German Ministry for Economic Cooperation and Development (BMZ) published the strategic paper »Human rights in German development policy«, according to which, among other things, those defending the human rights of LGBTI people were to be protected, their advocacy work supported and their networking promoted. In addition, the legal framework is to be improved, discrimination combated and experts of German development organisations would receive sensitivity training (BMZ 2011; vgl. Jetz 2011: 64). In the development-policy action for human rights (2008–2010), as well as in the Human Rights Report 2010–2012 it states that discrimination on the grounds of sexual orientation should be combated.<sup>64</sup> The German government will advocate the codification of LGBTI rights and against the criminalisation of homosexuality at the bi- and multi-lateral levels. Thus, for example, LGBTI projects on reproduc-

tive health are to be boosted.<sup>65</sup> The draft human rights action plan 2012–2014 is almost identical, although it is supplemented by the formulation of »sexual identity«. German LGBTI activists have criticised the vague aims and lack of verification, although the establishment of monitoring mechanisms is already envisaged in the development-policy human rights approach.<sup>66</sup>

It remains to be seen, after the restructuring of the Academy for International Development (AIZ), the training institution in Bad Honnef for development experts going to work abroad, how far LGBTI issues will become an integral part of human rights courses that are already very short. The two-and-a-half days' training was offered only in February and May 2013.<sup>67</sup> The development-policy human rights concept refers to a European Commission tool-kit on LGBTI rights in third countries whose purpose is to reduce ignorance and prejudices among managers of development-cooperation organisations and experts going to work abroad; however, meaningful preparation for and handling of what is often a controversial issue must go beyond suggested reading.<sup>68</sup> Homosexuals travelling abroad would, according to the intentions of personnel departments of state and non-state development-cooperation organisations, be informed of possible dangers in individual countries. Internationally active sending organisations would thus, according to the assessment of many personnel departments, comply with their duty of care and contribute to awareness-raising about LGBTI rights.

In terms of personnel policy in 2005 the Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ)<sup>69</sup> put homosexual staff in registered civil partnerships on the same footing as heterosexuals. In the former DED there

64. See: [http://www.bmz.de/de/was\\_wir\\_machen/themen/menschenrechte/allgemeine\\_menschenrechte/deutsche\\_entwicklungspolitik/aktionsplan/index.html](http://www.bmz.de/de/was_wir_machen/themen/menschenrechte/allgemeine_menschenrechte/deutsche_entwicklungspolitik/aktionsplan/index.html)[http://www.auswaertiges-amt.de/cae/servlet/contentblob/629370/publicationFile/173233/121024\\_10-MR\\_Bericht.pdf](http://www.auswaertiges-amt.de/cae/servlet/contentblob/629370/publicationFile/173233/121024_10-MR_Bericht.pdf)

65. See: [http://www.bmz.de/de/publikationen/reihen/infobroschueren/flyer/infobroschueren/Materialie207\\_Informationsbroschuer\\_e\\_07\\_2010.pdf](http://www.bmz.de/de/publikationen/reihen/infobroschueren/flyer/infobroschueren/Materialie207_Informationsbroschuer_e_07_2010.pdf)

66. See: <http://www.lsvd-blog.de/?p=3910>.

67. See: [http://www3.giz.de/imperia/md/content/a-internet2008/v-ez/aiz-programm\\_\\_bersicht-2013.pdf](http://www3.giz.de/imperia/md/content/a-internet2008/v-ez/aiz-programm__bersicht-2013.pdf); [http://www3.giz.de/imperia/md/content/a-internet2008/v-ez/aiz\\_programmkatalog\\_2013.pdf](http://www3.giz.de/imperia/md/content/a-internet2008/v-ez/aiz_programmkatalog_2013.pdf). Whether LGBTI issues are part of the course on HIV prevention or in the e-learning module on gender-mainstreaming cannot be discerned in the AIZ programme. LSBTI people are not mentioned specifically.

68. See: [http://www.hrea.org/erc/Library/display\\_doc.php?url=http://www.consilium.europa.eu%2Fuedocs%2FcmsUpload%2Fst11179\\_en10.pdf&external=N](http://www.hrea.org/erc/Library/display_doc.php?url=http://www.consilium.europa.eu%2Fuedocs%2FcmsUpload%2Fst11179_en10.pdf&external=N)

69. GTZ, German Development Service (DED) and Inwent merged on January 1, 2011 to become Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ).

were some instances of conflicts with local organisations. Although some church sending organisations employ homosexuals they keep quiet about it – with the exception of EIRENE – in order not to upset conservative donors (Elliesen 2009).

Neither the action plan on civil crisis prevention nor the BMZ concept on fragile states address the particular situation of LGBTI people in repressive or fragile states, such as Uganda or Zimbabwe, or after violent conflicts, such as South Africa. Although reference is made to ethnic minorities and heterosexual women as groups under particular threat, gender issues and interdependences between sexualised violence as an instrument of power and martial masculinity, which also manifest themselves in homophobic violence, are completely ignored.<sup>70</sup> The interdepartmental guidelines on consistent government policy with regard to fragile states, published in September 2012, envisage closer cooperation with traditional authorities because in many places democratisation efforts have failed.<sup>71</sup> Given the homophobia of chiefs in South Africa and the homophobic smear campaign that has been going on for years in Zimbabwe specific warnings must be issued about uncritical cooperation for state-building purposes. In the same paper, despite the official human rights orientation of German foreign and development policy, no mention is made of strengthening local human rights organisations.

To date, financial backing of LGBTI organisations via German state development cooperation has been comparatively low. According to a study by the German Institute for Human Rights and Dreilinden GmbH in 2010 it amounted to 481,181 euros for actors in Africa, which is 23 per cent of the total funding for LGBTI organisations worldwide (Sauer/Chebout 2011). In Africa, 19 projects were supported with an average of 25,325 euros per project. Specifically, HIV prevention and human rights work were given particular support. The BMZ funds measures implemented by GIZ or by political foundations, such as the Heinrich-Böll-Stiftung which is particularly active with regard to LGBTI rights, and applied for by non-governmental organisations. Besides the BMZ primarily private foundations, such as the Hirschfeld-Ed-

dy-Stiftung, fund LGBTI projects in countries of the global South, including African countries. In 2010 a Kenyan organisation received the most money from Germany, at 140,000 euros (Sauer/Chebout 2011). LGBTI organisations can, for example, apply for funds for promoting human rights from German embassies in their countries; in 2011, temporarily, there was a special fund for LGBTI projects.

LGBTI issues should be an integral part of the BMZ's development-policy action plan, gender mainstreaming guidelines, position papers on promoting sexual and reproductive rights and HIV/AIDS prevention. Only in this way can they become systematically institutionalised in state development cooperation. References to development-policy human rights foundations are necessary and make perfect sense (BMZ 2009 and 2012). The European Commission also provides an important legal basis oriented towards the Yogyakarta Principles.<sup>72</sup> They include recommendations on non-discrimination, rights of asylum, promoting equal access to accommodation, education, employment and health care, the right to privacy, to freedom of association and of expression, as well as to halting homophobic hate speech and violent hate crimes.<sup>73</sup>

With reference to the Millennium Development Goals (MDG) the goals of gender equality (MDG 3) and combating HIV/AIDS (MDG 6) provide points of reference for supporting LGBTI projects.<sup>74</sup> The institutionalisation of LGBTI issues in state and non-state development-cooperation organisations, as well as in political foundations, such as the Friedrich-Ebert-Stiftung, remains a challenge. Particular connecting factors would be gender strategies, gender mainstreaming processes, health, HIV/AIDS and human rights projects.<sup>75</sup> One condition for a systematic anchoring in this area is the expansion of the promotion of women into a comprehensive gender approach. Furthermore, project and programme managers, as well as all those involved in international development policy, should develop an understanding of women's and human rights, as well as the right to

70. See: <http://www.bmz.de/de/publikationen/reihen/sonderpublikationen/Krisenpraevention.pdf> <http://www.bmz.de/de/publikationen/reihen/strategiepapere/konzept149.pdf>

71. See: [http://www.bmz.de/de/zentrales\\_downloadarchiv/Presse/leitlinien\\_fragile\\_staaten.pdf](http://www.bmz.de/de/zentrales_downloadarchiv/Presse/leitlinien_fragile_staaten.pdf)

72. See: [http://www.hirschfeld-eddy-stiftung.de/fileadmin/images/schriftenreihe/yogyakarta-principles\\_de.pdf](http://www.hirschfeld-eddy-stiftung.de/fileadmin/images/schriftenreihe/yogyakarta-principles_de.pdf)

73. See: <http://arc-international.net/global-advocacy/sogi-statements/coe-recommendation>

74. See: <http://www.un.org/millenniumgoals/>

75. See: <http://library.fes.de/pdf-files/iez/01643.pdf>

health, regardless of sexual orientation or sexual identity.<sup>76</sup>

The civil society federation »LGBTI Inklusion«,<sup>77</sup> headquartered in Berlin, proactively takes up the challenges outlined here and at present is working out an LGBTI inclusion concept for foreign policy and development cooperation. The federation's members would like to make specific development-policy demands and become legitimate contact partner of the German government on LGBTI issues. The idea for this came from the LGBTI human rights platform established at the Hirschfeld-Eddy-Stiftung, a network of NGOs and individuals from the domain of LGBTI human rights.<sup>78</sup> »LGBTI-Inklusion« was formalised at a meeting on 9 November 2012, to which representatives of Dreilinden gGmbH, queeramnesty, TriQ, QII Germany and the Hirschfeld-Eddy-Stiftung, as well as a human rights expert were invited.<sup>79</sup>

At a time when there are reports of assaults on the rights of LGBTI people from all continents, there is a strong danger that increasing legal problems in individual countries will go unheeded. When the Same-Sex-Marriage Prohibition Bill was introduced in the lower house of the Nigerian parliament in November 2012, after passing the Senate earlier that year, there was comparatively little fuss in the international media.<sup>80</sup> In future, developments in individual African countries must be closely monitored and appropriate answers found that unreservedly heed the inviolability of the dignity of LGBTI people.

76. The Swedish state development organisation SIDA and the Dutch state development organisation HIVOS could serve as models in this process: <http://www.hivos.org/focal-area/lgbt-rights>[http://www.sida.se/Global/Nyheter/SIDA4948en\\_Sexual\\_Orientation\\_web%5B1%5D.pdf](http://www.sida.se/Global/Nyheter/SIDA4948en_Sexual_Orientation_web%5B1%5D.pdf); [http://www.rfsu.se/Bildbank/Dokument/itp-kurser/268\\_Africa\\_LGBT%20and%20Human%20Rights%202011\\_Web.pdf](http://www.rfsu.se/Bildbank/Dokument/itp-kurser/268_Africa_LGBT%20and%20Human%20Rights%202011_Web.pdf). UNAIDS and the Global Fund to Fight HIV, Tuberculosis and Malaria provide specific implementation materials (Sauer 2011). Initial signs of GIZ receptiveness in this regard were visible on the occasion of World AIDS Day: 2009 [www.gtz.de/wbf/4tDx9kw63gma/WAD2009-doc-final.pdf](http://www.gtz.de/wbf/4tDx9kw63gma/WAD2009-doc-final.pdf)[http://www2.gtz.de/wbf/4tDx9kw63gma/R10\\_InfoNote\\_SOGI\\_en%5B1%5D.pdf](http://www2.gtz.de/wbf/4tDx9kw63gma/R10_InfoNote_SOGI_en%5B1%5D.pdf). With regard to work in specific countries the approach taken by the GIZ Health Programme on non-discriminatory and gender-equal health care provision, as well as the integration of LGBTI people in HIV prevention in Kenya are exemplary: <http://www.gtzkenyahealth.com/blog3/?p=8032>

77. The name of the federation, known originally as the Yogyakarta-Alliance, has not yet been decided.

78. See: <http://www.hirschfeld-eddy-stiftung.de/lgbt-plattform/lgbti-inklusionskonzept/>

79. See: [http://www.hirschfeld-eddy-stiftung.de/fileadmin/images/LGBT-Plattform/Einladung\\_Inklusionskonzept.pdf](http://www.hirschfeld-eddy-stiftung.de/fileadmin/images/LGBT-Plattform/Einladung_Inklusionskonzept.pdf)

80. Same-Sex marriage prohibition bill became law in Nigeria on 7 January 2014, with disastrous effects on LGBTI people, activists and organisations. See: <http://www.hrw.org/news/2014/01/14/nigeria-anti-lgbt-law-threatens-basic-rights>

- Action Aid** (2009): *Hate crimes: the rise of corrective rape in South Africa*, Action AID Publications, London; [http://www.actionaid.org.uk/101756/hate\\_crimes\\_the\\_rise\\_of\\_corrective\\_rape\\_in\\_south\\_africa.html](http://www.actionaid.org.uk/101756/hate_crimes_the_rise_of_corrective_rape_in_south_africa.html) (all weblinks accessed between 27.12.2012 and 4.1.2014).
- Agius, Silvan / Aujean, Sophie / Köhler, Richard / Ehrh, Julia** (2011): *Human Rights and Gender Identity. Best Practices Catalogue*, ILGA/TGEU, Brussels/Malmö; online at: [http://www.tgeu.org/best\\_practice\\_catalogue\\_human\\_rights\\_gender\\_identity](http://www.tgeu.org/best_practice_catalogue_human_rights_gender_identity)
- Amnesty International** (2013): *Republic of Cameroon. Making human rights a reality*, Amnesty International Publications, London; online at: <http://www.amnesty.org/en/library/asset/AFR17/001/2013/en/384e1431-5fbb-4946-875e-78078329ee16/af170012013en.pdf>
- Anguita Abolafia, Luis** (2012): Tackling corrective rape in South Africa. The engagement between the LGBT CSOs and the NHRI (CGE and SAHRC), in: *International Journal of Human Rights*, vol. 16, no. 3, pp. 489-516.
- Aramo, Margarete** (1999): How homosexuality became »un-African«. The case of Zimbabwe, in: Blackwood, E. / Wieringa, S. E. (eds): *Female desires, Same-sex relations and transgender practices across cultures*, New York: Columbia University Press, pp. 255–280.
- Balzer, Carsten / Hutter, Jan Simon** (2012): *Transrespect versus Transphobia Worldwide. A Comparative Review of the Human Rights Situation of Gender Variant / Trans People*, Transgender Europe / Transrespect Versus Transphobia Worldwide, Berlin; online at: [http://www.transrespect-transphobia.org/uploads/downloads/Publications/TvT\\_research-report.pdf](http://www.transrespect-transphobia.org/uploads/downloads/Publications/TvT_research-report.pdf)
- Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (BMZ)** (2012): *Sexuelle Minderheiten und HIV. Das Engagement der deutschen Entwicklungszusammenarbeit*, Berlin; online at: [http://www.bmz.de/de/publikationen/reihen/infobroschueren\\_flyer/flyer/Flyer\\_HIV.pdf](http://www.bmz.de/de/publikationen/reihen/infobroschueren_flyer/flyer/Flyer_HIV.pdf)
- (2012): Deutschlands Beitrag zur nachhaltigen Eindämmung von HIV. Ein Positionspapier des BMZ, *BMZ Strategiepapier 5*, Berlin; online at: [http://www.bmz.de/de/publikationen/reihen/strategiepapiere/Strategiepapier319\\_5\\_2012.pdf](http://www.bmz.de/de/publikationen/reihen/strategiepapiere/Strategiepapier319_5_2012.pdf)
- (2011): Menschenrechte in der deutschen Entwicklungspolitik. Konzept, *BMZ Strategiepapier 4*, Berlin; online at: [http://www.bmz.de/de/publikationen/reihen/strategiepapiere/Strategiepapier303\\_04\\_2011.pdf](http://www.bmz.de/de/publikationen/reihen/strategiepapiere/Strategiepapier303_04_2011.pdf)
- (2009): *Gesundheit und Menschenrechte, BMZ Spezial 162*, Berlin; online at: <http://www.bmz.de/de/publikationen/reihen/strategiepapiere/spezial162pdf.pdf>
- (2009): Entwicklungspolitische Gender-Aktionsplan 2009-2012, *BMZ Konzepte 173*, Berlin; online at: <http://www.bmz.de/de/publikationen/reihen/strategiepapiere/konzept173.pdf>
- (2008): Sexuelle und reproduktive Gesundheit und Rechte, Bevölkerungsdynamik. Ein Positionspapier des BMZ, *BMZ Spezial 148*, Berlin; online at: [http://www.bmz.de/de/was\\_wir\\_machen/themen/gesundheit/reproduktive\\_gesundheit/index.html?follow=adword](http://www.bmz.de/de/was_wir_machen/themen/gesundheit/reproduktive_gesundheit/index.html?follow=adword)
- Council of the European Union Working Party on Human Rights** (2010): *Toolkit to Protect and Promote the Enjoyment of all Human Rights by Lesbian, Gay, Bisexual and Transgender (LGBT) people*, Brussels; online at: [http://www.hrea.org/erc/Library/display\\_doc.php?url=http%3A%2F%2Fwww.consilium.europa.eu%2Fuedocs%2FcmsUpload%2Fst11179.en10.pdf&external=N](http://www.hrea.org/erc/Library/display_doc.php?url=http%3A%2F%2Fwww.consilium.europa.eu%2Fuedocs%2FcmsUpload%2Fst11179.en10.pdf&external=N)
- Currier, Ashley** (2012): *Out in Africa, LGBT organizing in Namibia and South Africa*, University of Minnesota Press, Minneapolis.
- Dunton, Chris / Palmberg, Mai (1996): Human rights and homosexuality in Southern Africa, *Current African Issues* no. 19, The Nordic Africa Institute, Uppsala; [http://www.google.de/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CDEQFjAA&url=http%3A%2F%2Fwww.diva-portal.org%2Fsmash%2Fget%2Fdiva2%3A272907%2FFULLTEXT01.pdf&ei=JyUYU9aOlaToywOJ3YLoCg&usq=AFQjCNFFDxz\\_88eXZfTCnIFlanW0H3cowA&bvm=bv.62577051,d.bGQ](http://www.google.de/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CDEQFjAA&url=http%3A%2F%2Fwww.diva-portal.org%2Fsmash%2Fget%2Fdiva2%3A272907%2FFULLTEXT01.pdf&ei=JyUYU9aOlaToywOJ3YLoCg&usq=AFQjCNFFDxz_88eXZfTCnIFlanW0H3cowA&bvm=bv.62577051,d.bGQ)
- Elliesen, Tillmann** (2009): Verdeckter Einsatz, in: *Welt-Sichten* 10, pp. 34-35.
- Epprecht, Marc** (1998): The »unsaying« of homosexualities among indigenous black Zimbabweans. Mapping a blind spot in an African masculinity, in: *Journal of Southern African Studies*, vol. 24, pp. 631-651.
- (2004): *Hungochani, The history of a dissident sexuality in Southern Africa*, McGill-Queens University Press, Montreal.
- Epprecht, Marc / Egya, Sule** (2011): Teaching about homosexualities in rural Nigeria, A trial run, in: *Gender and Education*, 23, 4, pp.367-384.
- Geschiere, Peter** (o. J.): *Homosexuality and Identity in Cameroon*, (no place of publication); online at: <http://dare.uva.nl/document/361873>
- Hirschfeld-Eddy-Stiftung** (2011): *Yogyakarta Plus*, Schriftenreihe der Hirschfeld-Eddy-Stiftung, Bd. 2. Berlin; online at: [http://www.hirschfeld-eddy-stiftung.de/fileadmin/images/schriftenreihe/LayoutYyplus\\_2011-10-10\\_web.pdf](http://www.hirschfeld-eddy-stiftung.de/fileadmin/images/schriftenreihe/LayoutYyplus_2011-10-10_web.pdf)
- Hoad, Neville / Martin, Karen / Reid, Graeme (eds.)** (2005): *Sex and politics in South Africa*, Double Storey Books, Cape Town.
- Human Rights Watch** (2003): *More than a name. State sponsored homophobia and its consequences in Southern Africa*, HRW Publications, New York; online at: <http://www.hrw.org/sites/default/files/reports/safrighrc0303.pdf>
- (2010): *Criminalizing Identities. Rights Abuses in Cameroon based on Sexual Orientation and Gender Identity*, HRW Publications, New York; online at: <http://www.hrw.org/sites/default/files/reports/cameroon1010web.pdf>
- (2011): *We'll show you you're a woman. Violence and Discrimination against Black Lesbians and Transgender Men in South Africa*, HRW Publications, New York; online at: <http://www.hrw.org/sites/default/files/reports/southafrica1211.pdf>
- International Gay and Lesbian Association** (2013): *State-sponsored homophobia. A world survey of laws: Criminalisation, protection and recognition of same sex love*. Brussels : ILGA Publications, online at : [http://old.ilga.org/Statehomophobia/ILGA\\_State\\_Sponsored\\_Homophobia\\_2013.pdf](http://old.ilga.org/Statehomophobia/ILGA_State_Sponsored_Homophobia_2013.pdf)

- Jetz, Klaus** (2011): Sexualapostel, in: *IZ3W* 322, pp. 11-13; online at: [https://www.iz3w.org/zeitschrift/ausgaben/322\\_verteilungskampfe/jetz](https://www.iz3w.org/zeitschrift/ausgaben/322_verteilungskampfe/jetz)
- Mengel, Hans-Joachim** (2010): Homosexualität und internationaler Menschenrechtsschutz, in: *APUZ* (15-16), pp. 33-40.
- Moodie, Dunbar** (2001): Black migrant mine labourers and the vicissitudes of male desire, in: Morrell, Robert (ed.): *Changing men in Southern Africa*, Zed Books, London, pp. 275-286.
- Ndashe, Sibongile** (2011): Seeking the protection of LGBTI rights at the African Commission on Human and Peoples' Rights, in: *Feminist Africa* 15, pp. 17-38; online at: [http://agi.ac.za/sites/agi.ac.za/files/2\\_case\\_study\\_sibongile\\_ndashe.pdf](http://agi.ac.za/sites/agi.ac.za/files/2_case_study_sibongile_ndashe.pdf)
- Range, Eva** (2009): Triple Seven – Politischer Aktivismus für die Rechte von Schwulen und Lesben; in: *IZ3W* 315, pp. XIV–XV.
- Roberts, Benjamin / Reddy, Vasu** (2008): Pride and prejudice. Public attitudes toward homosexuality, *HSRC Review* 4, Human Science Research Council, Pretoria; online at: [http://www.hsrc.ac.za/Research\\_Publication-20926.phtml](http://www.hsrc.ac.za/Research_Publication-20926.phtml)
- Sauer, Arn** (2011): Entwicklungsziel Gleichstellung, in: *IZ3W* 326, pp. 30-31; online at: [www.iz3w.org/ausgaben/326/sauer](http://www.iz3w.org/ausgaben/326/sauer)
- Sauer, Arn / Heckemeyer, Karolin** (2011): Sexuelle Orientierung und Geschlechtsidentität in der internationalen Menschenrechts- und Entwicklungszusammenarbeit, in: *Peripherie* 121, 31. Jg., pp. 55-72.
- Sauer, Arn / Chebout, Lucy** (2011): *Menschenrechte fördern! Deutsche Unterstützung für lesbische, schwule, bisexuelle, trans\* und inter\* (LSBTI) Menschenrechtsarbeit im globalen Süden und Osten*, Regenbogenphilanthropie 2, Deutsches Institut für Menschenrechte / Dreilinden gGmbH, Berlin; online at: [http://www.dreilinden.org/pdf/regenbogen\\_philanthropie.pdf](http://www.dreilinden.org/pdf/regenbogen_philanthropie.pdf)
- Tamale, Sylvia** (2007): Out of the closet, Unveiling sexuality discourses in Uganda, in: Cole, Catherine / Takyiwaa / Miescher, Stephan (eds.): *Africa after gender?*, Indiana University Press, Bloomington, pp. 17-29.



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