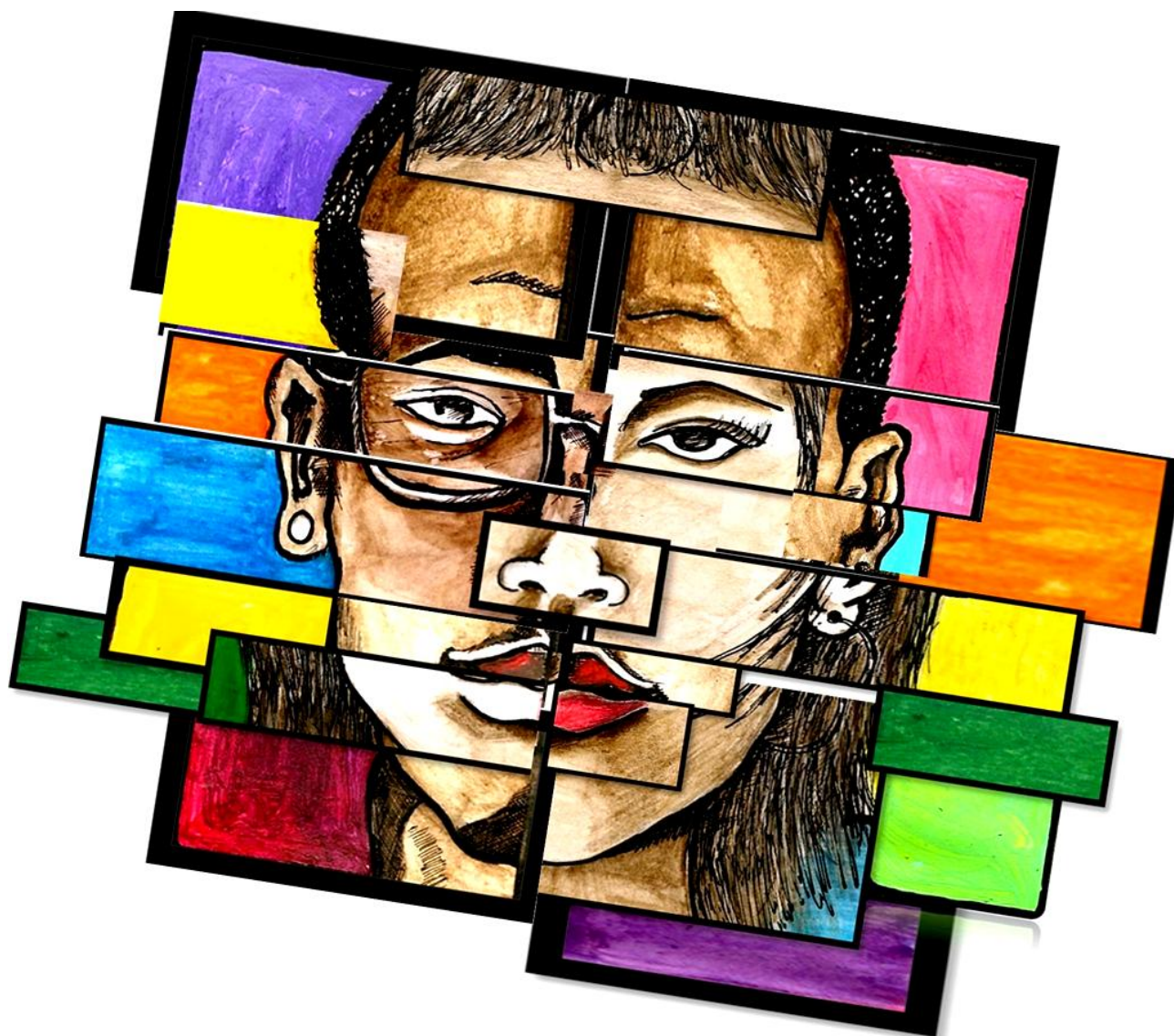


Human Rights Law and the LGBTI Community in Kenya



# **My Way, Your Way or The RIGHT Way?**

Implementing the Yogyakarta Principles in Kenya

**ACTIVITY BOOKLET**

A PUBLICATION OF

**G-KENYA TRUST**

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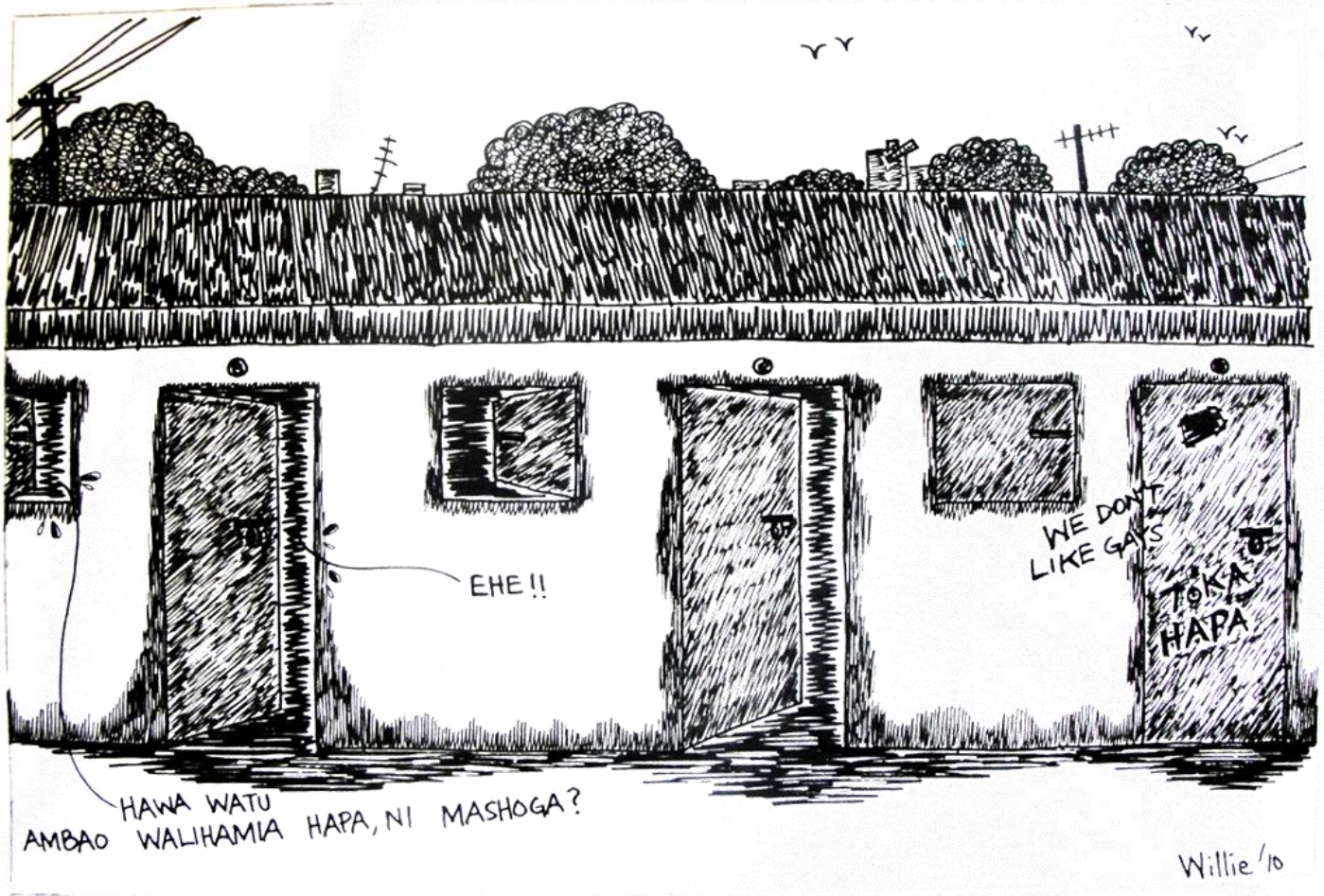




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## Introduction:

Welcome to the Yogyakarta Principle LGBTI Human Rights Training.

We are happy to have you here and to assist you in our efforts to educate community members on the Human Rights of sexual and gender minorities.

This activity book is provided to you so you can follow along with us during the trainings. Please feel free to look through this book to find a more thorough explanation of our activities that will take place during the training. If you should ever wish to look back on this experience and learn more about what we have done during the training, hopefully this activity book will provide you with that capability.

Have an incredible training and good luck!

Sincerely

Your YP Training Team

## UNDERSTANDING SEXUALITY & GENDER

**Sex** is a composition of physical aspects that differentiate between males and females. We assign sex based on external, observable characteristics such as genital appearance.

**Gender** is the social role we use to explain differences between males and females. Gender is expressed in ways such as dress, speech and body language.

**Sexual Orientation** is a person's emotional, romantic and sexual attraction to people of the opposite gender (**heterosexual**), the same gender (**homosexual**) or both genders (**bisexual**). Homosexuals are either **gay** (usually, male) or **lesbian** (female).

**Asexual** persons are without sexual feelings.

**Gender Identity** is a person's internal experience of gender, and it may or may not correspond with their physical sex. When experience of gender does not correspond with assigned sex (for example, when a person born with a male body feels like a woman) we consider them as **transgendered**.

**Intersex** persons are born with reproductive and hormonal anomalies not considered *standard* for male or female. These anomalies may be seen at birth or later in life.

The acronym **LGBTI** is abbreviation for **Lesbian, Gay, Bisexual, Transgender** and **Intersex** persons.

The acronym **SO/GI** stands for Sexual Orientation and Gender Identity and will hitherto be used throughout this manual.

<b>affirmative action</b>	Any measure designed to ensure equal treatment of every individual.
<b>ambiguous</b>	Not direct, open to more than one way of understanding/interpreting it.
<b>assisted procreation</b>	The volunteering of a woman as surrogate to assist in the reproductive activity of conceiving and bearing a child on behalf of a couple through donor insemination or embryo transfer.
<b>civil union</b>	A legal union similar to marriage established to allow equal rights to same-sex couples as the partners in marriage have.
<b>closet</b>	Referring to undisclosed sexual behavior, sexual orientation or gender identity.
<b>coming out</b>	Disclosing of one's sexual orientation or gender identity, personally or publicly.
<b>dignity</b>	The automatic honour and respect every human being has and is entitled to by the simple virtue of being human.
<b>discrimination</b>	The unfair treatment of a category of people in ways that favor a group of persons causing the less favoured person or group of persons harm or hurt.
<b>gender reassignment therapy</b>	Medical procedures regarding sex change for transgender and intersex persons, including psychological therapy, hormonal therapy to modify secondary sex characteristics and sex reassignment surgery to alter primary sex characteristics such as chest and genital modifications. Not all transgender persons undergo these medical procedures.
<b>homophobia (and transphobia)</b>	The attitude of hate and often violence towards LGBTI persons.
<b>hormonal therapy/ hormone replacement therapy (HRT)</b>	Hormonal medication taken to modify secondary sex characteristics (such as shape of body, and the distribution of hair).
<b>human right</b>	Any basic right or freedom to which all human beings are entitled and whose enjoyment Government should not interfere.
<b>legislative</b>	The law making duty of Parliament.
<b>marginalise</b>	Treat a person or group as of less importance in society.
<b>MSM</b>	Men who have sex with men.
<b>Pride Parade</b>	Also known as Gay Pride, these are events and marches celebrating LGBTI culture.
<b>redress</b>	Act of correcting an error, a fault or an evil.
<b>remedies</b>	To correct/improve/rectify a situation.
<b>same-sex sexual activity</b>	A range of public and private displays of affection between persons of the same gender, and they can be anything from holding hands and kissing, to fondling or sex.

## Key Themes

We have chosen to break down the 29 principles into manageable parts that will assist in the learning process. By grouping the principles into “themes” we hope to build a structured sequence of information that will assist participants in digesting the information that we will be providing. We have broken the principles into 6 themes that we hope reflect the greater ideals put forth by the principles. Below are a list of the themes we have introduced into the training.



### **Theme: Introduction to the Universality of Human Rights:**

Given that this principle was the first and that it helps to guide all others, we thought it ought to be in its own theme. This theme emulates the central idea behind the Universal Declaration of Human Rights which the Yogyakarta Principles are based off of. It highlights that human rights are interconnected, indivisible and interdependent.



### **Theme: Rights Regarding Discrimination and Prejudice**

This theme is as broad as the universality of rights. It helps to cultivate an understanding of where human rights abuses are grounded in and addresses how even at this broad level, prejudice and discrimination still play a large role. This theme will assist in explaining further principles within the training.



### **Theme: Rights Regarding Interactions between the State and the Citizen**

This theme centers on interactions between the state and the average citizen. If we start from a broad area such as the universality of rights, moving through prejudice and discrimination, we can see how the state has a large responsibility for protecting the rights of others.



### **Theme: Rights Relating to Standards of Living**

Standards of living are many of the elements that impact the every day lives of individuals. This theme will assist participants in exploring the realities of their world that are impacted by human rights. This will help to continue the flow from the broad and abstract to the very real and concrete elements of human rights.



### **Theme: Rights Relating to Participation in Society**

An individual's right to be a part of their community is a vital component to the work of the Yogyakarta Principles. It is an element of life that cannot be ignored and is central to human rights. This set of principles tie the individual participants even closer to the work of the project and their own human rights.

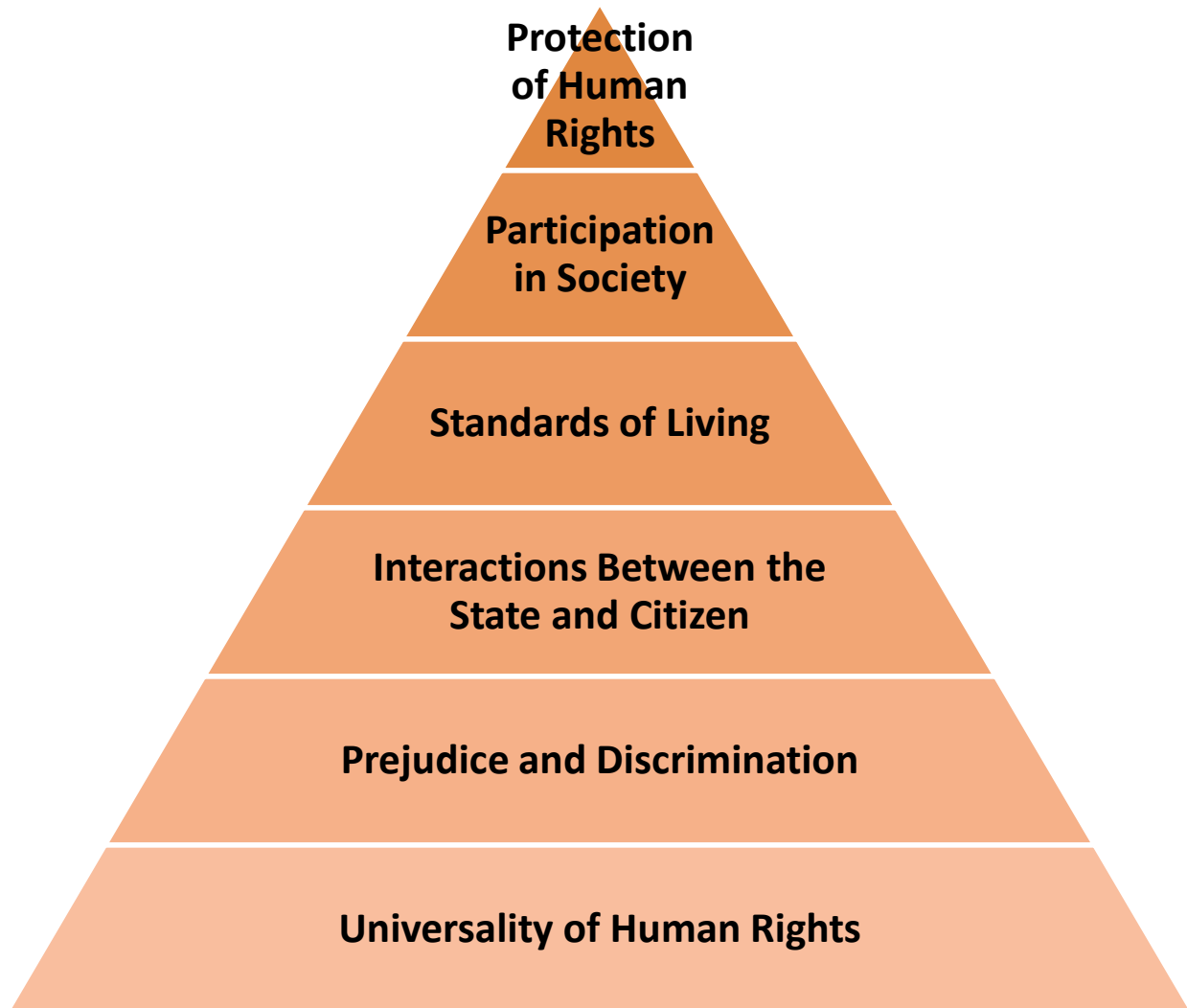


### **Theme: Rights Relating to the Protection of Human Rights**

This theme serves as a summary of the entire experience. It also ties it all back together to the universality of rights and an individual's rights to protecting these human rights.

**Building Blocks of our Theme's:**

All of the themes build upon one another so that through the progression of the training, the themes are tied together through a common thread. This thread will also be presented throughout the training presentation as the core building blocks in which to instruct participants. These building blocks will break down the training into manageable parts which will provide a more comprehensive understanding of the principles for training participants.





# The Yogyakarta Principles

## **Principle 1: The Right to the Universal Enjoyment of Human Rights**

Human rights apply to all persons. Human rights are also inter-related and dependent on one other. We cannot apply them selectively.

## **Principle 2: The Rights to Equality and Non-discrimination**

All Kenyans should be treated equally before the Law.

## **Principle 3: The Right to Recognition Before the Law**

The law should recognize and respect the dignity of all Kenyans. No one expression of sexuality or gender should limit or improve the rights of any Kenyan.

## **Principle 4: The Right to Life**

Every Kenyan has right to life, and no one should be killed on grounds of sexual orientation or gender identity.

## **Principle 5: The Right to Security of the Person**

All Kenyans should live in a safe environment free from violence, or incitement to violence.

## **Principle 6: The Right to Privacy**

All Kenyans should be entitled to their privacy.

## **Principle 7: The Right to Freedom from Arbitrary Deprivation of Liberty**

No Kenyan should be arbitrarily deprived of liberty: that is, arrested without lawful reason.

## **Principle 8: The Right to a Fair Trial**

All Kenyans are entitled to fair, public hearings in courts and tribunals, presided by competent and neutral judges and magistrates.

## **Principle 9: The Right to Treatment with Humanity While in Detention**

Kenyans who have been arrested should be treated humanely.

## **Principle 10: The Right to Freedom From Torture, Cruel Inhumane, or Degrading Treatment or Punishment**

No one should be subjected to cruel, inhumane, or degrading treatment or punishment for reasons relating to their actual or assumed sexual orientation or gender identity.

## **Principle 11: The Right to Protection From ALL forms of Exploitation, Sale and Trafficking of Human Beings.**

The sale of any and all Kenyans, including LGBTI Kenyans, or their exploitation in sex trade or drug trade is illegal.

## **Principle 12: The Rights to Work**

All Kenyans have the right to work where they please, if they are qualified, and to just and favorable conditions of work.

## **Principle 13: The Right to Social Security and to Other Social Protection Measures**

Kenyan Law should recognize same-sex civil unions so that State-sponsored care and benefits programs are made available to all persons and all families without discrimination.

## **Principle 14: The Right to an Adequate Standard of Living**

Every Kenyan has the right to a dignified and continuously improving standard of living, which includes equal access to the basic needs of food, shelter and clothing, safe drinking water, and sanitation.

## **Principle 15: The Right to Adequate Housing**

The right to adequate housing is the right of every human being to gain and sustain a safe and secure home and community in which to live peacefully.

## **Principle 16: The Right to Education**

No one should be denied access to education on the basis of their sexual orientation or gender identity.

## **Principle 17: The Right to the Highest Attainable Standard of Health**

Every Kenyan has a right to access physical and mental care.



### **Principle 18: The Right from Medical Abuses**

A person's sexual orientation or gender identity is not a disease and cannot be studied as a clinical condition to be treated through corrective counseling or medical experimentation without the free and genuinely informed consent of the person.

### **Principle 19: The Right to Freedom of Opinion and Expression**

Everyone has the right to freedom of opinion and expression.

### **Principle 20: The Freedom of Peaceful Assembly and Association**

All Kenyans have the right to peaceful assembly and association.

### **Principle 21: The Right to Freedom of Thought, Conscience and Religion**

Every Kenyan, including LGBTI persons, has the right to freedom of thought, conscience and religion.

### **Principle 22: The Right to Freedom of Movement**

Every Kenyan lawfully residing within the country has freedom of movement and residence in any part of Kenya without hindrance on account of sexual orientation or gender identity.

### **Principle 23: The Right to Seek Asylum**

Everyone has the right to seek and enjoy refuge from religious and/or politically motivated violence, and other forms of persecution.

### **Principle 24: The Right to Found a Family**

All human beings have the right to form a family regardless of their sexual orientation or gender identity.

### **Principle 25: The Right to Participate in Public Life**

Every Kenyan has the right to participate in public life, to hold public office, and to get elected into public office including the highest office of the land.

### **Principle 26: The Right to Participate in Cultural Life**

Every person has the right to participate freely in cultural life regardless of their sexual orientation and gender identity, and to express, through cultural participation, the diversity of sexual orientation and gender identity. Culture refers to the customs and achievements of a particular social group.

### **Principle 27: The Right to Promote Human Rights**

Everyone has the right, individually and in association with others, to promote human rights.

### **Principle 28: The Right to Effective Remedies and Redress**

Every victim of a human rights violation including on basis of sexual orientation and gender identity has the right to present their grievances to relevant authorities and have them addressed.

### **Principle 29: Accountability**

The Government of Kenya should move with speed to end the culture of impunity including failure to deal with human rights violations based on sexual orientation and gender identity.



# Guiding Parameters for this Training Session

## Welcome to the Yogyakarta Principle Trainings

### 1. Full Engagement

- a. Cell Phones on Silent Mode or Off
- b. Limited Side Conversation
- c. Come back from breaks on time.
- d. Take seriously and have fun

### 2. Safe Space

- a. Respect one another; including each other's opposing opinions and statements.
- b. Bring full self to the table, safe to share who you are and your life experiences. In fact your life experiences will only serve to enhance the quality of the training.

### 3. Positive dialogue

- a. Statements should be "I feel" statements,
- b. should be positive and advance conversation, not diverge the experience
- c. Affirm the others in the group; if you disagree do so in a constructive way.

## Theme: Introduction to the Universality of Human Rights



### In the Section:

- **A Brief History of Human Rights**
- **Principle 1: The Right to the Universal Enjoyment of Human Rights**

### This Section's Theme:

Given that this principle was the very first principle which helps to guide all others, we felt that it ought to be in its own theme. This theme emulates the central idea behind the Universal Declaration of Human Rights which the Yogyakarta Principles are based off of. It highlights the universality of human rights, that they are interconnected, indivisible and interdependent. This theme will carry throughout the rest of the training. We hope participants will walk away understating this basic tenant as a foundation for all other principles.

### Tools Needed

#### For this Section:

- |                               |               |
|-------------------------------|---------------|
| - Projector                   | - Power Point |
| - Butcher Paper               | Presentation  |
| - Markers, Pens, Highlighters |               |

### Extra Resources:

- The Universal Declaration of Human Rights  
<http://www.un.org/en/documents/udhr/index.shtml>

### What are the Yogyakarta Principles?

In November 2006, in response to well documented patterns of abuse, a distinguished panel of international human rights experts met in Yogyakarta, Indonesia to outline a set of international principles relating to sexual orientation and gender identity.

The result was the Yogyakarta Principles: a universal guide to human rights which affirm binding international legal standards with which ALL States must comply. They promise a different future where all people born free and equal in dignity and rights can fulfill that precious birthright.

### 1. The Right to the Universal Enjoyment of Human Rights

Human rights apply to all. No one right is more important than another, and no Kenyan should be denied any rights on any grounds, including on grounds of their sexual orientation or gender identity. Human rights are inter-related and dependent on one other. We cannot apply them selectively. Together they preserve the dignity of all people.

All Kenyans are equal no matter how different they are from others. Our differences—social, cultural, political or religious—must not be used to oppress or incite people against one another. We cannot say LGBTI Kenyans are entitled to certain *minimum* rights such as a right to life, but denied the rights to privacy, to security, to access healthcare, or to found a family.

(n) **Human Right** Any legal entitlement believed to belong to every human being, and whose enjoyment Government should not interfere.

# Origins of Human Rights

[http://en.wikipedia.org/wiki/Human\\_rights](http://en.wikipedia.org/wiki/Human_rights)

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law. —Preamble to the Universal Declaration of Human Rights, 1948

The history of human rights involves religious, cultural, philosophical and legal developments throughout recorded history.

While the modern human rights movement hugely expanded in post-World War II era, the concept can be traced through all major religions, cultures and philosophies. Ancient Hindu law (Manu Smriti), Confucianism, the Qur'an and the Ten Commandments all outline some of the rights now included in the Universal Declaration of Human Rights.

The concept of natural law, guaranteeing natural rights despite varying human laws and customs, can be traced back to Ancient Greek philosophers, while Enlightenment philosophers suggest a social contract between the rulers and the ruled. The world's first Buddhist state in India, known as the Maurya Empire, established the world's first welfare system, including free hospitals and education. The African

concept of ubuntu is a cultural view of what it is to be human. Modern human rights thinking is descended from these many traditions of human values and beliefs.

## Between World War I and World War II

The League of Nations was established in 1919 at the negotiations over the Treaty of Versailles following the end of World War I. The League's goals included disarmament, preventing war through collective security, settling disputes between countries through negotiation, diplomacy and improving global welfare. Enshrined in its Charter was a mandate to promote many of the rights which were later included in the Universal Declaration of Human Rights (UDHR).

The League of Nations had mandates to support many of the former colonies of the Western European colonial powers during their transition from colony to independent state.

Established as an agency of the League of Nations, and now part of United Nations, the International Labor Organization also had a mandate to promote and safeguard certain of the rights later included in the UDHR:

## After World War II

### Rights in War and the Geneva Conventions

The Geneva Conventions came into being between 1864 and 1949 as a result of efforts by Henry Dunant, the founder of the International Committee of the Red Cross. The conventions safeguard the human rights of individuals involved in conflict, and follow on from the 1899 and 1907 Hague Conventions, the international community's first attempt to define laws of war. Despite first being framed before World War II, the conventions were revised as a result of World War II and readopted by the international community in 1949.

### Universal Declaration of Human Rights

The Universal Declaration of Human Rights (UDHR) is a non-binding declaration adopted by the United Nations General Assembly in 1948, partly in response to the barbarism of World War II. The UDHR urges member nations to promote a number of human, civil, economic and social rights, asserting these rights are part of the "foundation of freedom, justice and peace in the world". The declaration was the first international legal effort to limit the behavior of states and press upon them duties to their citizens following the model of the rights-duty duality.

The UDHR was framed by members of the Human Rights Commission, with Eleanor Roosevelt as Chair, who began to discuss an *International Bill of Rights* in 1947. The members of the Commission did not immediately agree on the form of such a bill of rights, and whether, or how, it should be enforced. The Commission proceeded to frame the UDHR and accompanying treaties, but the UDHR quickly became the priority. Canadian law professor John Humphrey and French lawyer Rene Cassin were responsible for much of the cross-national research and the structure of the document respectively, where the articles of the declaration were interpretative of the general principle of the preamble. The document was structured by Cassin to include the basic principles of dignity, liberty, equality and brotherhood in the first two articles, followed successively by rights pertaining to individuals; rights of individuals in relation to each other and to groups; spiritual, public and political rights; and economic, social and cultural rights. The final three articles place, according to Cassin, rights in the context of limits, duties and the social and political order in which they are to be realized. Humphrey and Cassin

"The primary goal of the ILO today is to promote opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and human dignity." —Report by the Director General for the International Labor Conference 87th Session





intended the rights in the UDHR to be legally enforceable through some means, as is reflected in the third clause of the preamble.

Some of the UDHR was researched and written by a committee of international experts on human rights, including representatives from all continents and all major religions, and drawing on consultation with leaders such as Mahatma Gandhi. The inclusion of both civil and political rights and economic, social and cultural rights was predicated on the assumption that basic human rights are indivisible and that the different types of rights listed are inextricably linked. Though this principle was not opposed by any member states at the time of adoption (the declaration was adopted unanimously, with the abstention of the Soviet bloc, Apartheid South Africa and Saudi Arabia), this principle was later subject to significant challenges.

## Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) rights and the Yogyakarta Principles

LGBTI rights are rights that relate to sexual orientation, gender identity, or gender expression.

In 77 countries, homosexuality remains a criminal offense, punishable by execution in seven countries. The decriminalization of private, consensual, adult sexual relations, especially in countries where corporal or capital punishment is involved, remains one of the primary concerns of LGBTI human rights advocates. Other issues include but are not limited to: government recognition of same-sex relationships, LGBTI adoption, sexual orientation and military service, immigration equality, anti-discrimination laws, hate crime laws regarding violence against LGBTI people, sodomy laws, anti-lesbianism laws, and equal age of consent for same-sex activity.

A global charter for LGBTI rights has been proposed in the form of the 'Yogyakarta Principles', a set of 29 principles whose authors' say apply International Human Rights Law statutes and precedent to situations relevant to LGBTI people's experience. The principles were presented at a United Nations event in New York on November 7, 2007, co-sponsored by Argentina, Brazil and Uruguay.

The principles have been acknowledged with influencing the French proposed UN declaration on sexual orientation and gender identity, which focuses on ending violence, criminalization and capital punishment and does not include dialogue about same-sex marriage or right to start a family. The proposal was supported by 67 of the United Nations' 192 member countries, including all EU nations and the United States. An alternative statement opposing the proposal was initiated by Syria and signed by 57 member nations, including all 27 nations of the Arab League as well as Iran and North Korea.

...recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world

—Preamble to the Universal Declaration of Human Rights, 1948

## The Situation in Kenya:

### Current LGBTI Conditions in Kenya

Sections 162 to 165 of the Kenyan Penal Code criminalize homosexual behavior and attempted homosexual behavior between men, which is referred to as "carnal knowledge against the order of nature". The penalty is 5 to 14 years imprisonment. The age of consent is 16. Lesbian relations are not prohibited in the law.

Homosexuality remains criminalized in Kenya, and even though there are few prosecutions in the country on the sections of the penal code (162 - 165), that criminalize it; LGBTI people are routinely harassed by the police, held in remand houses for long without charges being preferred against them, and presented in court, on trumped-up charges. Closely related to this, is a cartel of corrupt police officials who routinely extort and blackmail LGBTI people with the threat of arrest and imprisonment if they do not give them bribes.

According to the 2007 Pew Global Attitudes Project, a strong 96% of Kenya residents said that homosexuality should be rejected by society, making it one of the highest rejection of homosexuality in the 44 countries surveyed.

### Domesticating the Yogyakarta Principles in Kenya

In May 2010, 11 LGBTI activists convened for a retreat in Nairobi, Kenya to domesticate the Yogyakarta Principles—to situate the ideals in Kenyan situations and clarify what, in their opinion, is the concern of Kenyan LGBTI activist work. They write in the hope of inspiring a more tolerant, honest and progressive nation bold enough to embrace the reality of its citizens in their sexual diversity. They write also to call attention to the inconsistencies that underlie discriminatory law so all Kenyans will be more aware of their rights, and claim them.



## Theme: Rights Regarding Discrimination and Prejudice



### In the Section:

- Principle 2: The Rights to Equality and Non-discrimination
- Principle 3: The Right to Recognition Before the Law
- Principle 4: The Right to Life
- Principle 5: The Right to Security of the Person
- Principle 6: The Right to Privacy
- 

### This Section's Theme:

This theme is as broad and encompasses rights relating to prejudice and discrimination. It helps to cultivate an understanding of what human rights abuses are often grounded in and addresses how even at this broad level, prejudice and discrimination still play a large role. This theme will assist in explaining further principles within the training. We hope that participants will walk away recognizing that at the root of oppression and areas of life where human rights can be taken away, one key element always to address is the inherent prejudice and discrimination that exists within any society.

### Tools Needed For this Section:

- Projector
- Scenarios
- Note cards

### Extra Resources:

- Understanding Prejudice  
[www.understandingprejudice.org](http://www.understandingprejudice.org)

### 2. The Rights to Equality and Non-discrimination

All Kenyans should be treated equal before the Law. Kenya is a rich and diverse country in terms of its social and cultural make-up. None of these aspects of diversity, even when they regard sexual orientation, sex or gender identity, should make any Kenyan be treated or considered more important or less important than another Kenyan.

When we condone discrimination on the basis of a person's sexual orientation or gender identity we create room for discrimination on other grounds such as disability status, gender, creed, political class, and color.

### 3. The Right to Recognition Before the Law

The law should recognize and respect the dignity of all Kenyans whether heterosexual, homosexual, bisexual, asexual, transgender, intersexual, or any other gender variances. No one expression of sexuality or gender should limit or improve the rights of any Kenyan.

The Government of Kenya should also provide a fair and efficient procedure for transgender and intersex Kenyans to change their gender in registration documents where they provide the complete report of a medical practitioner trained on matters of gender identity change.

### Give me an ID; I'm neither a man nor a woman

Muchemi Wachira and James Kariuki, Saturday Nation, June 5 2010

*In school, he was male. But now she feels she is a woman, and this unusual gender transition facing the 26-year-old is driving "him" mad. Andrew Mbugua's voice and hair are feminine, and her transitional condition has led to police harassment and a stint in jail for alleged female impersonation although no charges were ever brought. She has dropped Andrew in favour of Audrey, which she feels doesn't easily give away her gender. And she has written to the Registrar of Persons seeking new identification documents that explain the new traumatic sexual transformation that began when Audrey was pursuing a university education.*

#### 4. The Right to Life

Every Kenyan has right to life, and no one should be killed on grounds of sexual orientation or gender identity. On many occasions though family members, neighbors, and work colleagues have beaten up, wounded, disabled, and even secretly planned to kill LGBTI Kenyans. In addition, some religious leaders incite followers, in speech and action, to eliminate LGBTI Kenyans from society. Such actions are supported by the lack of laws protecting LGBTI Kenyans and go unconvicted because the police believe it *right* to punish LGBTI persons.

Any individual, group, or institution that incites or carries out violence and threatens the life of any Kenyan on grounds of their sexual orientation or gender identity should be thoroughly investigated, tried, and duly sentenced. It is important that the Government of Kenya decriminalize same-sex sexual activity to allow for private sexual activities among Kenyans of consenting age. The law should instead punish sexual offences that lack consent and that are violent such as rape and child abuse.

#### 5. The Right to Security of the Person

All Kenyans should live in a safe environment free from violence, or incitement to violence. Any activity, attitude or belief that threatens the security of any Kenyan should be dealt with appropriately by the police, and so the Government of Kenya must facilitate comprehensive police reform that safeguard the security of all marginalised groups, including LGBTI Kenyans. It is the duty of Government to protect all its citizens at all costs.

Forms of violence include, but are not limited to, physical threats (harassment, riots, beatings, lynching and mob justice), hateful printed matter (text messages, posters, books, printed and online publications) and hate speech. The Government should thoroughly investigate and punish perpetrators of violence. In addition, victims of violence should be fairly compensated and assisted with legal suits, medical care and psychological support without discrimination.

The Government of Kenya should take the responsibility to educate communities on the equal rights of LGBTI Kenyans in order to counter the homophobia and transphobia that underlies violence. The Government should also support initiatives by civil societies working in the areas of LGBTI advocacy to sensitize the police, educational and public institutions, the media and religious leaders against bullying, harassment and cruel treatment of LGBTI persons.

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#### Why Kenyan Constitution must Protect Gays

Prof. Makau Mutua, Sunday Nation, October 24, 2009

*Constitutions are not meant to protect only individuals that we like, and to leave unprotected those who are unpopular, or those the majority may find morally objectionable. A person's identity—especially if it exposes them to ridicule, attack, or discrimination—must be the reason for constitutional protection. Constitutions protect individuals from tyranny of the state and oppression from their fellow human beings.*

*Heterosexuality, which is only one expression of sexuality cannot be treated as the only legitimate form of sexual expression. The full development of each human being—which must be the overriding raison d'être of the constitution, must allow for diversity of sexual expression. That's why constitutions pivot on the bill of rights. The bill of rights is an admission that the majority is not always right, and that certain rights are foundational to civilisation. One of those rights is the equal protection of minorities against discrimination. South Africa recognised this basic fact when it protected sexual minorities and gay rights in its post-apartheid constitution. Kenya must follow suit.*

---

#### 6. The Right to Privacy

All Kenyans should be entitled to their privacy. Coming out (that is, making one's sexual orientation or gender identity public) is one's choice. Every Kenyan has the right to disclose or not to disclose whether they are LGBTI, and when, to whom and how to disclose it.

The Government of Kenya should protect the freedom of every Kenyan citizen to enjoy their private life, intimate decisions and human relations. Intrusion into one's privacy includes instances when a person, their home or property is searched, their possessions seized or when forced to provide information relating to their families or private affairs unnecessarily, or when their communications (online and post, text messages, and phone calls) are tracked.

Any form of blackmail against LGBTI persons to force them to come out, to threaten them, or to get money on the basis of their sexual orientation and gender identity is illegal and should be punished seriously by law.

## Theme: Rights Regarding Interactions between the State and the Citizen



### In the Section:

- Principle 7: The Right to Freedom from Arbitrary Deprivation of Liberty
- Principle 8: The Right to a Fair Trial
- Principle 9: The Right to Humane Treatment While in Detention
- Principle 10: The Right to Freedom From Torture, Cruel Inhumane, or Degrading Treatment or Punishment
- Principle 11: The Right to Protection From ALL forms of Exploitation, Sale and Trafficking of Human Beings.

### This Section's Theme:

This theme centers on interactions between the state and the average citizen. If we start from a broad area such as the universality of rights, moving through prejudice and discrimination, we can see how the state has a large responsibility for maintaining the rights of its citizens. Therefore, the next theme addresses this area of the principles. Understanding this concept hopefully will allow participants to think more about their roles when it comes to interactions with the state and how the state ought to be a means of enforcement when it comes to human rights.

### Tools Needed For this Section:

- Projector
- Masking Tape
- Blindfolds
- Scenario's
- Obstacles

### Extra Resources:

- Kenyan Human Rights Commission  
<http://www.khrc.or.ke/>

### 7. The Right to Freedom from Arbitrary Deprivation of Liberty

No Kenyan should be arbitrarily deprived of liberty: that is, arrested without lawful reason. When arrested, LGBTI Kenyans, as all Kenyans, should be informed of the nature of the charge(s), what their rights are, and they should be brought before a judge or magistrate within twenty-four hours of arrest, and be entitled representation in court by an advocate.

The language in all the written laws of Kenya should be direct. Vague language in the Penal Code that refers to sexual behavior as 'unnatural' or 'grossly indecent' has been misused to justify arrests and detentions of LGBTI Kenyans. Such provisions should be repealed and the police instructed that sexual orientation and gender identity are not valid grounds for arrest.

### Five men arrested in Kenya over gay wedding plans

Pink News, February 12, 2010

*Five men suspected of being gay have been arrested after local people protested over a planned gay wedding. Hundreds of people in Mtwapa protested after details of the secret ceremony became known. The five men, aged between 20 and 23, were said to be guests at today's ceremony and were taken in custody after residents alerted police. The men who were to marry reportedly escaped the town and police had to rescue a number of men accused of being gay from angry crowds.*

### 8. The Right to a Fair Trial

All Kenyans are entitled to fair, public hearings in courts and tribunals, presided by competent and neutral judges and magistrates. Where parties in a criminal or civil suit find a judge or magistrate biased or discriminating on grounds of sexual orientation and gender identity, he/she should disqualify themselves from the proceeding.

Sexual orientation and gender identity should not be used to cast doubt on the evidence of a witness, to question the character of a party in a case, or to affect or vary the ruling of a judge or magistrate.

In addition, the law should allow for interested parties, especially relevant civil societies and human rights organizations, to participate in cases affecting particular work they engage in.

## 9. The Right to Humane Treatment while in Detention

Kenyans who have been arrested should be treated humanely. Currently, there are significant cases of LGBTI persons in jails and detention isolated in cells, verbally and sexually abused by staff and detainees, and refused medication sometimes even when they are HIV-positive.

The Government of Kenya should institute prison reforms that maintain safe and clean prisons with balanced meals, sufficient and inclusive medical services, recreation and exercise facilities, educational and rehabilitation resources. These reforms should also address the needs of vulnerable prisoners, perhaps even provide separate blocks for LGBTI persons that wish to use them, equal access to reproductive health services to all, and inclusive HIV/AIDS information and therapy that recognizes and respects the health of LGBTI Kenyans.

The Government should allow for independent monitoring and critique of detention facilities by civil societies, including those working in the areas of LGBTI advocacy.

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### Kenyan Challenges State Over Prison Facilities

Jillo Kadida, Mail & Guardian Kenya, 21<sup>st</sup> September 2009.

*An intersex Kenyan has applied to Kenya's constitutional court to be released from Nairobi's Kamiti Maximum Security Prison on grounds that he belongs in neither a jail for men nor women. Richard Mwanzia Muasya, who was convicted and jailed for robbery with violence, says he is subjected to continuous human and constitutional rights violations at the prison, suffering inhuman and degrading treatment at the hands of male convicts, prison warders and the public. Muasya was born with both male and female sex organs, but regards himself as a man. He has asked the court to release him because, he says, he is neither man nor woman and there is no special prison for people like him.*

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## 10. The Right to Freedom from Torture, Cruel, Inhumane or Degrading Treatment or Punishment

No one should be subjected to cruel, inhumane, or degrading treatment or punishment for reasons relating to their actual or assumed sexual orientation or gender identity. Cruelty shall be understood to include physical or verbal statements intended to cause fear or bodily harm.

## 11. The Right to Protection from All Forms of Exploitation, Sale and Trafficking of Human Beings

The sale of Kenyans, including LGBTI Kenyans, or their exploitation in sex trade or drug trade is illegal.

Exploitation, sale and trafficking of human beings usually begins with rejection by families and communities, or a lack of financial independence. The Government of Kenya should protect all Kenyans from vulnerability to exploitation, sale and trafficking by ensuring there are adequate poverty reduction measures and economic stimulus programs, and that there is no discrimination in access to employment, social services, housing, education and healthcare.

Limiting a child's or dependent's freedoms of movement and expression, cutting them off from educational support, or sending them away from home because they identify as LGBTI should be considered illegal because it exploits their situation. Dependant LGBTI Kenyans should not be manipulated by families because of their sexual orientation or gender identity.

In addition, sex work (whether same-sex or heterosexual) should not be criminalized. Criminalizing sex work makes it difficult for sex workers to access essential services. Sex workers should be equally entitled to healthcare, legal support and protection by the police.





## Theme: Rights Relating to Standards of Living



### In the Section:

- Principle 12: The Rights to Work
- Principle 13: The Right to Social Security and to Other Social Protection Measures
- Principle 14: The Right to an Adequate Standard of Living
- Principle 15: The Right to Adequate Housing
- Principle 6: The Right to Education
- Principle 17: The Right to the Highest Attainable Standard of Health
- Principle 18: The Right from Medical Abuses

### This Section's Theme:

Standards of living are many of the elements that impact the every day's lives of individuals. These standards of living reflect a society's interest in the average person and include the structural elements of a society such as education, housing, hospitals, employment opportunities, and social security. This theme will assist participants in exploring the realities of their communities. This will help to continue the flow from the broad and abstract to the very real and concrete elements of human rights.

### Tools Needed For this Section:

- Projector
- Scenario's
- PPT

### Extra Resources:

#### 12. The Right to Work

All Kenyans have the right to work where they please, if they are qualified, and to just and favorable conditions of work. Public institutions should not reserve the right to admit to employment, or dismiss from work anyone because of sexual orientation or gender identity.

All Kenyans should be equally considered for employment, and their retention, promotion and remuneration should not be affected by sexual orientation or gender identity. All working Kenyans should also be entitled to health cover while in employment, retirement benefits, pensions and other social security benefits, parental leave and the right to unionize.

*Benjamin Kaniaru was intern in a Public Relations firm in Nairobi, and he was dismissed from employment because some of his colleagues and his employer's son did not approve of his dressing and effeminate nature. They believed his alleged feminine disposition made him incapable of performing his duties.*

#### 13. The Right to Social Security and to Other Social Protection Measures

The Government of Kenya should provide equal access for all to social security and social protection measures including poverty reduction strategies, health and life insurance, support for the elderly, pensions and benefits when one's partner falls ill or dies, and equal rights to inheritance, home and property ownership.

Kenyan Law should recognize same-sex civil unions so that State-sponsored care and benefits programs (such as retirement benefits, National Social Security Fund and National Hospital Insurance Fund) are made available to all persons and all families without discrimination. In this regard, in all decisions concerning the welfare of children, the child's best interest should be primary concern. The Government should protect children from discrimination in health insurance and in provision of welfare benefits on the basis of their sexual orientation or gender identity or that of any member of their family, and especially their parents.

#### 14. The Right to an Adequate Standard of Living

Every Kenyan has the right to a dignified and continuously improving standard of living, which includes equal access to the basic needs of food, shelter and clothing, safe drinking water, and sanitation. The Government should also provide amenities that improve standard of living such as electricity, roads, modes of communication (telephony and internet), and measures that address pollution and environmental conservation. The Government should take all legislative and administrative steps to facilitate access to these basic needs to all communities, without discrimination on the basis of sexual orientation or gender identity.



## 15. The Right to Adequate Housing

The right to adequate housing is the right of every human being to gain and sustain a safe and secure home and community in which to live peacefully. The Government of Kenya should provide access to affordable housing to all, and protect all citizens from forced evictions. This means that there must be equal rights in property ownership without discrimination on basis of sexual orientation, gender identity, marital or family status. In addition, landlords and housing providers, parents and guardians should not submit tenants and dependants to isolation and homelessness due to sexual orientation or gender identity.

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*Fabian Stanley and Peter Odems, a gay couple were evicted from their home following a rumour that they engage in homosexual acts. Peter was attacked by members of public and later chased from their house and the couple was unable to access their house hold items. They reported the matter to the police but no action has been taken.*

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*Rev. Michael Kimindu, pastor at MCC—Neema Church Nairobi, a church that welcomes LGBTI individuals, their friends and families was ordered to vacate his Nairobi flat by his landlord after appearing on the Daily Nation addressing the public urging them to embrace and include LGBTI Kenyans.*

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## 16. The Right to Education

No one should be denied access to education on the basis of their sexual orientation or gender identity. All persons should be welcome to apply to public institutions of learning and they should be selected and retained purely on basis of their performance and discipline. Students should not be punished, suspended or expelled on grounds of actual or suspected sexual orientation or gender identity.

The Ministry of Education should review school syllabuses, particularly in social ethics and religious education to correct misconceptions of LGBTI persons as social deviants and ensure that the culture in schools promotes respect for all people and for human rights, and the respect for each child's family values in a spirit of understanding, tolerance and equality.

Schools policies should provide adequate protections for LGBTI students, teaching and non-teaching staff from discriminate dismissals, social exclusion or bullying within the school and ensure that measures of discipline in educational institutions are administered in a manner consistent with human dignity, without discrimination on the basis of LGBTI identities.

## 17. The Right to the Highest Attainable Standard of Health

The Government of Kenya should develop inclusive health programs addressing the health needs of all Kenyans, including LGBTI Kenyans.

LGBTI Kenyans accessing treatment for STIs, counseling and testing for HIV, and transgender and intersex Kenyans seeking general care are often afraid of honestly responding to medical interviews because honesty could lead to rebuke, arrest or both. Too often doctors violate the privacy of LGBTI patients by exposing them to other staff or police, preaching to redeem them, or altogether denying them care. It should be unethical to deny anyone treatment.

Doctor-patient confidentiality and the safe keeping of medical records and histories should be standard medical practices, without discrimination on the basis of one's sexual orientation or gender identity. Also, LGBTI Kenyans should be free to nominate partners of choice as next of kin, and to share insurance policies with partners of choice, and children they choose to raise.

With regard to transgender and intersex persons, medical provisions should be made for persons that choose to undergo gender reassignment therapy, with the satisfactory and complete report of a medical practitioner trained on matters of gender identity change.

## 18. Protection from Medical Abuses

A person's sexual orientation or gender identity is not a disease and cannot be studied as a clinical condition to be treated through corrective counseling or medical experimentation without the free and genuinely informed consent of the person.

The Government of Kenya should take all measures to ensure full protection against harmful and degrading medical practices on persons that identify as LGBTI. Such practices include forced HIV testing, forced anal and rectal probing by police, and hormonal, shock or psychological therapy to correct an LGBTI identity without the consent of the person.

Also, intersex individuals should be allowed to choose their gender after being allowed to grow up in supportive environments. Therefore, in cases of intersex births, the Ministry of Health should issue guidelines directing families and medical practitioners on how to facilitate a child's genuinely informed consent. These guidelines must ensure the child's body is not irreversibly altered by

## Theme: Rights Relating to Participation in Society



### In the Section:

- Principle 19: The Right to Freedom of Opinion and Expression
- Principle 20: The Freedom of Peaceful Assembly and Association
- Principle 21: The Right to Freedom of Thought, Conscience and Religion
- Principle 22: The Right to Freedom of Movement
- Principle 23: The Right to Seek Asylum

### This Section's Theme:

An individual's right to be a part of their community is a vital component to the work of the Yogyakarta Principles. It is an element of life that cannot be ignored and is a central part of what makes up human rights. We hope that by using this theme, we will assist to tie the individual participants even closer to the work of the project and their own human rights. Again, as we move forward, we continue to move from the macro and abstract to the micro and tangible. All of these elements are encompassed in the Yogyakarta Principles.

### Tools Needed For this Section:

- Projector
- Optical Illusions
- PPT

### Extra Resources:

### 19. The Right to Freedom of Opinion and Expression

Everyone has the right to freedom of opinion and expression. This includes expression of identity through speech, dress, bodily characteristics, and choice of name, as well as the freedom to seek, receive and share information on human rights, through any medium.

The Government of Kenya must not use excuses of public order, morality, health and security to limit freedoms of opinion and expression. In fact, the Government of Kenya should promote the publishing and broadcasting of materials on all human rights, including LGBTI rights, and the participation of LGBTI representatives in public debates and the formulation of national policy.

It is important too that media houses be sensitive and seek to promote positive appreciation of diversity when reporting news pertaining to LGBTI persons. Educational institutions and religious groups should be cautioned and encouraged against discrimination and violence.

The Government must under no circumstances stop exercise of the rights to assemble and association on any grounds and must provide adequate security and physical protections against violence and harassment to persons exercising rights to demonstrate or picket.

### 20. The Right to Freedom of Peaceful Assembly and Association

All Kenyans have the right to peaceful assembly and association. The Government of Kenya must allow Kenyans to form and have recognized any associations, particularly those associating around human rights. Such associations should be free to educate the public on human rights, and to advocate for the rights of all Kenyans, including LGBTI Kenyans. Therefore LGBTI Kenyans should be free to assemble and associate in public functions and debates, and to make presentations and raise their concerns in such avenues.

#### Church where Kenya's gay, lesbian Christians

worship Emeka-Mayaka Gekara, Daily Nation, May 20<sup>th</sup> 2010

Rev. Michael Kimindu, an ordained Anglican priest, is not your usual preacher; he is on a mission to help Christians "read the Bible with new eyes". The priest, who was "stopped" from the Anglican Church, has been running probably the first openly declared gay church in Kenya to preach to "the other sheep". It serves as local branch to the American-founded Metropolitan Christian Community.

The priest, a retired military chaplain, says of his church: "We include everybody because sexual orientation is not a choice; it is innate and there is nothing one can do about it." The mainstream church is opposed to gay life saying it is evil but for the Rev. Kimindu gays are the "other sheep" Jesus was out to rescue in the Gospel of John 10:16. "All these people were created by God and since He is the Lord of love, who are we to keep His people out of church?"

### 21. The Right to Freedom of Thought, Conscience and Religion

Every Kenyan, including LGBTI persons, has the right to freedom of thought, conscience and religion. The Government of Kenya should guard the rights of all persons, regardless of sexual and gender identity, to hold and practice their faith or non-belief, alone or in association with others, and to be free from having others force their beliefs on them.

The Government should ensure expression of different religious convictions with regard to sexuality in no way incites violence towards or violates the human rights of LGBTI Kenyans. Religious opinions that divide people and threaten the dignity and security of any section of the Kenyan population should be made criminalized, and be strongly rebuked.

### 22. The Right to Freedom of Movement

Every Kenyan lawfully residing within the country has freedom of movement and residence in any part of Kenya without hindrance on account of sexual orientation or gender identity. Sexual orientation and gender identity should never be brought up to limit or block the entry, exit or return home of any Kenyan.

### 23. The Right to Seek Asylum

Everyone has the right to seek and enjoy refuge from religious and/or politically motivated violence, and other forms of persecution. Kenya may not send away a person seeking asylum or refuge to another country where that person may face a well-founded fear of persecution, cruel treatment or punishment on the grounds of their sexual orientation or gender identity.

The Government of Kenya should review the Refugee Act to make considerations for well-founded fears of persecution on the basis of one's LGBTI identity as grounds for recognition of refugee status and the provision of asylum status.



## Theme: Rights Relating to the Protection of Human Rights



### In the Section:

- Principle 24: The Right to Found a Family
- Principle 25: The Right to Participate in Public Life
- Principle 26: The Right to Participate in Cultural Life
- Principle 27: The Right to Promote Human Rights
- Principle 28: The Right to Effective Remedies and Redress
- Principle 29: Accountability

### This Section's Theme:

This theme serves as a summary of the entire experience. It also ties it all back together to the universality of rights and an individual's rights to protecting these human rights. We hope the participant will walk away recognizing their responsibility to maintain these human rights in all that they do throughout their life.

### Tools Needed For this Section:

- placement cards for the activity
- Projector

### Extra Resources:

#### 24. The Right to Found a Family

All human beings have the right to form a family regardless of their sexual orientation or gender identity.

A family may be founded by a single individual, an opposite-sex union or a same-sex union, and through procreation between the parents, assisted procreation with the help of a surrogate mother, and adoption. The Government of Kenya should revise laws to cater for legal assistance on assisted procreation and to allow for adoption by LGBTI individuals.

The Government should ensure that in all decisions concerning children, whether undertaken by social welfare institutions, courts of law or administrative organs, the best interests of the child is primary consideration, without discrimination on the basis of the sexual orientation and gender identity of the child or any of its family members, and especially its parents.

#### Two Kenyan men wed in London

Gitau wa Njenga and Gakiha Weru, Daily Nation, October 17<sup>th</sup> 2009

Two Kenyan men on Saturday became the first gay couple to wed in London. Charles Ngengi, 40 and his bride, Daniel Chege Gichia, 39, became civil partners under the Civil Partnership Act which came into effect in the UK in 2005 allowing couples of the same sex to have legal recognition of their relationship. The 30-minute ceremony witnessed by 50 guests was conducted by the registrar of marriages at Islington Council.

After taking the vows witnessed by two close associates, the registrar said: "It gives me great pleasure to officially pronounce you couple civil partners". Among guests at the nuptials included Chege's former husband David Cleaves, Julius Reuben, a top Tanzanian gay model, a cross-section of the couple's close associates mainly drawn from diverse gay communities in London.

Despite the fun and the glamour accompanying the unusual 'wedding' not everyone is raising a glass to the happy couple. The marriage has raised a storm among Kenyan residents in the UK who have described it as 'unnatural and socially unacceptable'.

Sources close to the couple told the Nation in London that despite widespread condemnation the couple was 'happy and very much in love'. "Chege and Ngengi are in love, and they have decided to 'publicly declare their love' within the legal framework of this country," said a source who sought anonymity.



## 25. The Right to Participate in Public Life

Every Kenyan has the right to participate in public life, to hold public office, and to get elected into public office including the highest office of the land. Appointments and elections to public office and public service, including the police and military should be made available to all without discrimination on the grounds of sexual orientation or gender identity.

The Government of Kenya must guard the right of each person to participate in making laws and policies affecting their welfare, without discrimination and with full respect for different sexual orientations and gender identities.

## 26. The Right to Participate in Cultural Life

Culture refers to the customs and achievements of a particular social group. Every person has the right to participate freely in cultural life with the full respect of their sexual orientation and gender identity. Kenya must respect the different cultures of its citizens, be they ethnic, social, and even of diverse sexual orientations and gender identities.

The Government of Kenya should promote the establishment of LGBTI cultural villages and protect the interest of the LGBTI community to organize Pride Parades and Festivals as a part of multi-cultural celebration, historical recording, education, tourism and economic stimulus.

## 27. The Right to Promote Human Rights

Everyone has the right, individually and in association with others, to promote human rights. This includes activities directed towards protection of rights of LGBTI persons and the right to develop and discuss new human rights standards and to advocate for their acceptance. The Government of Kenya should provide for the protection of LGBTI rights defenders against violence, threat or retaliation in response to their human rights work.

The Government should also promote a favorable environment for human rights activism by, among other things, ensuring the composition of Kenya National Commission on Human Rights (KNCHR), or its equivalent, has at least one qualified LGBTI defender as Commissioner.

## 28. The Right to Effective Remedies and Redress

Every victim of a human rights violation including on basis of sexual orientation and gender identity has the right to present their grievances to relevant authorities and have them addressed. Appropriate procedures should be set out in law to improve the condition of victims of human rights violations. Effective remedies and redresses include apology, timely prosecution of the perpetrator(s), financial compensation, medical and psychological care.

## 29. Accountability

The Government of Kenya should move with speed to end the culture of impunity including its past failures to deal with human rights violations based on sexual orientation and gender identity. Every Kenyan whose human rights are violated is equally entitled to have those responsible for the violation held accountable.

The Government of Kenya should reform institutions that contribute to human rights violations and that hide or condone those responsible for any and all human rights violations. The Government should also facilitate judicial reform and establish independent procedures to monitor enforcement of law at local administrative levels to ensure elimination of all forms of discrimination from the grassroots.





## Action Steps to Improve Human Rights Conditions for

### Gender and Sexual Minorities

We recommend that **Citizens**—

1. **REFRAIN** from labels and stereotypes as they are often insulting, demeaning and untrue, and hate speech because it encourages violence.
2. **RESPECT** all people and all forms of families even when people have different opinions, when they practice different lifestyles and different faiths.
3. **ENGAGE** in our communities and neighbourhoods seeking out and helping the youth build self-esteem, get education, secure employment and practice healthy sexuality without our judging or moralizing their choice of expressing themselves and **HELP** the homeless, the poor and the sick without discrimination.
4. **ATTEND** and **SUPPORT** public education events and debates concerning all human rights, including LGBTI rights, because when we unite to stamp out any one form of discrimination we apply pressure against other forms of discrimination.
5. **VOLUNTEER** time and **DONATE** resources to a local civil society working at a cause you believe in.
6. **WRITE** your Member of Parliament about issues that are important to you, **FILL** petitions on human rights appeals.
7. **PARTICIPATE** in demonstrations, festivals and rallies around issues you care about.
8. **TALK** to friends, family and medical therapists about things that make you anxious or doubtful. Be yourself. Love yourself. And share your challenges. If these coming out, letting people know that you are of a different sexual orientation or gender identity, it could be healthier when people important to you know.
9. **LISTEN** to people that are often not given a fair hearing—they too have their story.
10. **VOTE**; always that we all take as sacred our duty to elect to office leaders of merit based on their commitment, policies and performance.



## Action Steps to Improve Human Rights Conditions for Gender and Sexual Minorities

We recommend that **the National Assembly**—

1. **PASS** a comprehensive equality and non-discrimination law that expands affirmative action to cover appointment of qualified LGBTI Kenyans into public service towards improving access to education, healthcare, security, and employment for all marginalised groups, including LGBTI persons.
2. **RECAL** the fundamental rights and freedoms contained in the Universal Declaration of Human Rights, of which Kenya is a signatory, **REPEAL** sections of the Penal Code (particularly 162, 163, and 165) that criminalize same-sex sexual activity and vague provisions of criminal law used by police to arrest and detain LGBTI persons and **STOP** local councils from making ambiguous criminal by-laws.
3. **RECOMMEND** police and prison reforms that ensure accurate and up to date recording of arrests and detentions, improve the general condition of prisons and that affect training on the equal rights of LGBTI persons for police, prison personnel and all other officials in public and private sector who are in a position to encourage, perpetrate, condone or prevent acts of violence.
4. **INTEGRATE** in law those Principles relevant to international human rights agreements Kenya signs on to, and push that the Government of Kenya takes back its negative position on international law that supports LGBTI persons.
5. **RECOMMEND** that the composition of Kenya National Commission on Human Rights (KNCHR) at any given time should include at least one Commissioner specifically representing the LGBTI Community in Kenya.
6. **GUIDE** Government in constituting a Sexual Minorities Department in key ministries, but at the minimum in the Ministry of Gender to undertake public education that addresses cultural and historical discriminations against LGBTI persons to counter the misunderstanding that underlies homophobia and transphobia and to identify victims of torture on basis of their LGBTI identity, and offer them remedies and redress.
7. **GUIDE** the Ministry of Health in issuing clear policy guidelines on the handling of LGBTI persons in basic public health and on matters of reproductive health, HIV/AIDS and STIs and gender reassignment therapy, in manners consistent with these Principles.
8. **INSTITUTE** measures that instruct administrators in educational institutions, media houses, religious leaders and employers (in public and private sectors) to exercise professionalism and tolerance and share opinion that does not subject LGBTI Kenyans to social exclusion or amount to incitement to violence so all Kenyans are protected from bullying by any individual, group or authority.



## Action Steps to Improve Human Rights Conditions for Gender and Sexual Minorities

We recommend that **Civil Societies, especially those organizing around human rights—**

1. **ENDORSE** these Principles and **MAINSTREAM** LGBTI rights advocacy in their work.
2. **MAKE** submissions to the National Cohesion and Integration Commission on historical injustices oppressing Kenyans on all grounds, including sexual orientation and gender identity with a view of integrating LGBTI rights into mainstream human rights law and practice in Kenya.
3. **FILE** a constitutional petition to the High Court seeking orders for declaration of rights in the Bill of Rights to protect LGBTI persons from continued discrimination.
4. **CONSTITUTE** programs that sensitize judicial officers, police, ministries, civil servants, professional and commercial organizations and other relevant actors on the human rights issues concerning LGBTI persons.
5. **URGE** the Kenya National Commission on Human Rights (KNCHR) to endorse the Yogyakarta Principles and/or this local presentation of the Principles in public forums and to sponsor training and awareness-raising activities to promote the contents.

Notes:

## GKT YP Training Manual

Principle:	Know that...
<b>Theme: Universality of Human Rights</b>	
<b>A Brief History of International Human Rights</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away having an understanding that Human rights: <ul style="list-style-type: none"> <li>➢ Human Rights have been a part of the human way of life since the beginning of time.</li> <li>➢ Since the beginning, people have asked what are the rights, responsibilities of a human being that every person deserves.</li> </ul> </li> </ul>
<b>Principle 1: The Right to the Universal Enjoyment of Human Rights</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away having an understanding that Human rights: <ul style="list-style-type: none"> <li>➢ Apply to all/ Are Universal</li> <li>➢ Are Interconnected</li> <li>➢ Are Interdependent</li> <li>➢ Are Indivisible</li> </ul> </li> </ul>
<b>Theme: Rights Regarding Discrimination and Prejudice</b>	
<b>Principle 2. The Rights to Equality and Non-discrimination</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away having an understanding that a state has a responsibility to provide <ul style="list-style-type: none"> <li>➢ Grounds for non-discrimination should not be closed based upon Sexual Orientation</li> <li>➢ Gov't has the responsibility to be sensitive to gender identity and sexual orientation, especially in work, in education, in disability access, in public access, etc.</li> </ul> </li> </ul>
<b>Principle 3: The Right to Recognition Before the Law</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>❖ Legal status/law should not be blind to one's identity/ rights to express oneself</li> <li>❖ Law should recognize one's life circumstance and should provide procedures for your unique challenges</li> </ul> </li> </ul>
<b>Principle 4: The Right to Life</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➢ Kenyan's, along with most African nations have never executed the death penalty even though there's people on death row.</li> <li>➢ No one is entitled to cause physical harm or execute a person on any account- only the state through law enforcement should try and punish.</li> <li>➢ The state should not condone arbitrary harassment, detain, punish or on basis of sexual orientation or gender identity. Including but not limited to threats against one's life.</li> <li>➢ Mob Justice is illegal and state should investigate and prosecute. Incitement to violence and threats at depriving life should be condemned and punished thoroughly.</li> </ul> </li> </ul>
<b>Principle 5: The Right to Security of the Person</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➢ All Kenyans including LGBTI persons deserve protection by government and the communities in which they live.</li> <li>➢ Security should be guaranteed, all should feel safe in public spaces + private spaces.</li> </ul> </li> </ul>
<b>Principle 6: The Right to Privacy</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➢ Free from arbitrary search of personal effects, home, internet correspondence, communications</li> <li>➢ Discoveries of your sexual orientation or gender identity should not prejudice your morality or prevent you from participating fully in society, school, work or public life. Separation of private intimate decisions public life.</li> </ul> </li> </ul>
<b>Theme: Rights Regarding Interactions between the State and the Citizen</b>	
<b>Principle 7. The Right to Freedom from Arbitrary Deprivation of Liberty</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>❖ Arrest should be on criminal grounds and one must be informed and charged before arrest.</li> </ul> </li> </ul>



	<ul style="list-style-type: none"> <li>❖ Private affairs should not be illegal where they do not harm other individuals and where they are between consenting adults.</li> <li>❖ Instead rape, sexual assault domestic violence, pedophilia, etc should be prosecuted. One cannot come to your home or find you in a public space socializing and arrest you for being gay- the procedure is flawed and the charge is random and unlawful.</li> </ul>
<b>Principle 8: The Right to a Fair Trial</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➢ Following an arrest, one must be informed of charges and be brought before a court of law within 48 hrs or the next court day.</li> <li>➢ During a trial, a person's sexual orientation or gender identity should not be used to cast doubt on the evidence of witness, the party in a suit or the ruling of a judicial officer</li> <li>➢ Judicial Officers should be impartial</li> </ul> </li> </ul>
<b>Principle 9: The Right to Treatment with humanity While in Detention</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➢ Whether or not convicted, one has the right to be treated humanely. <ul style="list-style-type: none"> <li>▪ Medical- JIVE Meds, Hormones, Reproductive health service</li> <li>▪ Sensitivity to appearance/responsive</li> <li>▪ Psychological support</li> <li>▪ Unfair exposure/confinement- free from harassment</li> </ul> </li> </ul> </li> </ul>
<b>Principle 10: The Right to Freedom from Torture, Cruel, Inhumane or Degrading Treatment or Punishment</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➢ Excessive abuse or verbal harassment (inappropriate) sexual assault should not be tolerated, and further should be against the law.</li> <li>➢ Cruelty should be understood to be any form of physical, mental and or verbal abuse intended to inflict fear or bodily harm.</li> </ul> </li> </ul>
<b>Principle 11: The Right to Protection from ALL forms of Exploitation, Sale and Trafficking of Human Beings.</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➢ The sale, trafficking, or exploitation of LGBTI individuals into labor camps, sex trade or servitude should be condemned.</li> <li>➢ Sex work should not be criminalized based on LGBTI identity.</li> <li>➢ Restricting a child's or dependents freedom based on sexual orientation or gender identity.</li> </ul> </li> </ul>
<b>Theme: Rights Relating to Standards of Living</b>	
<b>Principle 12: The Right to Work</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➢ Everyone has a right to work, if qualified.</li> <li>➢ Everyone has the right to decent and productive work</li> <li>➢ Everyone has the right to just and favorable conditions of work.</li> <li>➢ A person's sexual retention, promotion, training, remuneration and career advancement should not be affected by their sexual orientation or gender identity.</li> </ul> </li> </ul>
<b>Principle 13: The Right to Social Security and to Other Social Protection Measures</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➢ Care and benefits programs should be available to all persons regardless of sexual orientation or gender identity.</li> <li>➢ Equal access to social security and social protection measures should be provided by the Government of Kenya.</li> <li>➢ Poverty reduction strategies and associated programs should not be dependent on one's sexual orientation.</li> </ul> </li> </ul>
<b>Principle 14: The Right to an Adequate Standard of Living</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➢ Everyone has the rights to a dignified and continuously improving standard of living; including basic needs of food, shelter, clothing, safe drinking water, and sanitation regardless of sexual orientation or gender identity.</li> <li>➢ Legislative and administrative steps should be taken to facilitate access to basic needs for all, without discrimination.</li> </ul> </li> </ul>
<b>Principle 15: The Right to Adequate Housing</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➢ Individuals have a right to secure a home within a community that is safe and where they can live in peace and with dignity.</li> <li>➢ The National Assembly must:</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>▪ Afford equal rights in property inheritance;</li> <li>▪ Ensure landlords and housing providers, parents and guardians do no tenants and dependants to isolation and homelessness;</li> <li>▪ Address the social exclusion and homelessness of LGBTI persons and especially of children and the youth who are rejected die to their sexual orientation and gender identity.</li> </ul>
<b>Principle 16: The Right to Education</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➢ The right to education is a basic right</li> <li>➢ All persons should be welcome to apply to public institutions and they should be selected, and retained on merit and discipline.</li> </ul> </li> </ul>
<b>Principle 17: The Right to the Highest Attainable Standard of Health</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➢ The Government of Kenya should take all legislative and administrative measures to eliminate discrimination on the basis of sexual orientation and gender identity.</li> </ul> </li> </ul>
<b>Principle 18: The Right from Medical Abuses</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➢ A person's sexual orientation and gender identity is not a pathological or clinical condition to be treated or suppressed through corrective counseling or as subject for medical experimentation.</li> <li>➢ No Kenyan should be forced to undergo any hormonal, shock or psychological therapy to correct or change their sexual orientation or gender identity.</li> </ul> </li> </ul>
<b>Theme: Rights Relating to Participation in Society</b>	
<b>Principle 19: The Right to Freedom of Opinion and Expression</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➢ Expression of identity through speech, demeanor, dress, bodily characteristics and choice of name are fundamental human rights that should not be denied based on sexual orientation and gender identity.</li> <li>➢ The freedom to seek, receive and impart information on human right through any medium is a right.</li> <li>➢ Media Houses must be sensitive and diverse in reporting news pertaining to LGBTI persons and should seek to non-discrimination broadcast matters that concern the LGBTI community. ,</li> </ul> </li> </ul>
<b>Principle 20: The Right to Freedom of Peaceful Assembly and Association</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➢ All Kenyans have the right to peaceful assembly and association.</li> <li>➢ Person's may form and have recognized associations based on diverse sexual orientations and gender identities.</li> <li>➢ They may also form associations distributing information about, or advocating for the rights of LGBTI persons.</li> <li>➢ The Government must provide for registration processes for social associations, particularly those associating around human rights issues.</li> </ul> </li> </ul>
<b>Principle 21: The Right to Freedom of Thought, Conscience and Religion</b>	<ul style="list-style-type: none"> <li>- Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➢ Every Kenyan including LGBTI persons, has the right to freedom of thought, conscience and religion.</li> <li>➢ The rights of all persons, regardless of sexual orientation and gender identity, to hold and practice their faith, along or in association with others and to be free from imposition of other beliefs should be guarded by the Kenyan Government.</li> </ul> </li> </ul>
<b>Principle 22: The Right to Freedom of Movement</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➢ Every Kenyan Lawfully residing within the country has the right to freedom of movement and residence within the Kenyan Border.</li> <li>➢ Sexual orientation or Gender Identity must never be involved to limit or block the entry, exit or return of any Kenyan citizen.</li> </ul> </li> </ul>
<b>Principle 23: The Right to Seek Asylum</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➢ Everyone has the right to seek and enjoy refuge from religious or politically motivated violence, and other forms of persecution or danger.</li> <li>➢ Kenya may not remove or send away a person to so any other country</li> </ul> </li> </ul>

	where that person may face a well-founded fear of torture, persecution or any form of cruel, inhuman or degrading treatment or punishment on the grounds of sexual orientation and gender identity.
<b>Theme: Rights Relating to Personal Decisions and Expression</b>	
<b>Principle 24: The Right to Found a Family</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➤ All human beings have the right to form a family regardless of their sexual orientation or gender identity.</li> <li>➤ Families come in all different shapes, sizes, colors and orientations.</li> <li>➤ No family may be subjected to discrimination because it is formed by persons of diverse sexual orientations and gender identities.</li> </ul> </li> </ul>
<b>Principle 25: The Right to Participate in Public Life</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➤ All Kenyan's has the right to participate in public life irrespective of their sexual orientation and gender identity, and hold public office, and elected in office including the highest office of the land without discrimination.</li> <li>➤ Appointments to public office, public service, police and military should be made available to all without discrimination.</li> <li>➤ A comprehensive Equality and Non-discrimination Act ought to be passed to protect the sexual orientation and gender identities of all people.</li> </ul> </li> </ul>
<b>Principle 26: The Right to Participate in Cultural Life</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➤ Every person has the right to participate freely in cultural life regardless of their sexual orientation and gender identity</li> <li>➤ Every person has the right to express, through cultural participation, the diversity of sexual orientation and gender identity.</li> </ul> </li> </ul>
<b>Principle 27: The Right to Promote Human Rights</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➤ Every person has the right, individually and in association with others, to promote the protection and realization of human rights at the local, national and international levels.</li> <li>➤ The promotion and protection of the rights of persons of diverse sexual orientations and gender identities, as well as the right to develop and discuss new human rights standards and to advocate for their acceptance.</li> </ul> </li> </ul>
<b>Principle 28: The Right to Effective Remedies and Redress</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➤ Every victim of human rights violation, and especially on grounds of sexual orientation and gender identity, has the right to effective adequate and appropriate remedies.</li> </ul> </li> </ul>
<b>Principle 29: Accountability</b>	<ul style="list-style-type: none"> <li>❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> <li>➤ The government of Kenya has an obligation to end the culture of impunity including the failure to deal with human rights violations of LGBTI persons based on their sexual orientation and gender identity.</li> <li>➤ Everyone whose human rights are violated is entitled to have those directly or indirectly responsible for the violation, be they government officials or not, held accountable for their actions in a manner proportionate to the seriousness of the violation.</li> </ul> </li> </ul>

## HUMAN RIGHTS WEBSITES

(from the UNDP Training Manual on Human Rights and Human Development)

### Kenyan Human Rights Organizations concerned with LGBTI Advocacy

Urgent Action Fund

<http://www.urgentactionfund-africa.or.ke/>

Liverpool VCT

<http://www.liverpoolvct.org/>

Gay and Lesbian Coalition of Kenya (GALCK)

<http://www.galck.org>

G-Kenya Trust

<http://www.gaykenya.com>

Kenya Human Rights Commission

<http://www.khrc.or.ke/>

East and Horn of Africa Human Rights Defenders

<http://www.defenddefenders.org>

### United Nations Human Rights related websites

Commission on Human Rights

<http://www.unhchr.ch>

Crime and Justice:

- Commission on Crime Prevention and Criminal Justice

<http://www.unhchr.ch/html/menu2/2/crimepr.htm>

- United Nations Crime and Justice Information Network

<http://www.uncjin.org/>

- UN Conference on Plenipotentiaries on Establishment of an International Criminal Court

<http://www.radicalparty.org/news/150698.htm>

Inter-American Court of Human Rights – Organization of American States

<http://corteidh-oea.nu.or.cr/ci/>

International Court of Justice – The Hague, the Netherlands (ICJ)

<http://www.icj.cij.org/>

International Criminal Tribunal for the former Yugoslavia

<http://www.unhchr.ch/html/menu2/2/yugtrib.htm>

International Criminal Tribunal for Rwanda

<http://www.unhchr.ch/html/menu2/2/rwatrib.htm>

International Labour Organization – Geneva, Switzerland (ILO)

<http://www.ilo.org>

International Trade Centre UNCTAD/WTO – Geneva, Switzerland (ITC)

<http://www.intracen.org/>

Joint United Nations Programme on HIV/AIDS – (UNAIDS)

<http://www.unaids.org>

Landmines (United Nations Demining Database)

<http://www.un.org/Depts/dpko/mine/>

Office of the High Commissioner for Human Rights

<http://www.unhchr.ch>

Sub-Commission on the Promotion and Protection of Human Rights

<http://www.unhchr.ch/html/menu2/2/sc.htm>

United Nations Children's Fund – New York, USA (UNICEF)

<http://www.unicef.org/>

- Child Rights

<http://www.unicef.org/crc/>

- Management, Development and Governance Division – New York, USA (MDGD)

<http://magnet.undp.org>

United Nations Educational, Scientific and Cultural Organization

– Paris, France (UNESCO)

<http://www.unesco.org>

United Nations Headquarters – New York, USA (UN)

<http://www.un.or>

### Human Rights Websites and Links to Human Rights Organizations

AAAS Directory of Human Rights Sites on the Internet,

American Association for the Advancement of Science

<http://ahr.aaas.org/dhr.htm>

Accion contre la Hambre/Action Against Hunger

<http://www.acf-fr.org>

American Civil Liberties Union

<http://www.aclu.org>

Amnesty International

<http://amnesty.org>

Anti-Slavery International

<http://www.antislavery.org>

B'Tselem: The Israeli Information Center for Human Rights in the Occupied Territories

<http://www.btselem.org>

The Carter Center

[http://www.emory.edu/CARTER\\_CENTER/homepage.htm](http://www.emory.edu/CARTER_CENTER/homepage.htm)

The Coalition for International Justice

<http://www.cij.org/>

Committee to Protect Journalists

<http://cpj.org/>

CUSHRID Net Homepage

The Canadian-U.S. Human Rights Information and Documentation Network

<http://shr.aaas.org/cushrid.htm>

DIANA: An International Human Rights

Database

- <http://diana.law.yale.edu>

- <http://www.law.uc.edu/Diana/>

- <http://umn.edu/humanrts/>

Derechos Human Rights

<http://www.derechos.org/>

Election Frontier Foundation (USA)

<http://www.eff.org>

Electronic Resource Centre for Human Rights

Education and Training

<http://www.erc.hrea.org>

Index on Censorship

[http://www.oneworld.org/index\\_oc/](http://www.oneworld.org/index_oc/)

Institute for Global Communications (IGC)

<http://www.igc.org/>

Interaction

<http://www.interaction.org>

International Bureau for Children's Rights

<http://www.web.net/~tribunal/>

The International Committee of the Red Cross

<http://www.icrc.org>

International Crisis Group

<http://intl-crisis-group.org>

International Helsinki Federation

<http://www.ihf-hr.org>

International Institute for Sustainable Development

<http://iisd1.iisd.ca/>



## Lawyers Committee for Human Rights

<http://www.lchr.org/lchr/>  
Médecins Sans Frontières / Doctors  
Without Borders  
<http://www.msf.org>  
The Multilaterals Project  
<http://www.tufts.edu/departments/fletcher/multilaterals.html>  
National Organization for Women  
<http://www.now.org/>  
New Politics  
<http://www.newpolitics.com>  
Oneworld Homepage  
<http://www.oneworld.org>  
Oxfam  
<http://www.oxfam.org.uk>  
Peace Brigades International  
<http://www.igc.apc.org/pbi/>  
PEN American Center  
<http://www.pen.org>  
The Penal Lexicon  
<http://www.penlex.org.uk>  
The Francois-Xavier Bagnoud Center for Health and Human Rights  
<http://www.hri.ca/partners/fxbcenter/>  
Globalvision's Human Rights Resources  
<http://www.globalvision.org/hmnrts.html>  
GILC (Global Internet Liberty Campaign)  
<http://www.gilc.org/>  
Greenet  
<http://www.gn.apc.org>  
Handicap International

<http://www.handicap-international.org>  
Hong Kong Human Rights Monitor  
<http://members.hknet.com/~hkhrm/>  
Human Rights USA  
<http://hrusa.org>  
Human Rights in China  
<http://www.hrichina.org>  
Human Rights Internet  
<http://www.hri.ca>  
Human Rights Watch  
<http://www.hrw.org>  
Human Rights Web Resources Page  
<http://www.hrweb.org>  
People's Decade for Human Rights  
Education  
<http://www.pdhre.org>  
Physicians for Global Survival  
<http://www.pgs.ca/>  
Physicians for Human Rights  
<http://216.117.141.99/index.html>  
The Progressive Directory  
<http://www.igc.org/igc/issues/hr/or.html>  
Reliefweb  
<http://www.reliefweb.int>  
RightsLink  
<http://www.columbia.edu/cu/rightslink>  
University of Minnesota Human Rights  
Library  
<http://www.umn.edu/humanrts/>  
WebActive  
<http://www.webactive.com/>

## Websites on Women's Rights

Commission on the Status on Women:  
<http://www.un.org/womenwatch/daw/csw>  
UN Division for the Advancement of Women (including CEDAW)  
<http://www.un.org/womenwatch/daw/index.html>  
International Research and Training Institute for the  
Advancement of Women-Santo Domingo, Dominican  
Republic (INSTRAW)  
<http://www.un.org/instraw>  
United Nations Development Fund for Women (UNIFEM)  
<http://www.unifem.undp.org>  
Center for Women's Global Leadership  
<http://www.cwgl.rutgers.edu>  
National Organization for Women  
<http://www.now.org>  
Women's net  
<http://womensnet.org.za>  
Women Watch  
<http://www.un.org/womenwatch>  
About.com's Guide to Human Rights

<http://humanrights.about.com/newsissues/humanrights/msub2o.htm?once=true&>  
Beijing +5  
<http://www.igc.org/beijing>  
Center for Women Policy Studies  
<http://www.centerwomenpolicy.org>  
International Women's Health Coalition  
<http://www.iwhc.org>  
Madre Organization  
<http://www.madre.org/>  
Sisterhood Is Global Institute (SIGI)  
<http://www.sigi.org/>  
Women, Law & Development International  
<http://www.wld.org/>  
Human Rights International Alliance  
<http://www.hria.net/womens-rights/index.html>  
Women's Caucus for Gender Justice  
<http://www.iccwomen.org/index.htm>

## Websites on Lesbian, Gay, Bisexual, Transgender and Intersex International Rights

International Lesbian and Gay Association  
<http://www.ilgga.org>

International Gay and Lesbian Human Rights Commission  
<http://www.ILGHRC.org>



### **G-Kenya Trust**

*Member of the Gay and Lesbian Coalition of Kenya (GALCK)*

**P.O Box 13005, Nairobi (00100) Kenya**

**Tel: +254 20 809 330**

**Cell: +254 700 71 8585**

**E-mail: [info@gaykenya.com](mailto:info@gaykenya.com)**

**Web: [www.gaykenya.com](http://www.gaykenya.com)**

*G-Kenya Trust (formerly, Gay Kenya) is a human rights advocacy group committed to fighting all legal, social, cultural and economic oppressions targeted at LGBTI Kenyans through community education, opinion publications, legal petitions and economic empowerment initiatives to redress discriminatory processes that deny LGBTI persons safety, dignity and equal participation in society.*