



## **REGIONAL WORKSHOP ON THE RIGHT TO FREEDOM OF ASSOCIATION AND THE RIGHT TO PEACEFUL ASSEMBLY FOR SEXUAL MINORITIES IN EAST AND CENTRAL AFRICA.**

### **Outcome Document**

#### **Background**

The regional workshop on the freedom of association and right to peaceful assembly, held on 26<sup>th</sup> and 27<sup>th</sup> August 2021, was attended by the prominent LGBTIQ+ rights activists from the East and central African countries. Countries represented included The Democratic Republic of Congo (DRC), Kenya, Burundi, The Republic of Tanzania, and Rwanda. During this workshop, the members present discussed issues highlighting challenges faced by sexual minorities (LGBTIQ+) in accessing their right to the freedom of association and the right to peaceful assembly. Deliberations also revolved around concerns within the formal registration of LGBTIQ+ organizations in their respective countries and in the region at large. This workshop also provided

a timely opportunity to discuss both the LGBTIQ+ rights situation regarding the aforementioned rights and freedoms. The convention also explored avenues of collective mobilization, participation and coalition building.

### **Objectives of the workshop**

The objective of the regional workshop was to discuss issues faced by the sexual minority community while accessing the right to freedom of association and assembly for sexual minorities in central and east Africa. This conference was an important opportunity for organizations to share their challenges and expand the network of LGBTIQ+ organizations in a challenging region for the rights of sexual minorities.

### **Outcome of the workshop**

The meeting adopted the following values and principles which can be based on by the civil society organizations, and LGBTIQ+ rights activists while striving to promote the rights of the LGBTIQ+ individuals in the region.

These values and principles reflect and highlight specific challenges facing LGBTIQ+ led organizations, LGBTIQ+ individuals and communities and suggested how they could together to achieve the mentioned challenges.

#### **A. Values and principles**

1. We, Civil Society Organizations, LGBTIQ+ rights activists in east and central Africa working on issues around the well being of sexual minorities and the respect and promotion of their rights in particular right to freedom of association and the right to peaceful assembly including the registration of LGBTIQ+ organizations in the region and their inclusiveness, just and peaceful societies.
2. We reaffirm our faith in the spirit of inclusion and equality and our commitment to the purposes and principles of Agenda 2030 as bridging factor towards inclusion and progressive development for everyone “Leaving No One Behind’ and reiterate our determination to foster strict respect for the LGBTIQ+ people.

3. We remain committed to the promotion of the LGBTIQ+ rights in the region including the right to peaceful assembly and the freedom of association. These rights also encompassing the registration of the LGBTIQ+ organizations as an enabling factor to sexual minorities to advocate for their rights.
4. We further on commit ourselves to promoting and strengthening the effectiveness of these commitments through the implementation of programs centered on equality and inclusion of LGBTIQ+ persons.
5. We reaffirm the universality, indivisibility, interdependence and interrelatedness of all human rights as embedded in our constitution's bill of rights of our countries and international legal instruments.

## **B. THE CHALLENGES FACING LGBTIQ+ LED ORGANIZATIONS AND LGBTIQ+ INDIVIDUALS IN EAST AND CENTRAL AFRICA.**

Specific challenges affecting persons with varying sexual orientation and gender identities centered on freedom of association and the right to peaceful assembly and the lack thereof are highlighted below.

### **1. Discrimination based on sexual orientation**

Sexual minorities still face discrimination at work places, schools, homes and the communities where they live despite constitutional guarantees of equality and non-discrimination.

### **2. Arbitrary arrest and torture targeted at the LGBTIQ+ people**

LGBTIQ+ individuals who attended this workshop stated that sometimes they experience the challenge of being arrested (Arbitrary arrest) because of expressing their orientation. They added that they often lack access to justice, they face pervasive discrimination by security operatives

especially national police. Supplement to this, acts of violence that go unpunished this has further exacerbated by the Covid-19 pandemic.

### **3. Denial of the registration of LGBTIQ+ organizations.**

The LGBTIQ+ rights organizations are denied the certificates of compliance and this has limited their capacity to advocate for their rights collectively. They take all necessary and required steps for them to have the registration certificate to operate legally but the responsible entities cannot issue the certificates for them.

### **4. Denial of the right to the freedom of association.**

Since LGBTIQ+ organizations are not given the registration certificates, LGBTIQ+ individuals find it hard for them to form their associations. This rights is provided by international, regional and domestic laws but LGBTIQ+ cannot access / enjoy this right like other organizations and individuals.

### **5. Hate speech**

The LGBTIQ+ persons are exposed to the hate speech by both state actors and the respective communities they live in. This is evidenced through verbal and online abuse by the issuance of derogatory and defamatory statements possessing homophobic undertones.

## **Commitments**

We therefore resolve to aim towards a more peaceful, prosperous, democratic and inclusive society and strive to undertake concrete measures to continue paving means to promote and protect the rights of LGBTIQ+ persons.

We emphasize the vital role played by persons in the margins, with particular interest on key populations in the social and economic transformation of the society around them and offer our commitments to include empowerment strategies in enabling them.

We reaffirm our commitment to eradicate inequalities and promote sustainable development and prosperity for all.

## **Collaboration and Financing for attaining the promotion and protection of the LGBTIQ+ rights**

We further reaffirm our commitment to be party to the development of sound policies, good governance at all levels and the rule of law, and to mobilize resources propel promotion of the LGBTIQ+ rights at national and sub-national levels.

We reaffirm to build a coalition led by the LGBTIQ+ people / organizations which will be a mobilizing platform

We also recognize the efforts by development partners to enhance the contribution of non-governmental organizations, civil society in the promotion of the rights of LGBTIQ+.

To this end we reaffirm to work together and map for development partners, developing a needs of assessment which can help us to mobilize for resources that will enable to sustain LGBTIQ+ activities

We also commit to undertake joint ventures of advocacy and capacity building in a bid to adequately address the challenges affecting freedom of association and the right to peaceful assembly

Done in Kigali on 27/8/2021