

Human Rights Law and the LGBTI Community in Kenya



My Way, Your Way or The RIGHT Way?

Implementing the Yogyakarta Principles in Kenya

TRAINING MANUAL

A PUBLICATION OF
G-KENYA TRUST

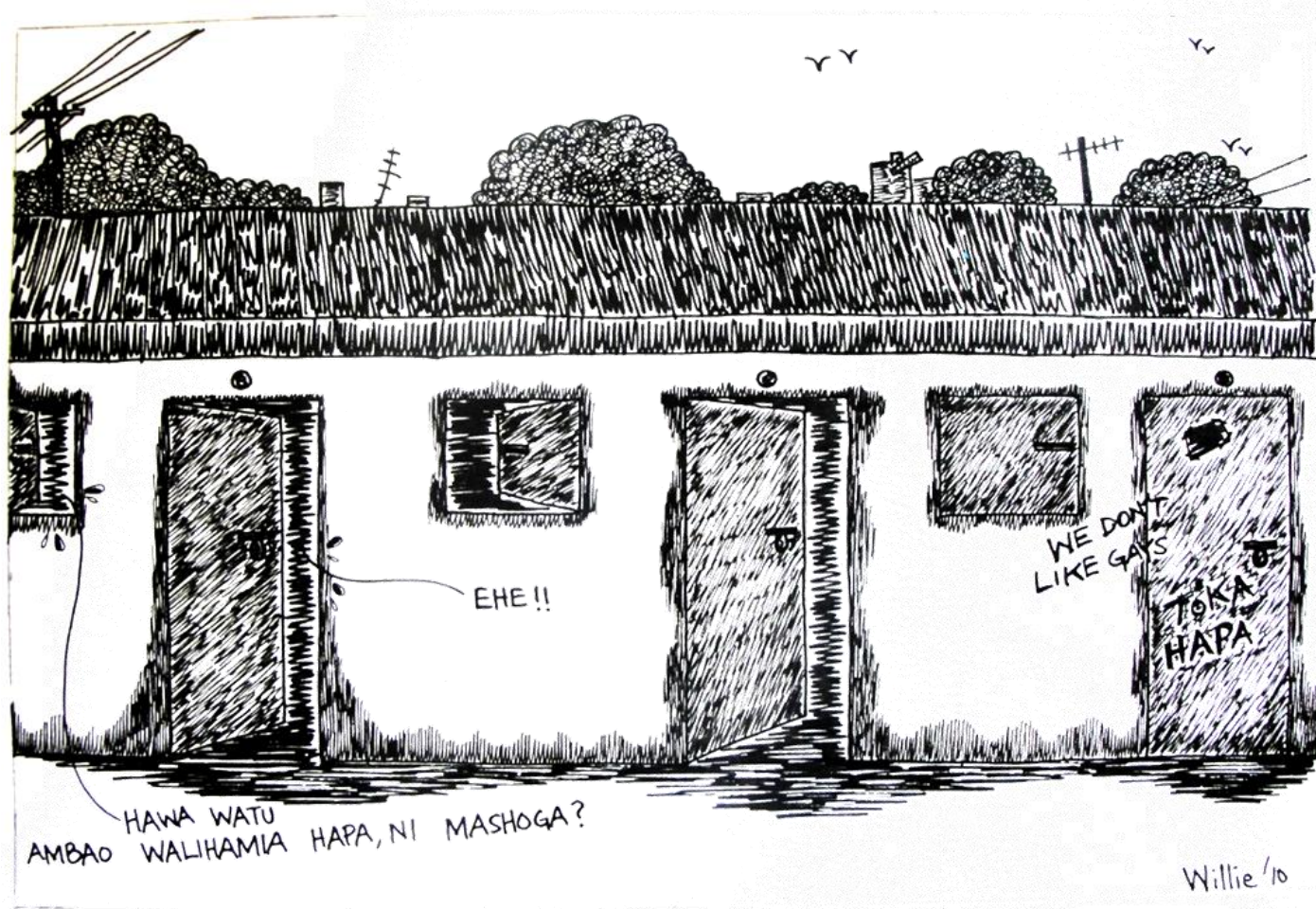
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Contents

Introduction.....	4
Key Themes.....	5
Theme: Introduction to the Universality of Human Rights:	5
Theme: Rights Regarding Discrimination and Prejudice	5
Theme: Rights Regarding Interactions between the State and the Citizen	5
Theme: Rights Relating to Standards of Living	5
Theme: Rights Relating to Participation in Society	5
Theme: Rights Relating to the Protection of Human Rights.....	5
Building Blocks of our Theme’s:	6
How to Use this Manual	6
Audiences:.....	7
LGBTI Community of Kenya.....	7
LGBTI Community Allies of Kenya	7
Human Rights Community Professionals.....	7
Community Leaders.....	7
Workshop Planning and Management:	7
Preparation	7
Implementation	8
Facilitation Informational Flow Chart:	9
The Yogyakarta Principles	10
GLOSSARY OF TERMS.....	14
Theme: Introduction to the Universality of Human Rights	15
Between World War I and World War II	18
After World War II.....	18
Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) rights and the Yogyakarta Principles.....	19
Theme: Rights Regarding Discrimination and Prejudice	20
Theme: Rights Regarding Interactions between the State and the Citizen	28
Theme: Rights Relating to Standards of Living	34
Theme: Rights Relating to Participation in Society	40
Theme: Rights Relating to the Protection of Human Rights	46
Learning Objectives:	55
HUMAN RIGHTS WEBSITES	60
Kenyan Human Rights Organizations concerned with LGBTI Advocacy	60
United Nations Human Rights related websites	60

Human Rights Websites and Links to Human Rights Organizations	60
Lawyers Committee for Human Rights.....	61
Websites on Women’s Rights	61
Websites on International Lesbian, Gay, Bisexual, Transgender and Intersex Rights	61



Introduction:

Welcome to the Yogyakarta Principle Trainers Manual. This document is intended to assist in the facilitation of the Yogyakarta Principles Trainings through G-Kenya Trust of the Gay and Lesbian Coalition of Kenya (GALCK). It is the hope that it will serve as a reference guide for future trainings.

Within this document will be a condensed version of the trainings, including a training outline along with thematic activities that accompany each section. Each section has a theme, a display of the individual Yogyakarta Principles for that section and section outcomes.

Below we have highlighted the many different components of the work, along with the workshop itself. Good luck in your trainings and remember to be passionate about this work. Your care and charisma truly matters when delivering this material.

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.

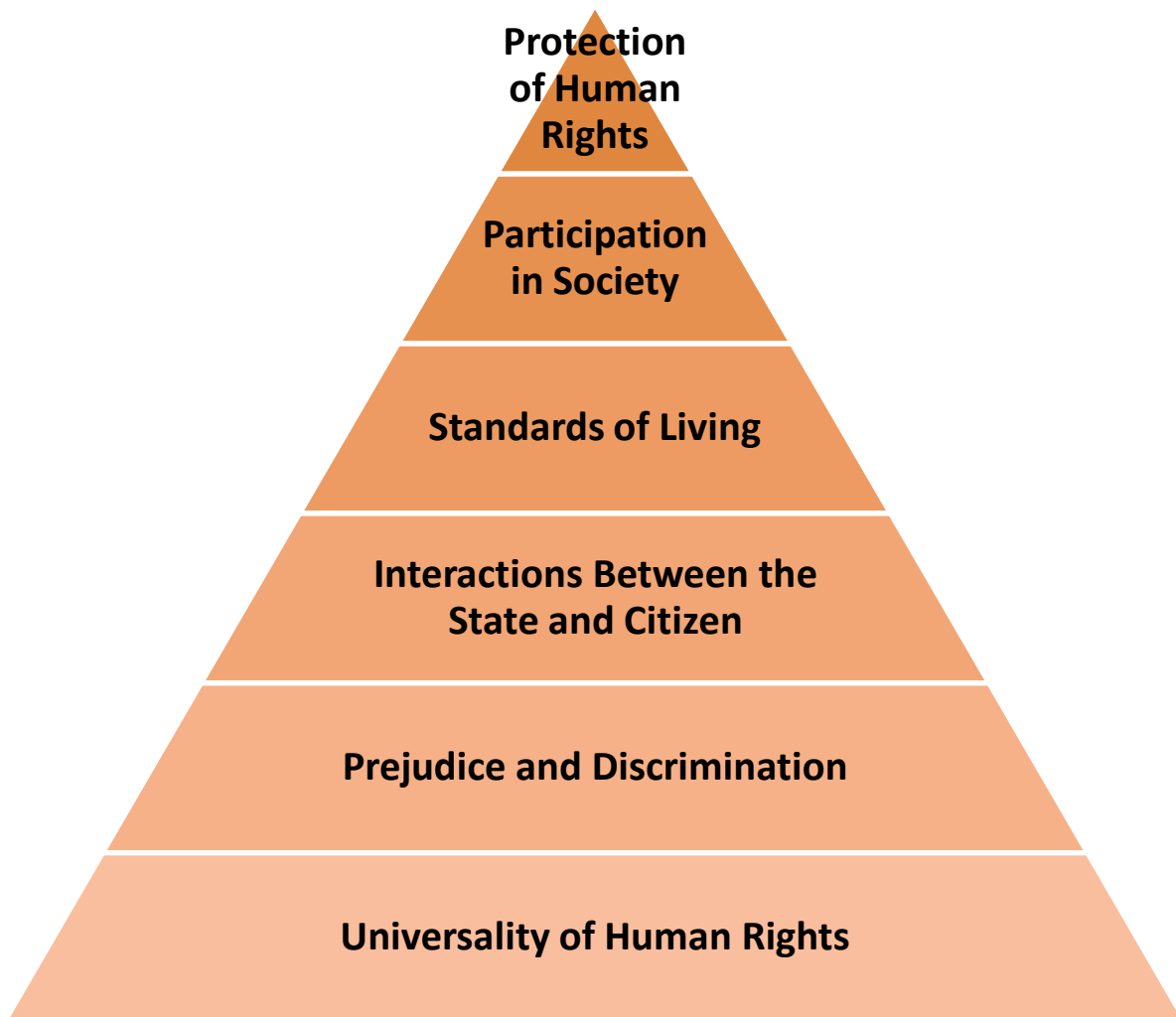


Theme: Rights Relating to the Protection of Human Rights

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.



How to Use this Manual

This trainer's manual should be used most in preparation for the trainings to produce a quality experience for all participants. This manual can also be used in preparing for human rights trainings, for assistance during the trainings and for processing after the trainings. Alongside the course outline, there is also provided supplemental information along with activities that coincide with the training itself.

This manual can also be utilized as a reference during the training itself. It was designed so that the trainer could go point by point through the trainings with ease. Have it on hand during the trainings so that you can have a resource at your disposal if you get lost.

Finally this manual can be used to process the trainings that have been conducted. This document should serve as a living document where the training itself can be adjusted and adapted to various audiences and updated when needed. Each section has a processing area that asks key questions that can help guide the facilitator's reflection. Every training should provide an opportunity to build upon the training manual as a whole.

Audiences:

LGBTI Community of Kenya

The LGBTI community of Kenya is a thriving population of diverse people from around the world. There are many dynamics that impact the lives of individuals that make up this community and it is the hope that this training will assist those individuals in learning more about themselves, who they are, what their rights are, and what arguments they could apply to advocate legal reform that protects their rights. Many individuals who partake in this community will also yearn to be able to apply these principles to their every day lives. It is important that this is paid close attention to as a facilitator, to be able to relate their lives as much as possible to these trainings.

LGBTI Community Allies of Kenya

The LGBTI community allies are everywhere you find our LGBTI population. These individuals and organization's serve as a catalyst for the social change needed by the LGBTI community to help ensure that the human rights and dignity of all persons are protected without discrimination. This training aims to serve this population through educating them through a human rights framework that relates to all people everywhere.

Human Rights Community Professionals

Human Rights professionals from every walk of life play an important part in enforcing and advocating for the principles that are presented throughout this document. Therefore, this facilitation is meant to assist professionals to be able to more easily identify the human rights of sexual and gender minorities throughout the world.

Community Leaders

Community leaders whether of the highest rank, or your local advocate for the community are an important aspect of the work that this training hopes to impact. They are the individuals who influence others in their community. This training is aimed as assisting these leaders with factual and relevant information that they can employ in their every day activities that impact the lives of the LGBTI community.

Workshop Planning and Management:

Preparation

For this training there are several components that must be taken into consideration before the trainings begin. Careful attention should be paid to the particular audience who will be receiving the trainings. What are their ages? Where are they from? What do they do for a living? How will these topics impact them?

Also, it is important to ensure that the physical space that you will be utilizing is available and suitable for the trainings themselves. Can it accommodate all of the people that are coming to the training? Will the activities be able to be performed there?

Your resources are also important. Is there a projector system to use with the power point? Do you have enough paper and pens? Do you have all the appropriate materials needed for the training itself? Are the exercise materials ready?

Finally, ensure that all facilitators and trainers are familiar with the material itself. Make sure that all trainers know each theme developed within this training. Also ensure that they are aware of the order in which they are presented. Spend at least one week prior to the training itself going through the materials and making sure that the trainers are knowledgeable enough to present the information.

Arrive at least an hour before the training to set up the space and ensure that the PowerPoint is working and that all materials are in place so that there can be a fluid transition from section to section. Be prepared for anything, and don't be afraid to use alternative means to make a point.

Implementation

Implementation of the trainings should be high energy, engaging and educational. This training will take a whole day and so it has to be implemented with the utmost attention to the audience's alertness and awareness. The training takes a basic format: five one-hour sessions, where all but the first two themes are approached as below (the first two themes are taken together in the first hour and a half). All sections will take on the following structure.

Time:	Section Element
2 min	An introduction of the section's theme
10 min	An interactive activity that is somewhat abstract but encapsulates the thematic elements of the section
5 min	Activity Discussion and Reflection
10 min	A Break-Out session with each small group taking on a principle and case study/scenario
25 min	Principle Presentations by small groups
5 min	Principle Review
3 min	A Wrap-Up

This basic structure is meant to give participants the feeling of familiarity and assist in the learning process. If they have an idea of how the training will work, they can anticipate and follow along more easily. This structure also aims to assist the trainer in simplifying the materials so that they are digestible for trainees.

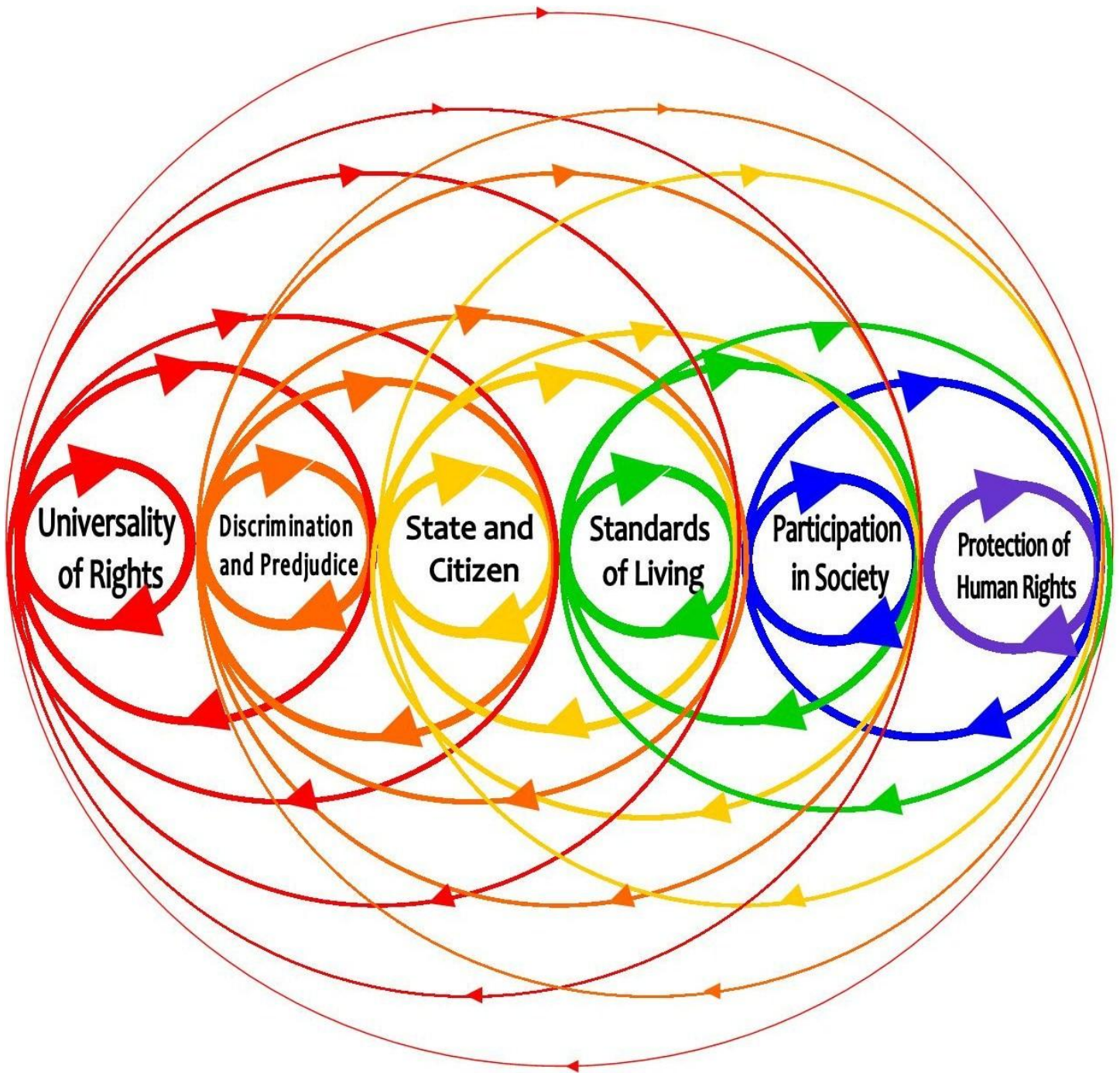
The aim of the training is to facilitate learning. Much of the learning will take place during the discussion sessions and the group work. Individuals will have a hand's on experience as opposed to a flat lecture that lasts for hours. The facilitator should be prepared to encourage participants to use their own knowledge and experience to produce quality presentations for the whole group. Discussions should be methodical and place emphasis on bringing it all back to the particular theme of human rights.

Careful attention should be paid to the follow through of the training. The pre/post surveys provide critical information pertaining to the outcomes of the trainings. This training is a living piece of work that should constantly be adapted to its audience and altered so that maximum transfer of knowledge can be achieved.

Timing:

This training can be adapted to adjust for the time constraints placed on facilitators by adjusting group projects into group discussions. Also, limiting the skit length will also assist in the flow of the training. Time should be managed as needed, based on audience participation and relevance.

Facilitation Informational Flow Chart:



Presentation of the Training materials should be done in an order that makes sense and that is easily digestible to participants. In order to do this, following the informational flow chart above, will assist in the maximum consumption of knowledge by participants. It is important that with every stage of the facilitation that the themes build on one another. Each theme must also be reinforced as the training moves forward.

Constantly refer back to previous thematic sections, by referencing the previous activities, examples generated by group participants and previous principles will help the facilitation flow in a manner that is retainable by participants. Use this chart to instruct facilitators on how the information that they share with the group ought to be processed and delivered.

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

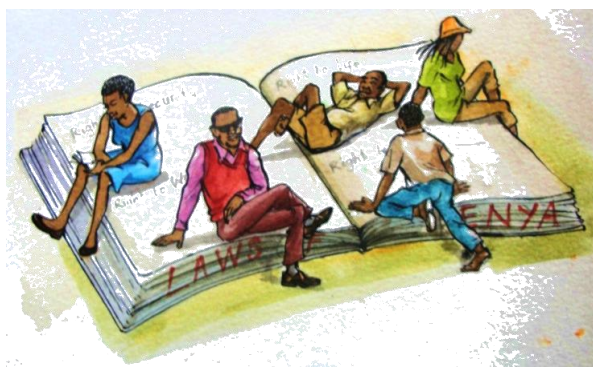
Everyone has the right, individually and in association with others, to promote human rights.

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.



Trainer Oath of Service

I promise to bear in mind the greater humanity that exists in all human beings. I vow to give my best effort in transferring knowledge to individuals around the country and remembering to keep in mind their life situations that drive our work. I will work to guide this process through love and care for the human condition.

Guiding Parameters for this Training Session

Welcome to the Yogyakarta Principle Trainings

1. Full Engagement

- a. Cell Phones on Silent Mode or Off (*NOTE TO TRAINER* TAKE TIME HERE TO ENSURE THAT EVERY PERSON TAKES OUT CELL PHONE AND PLACES ON SILENT MODE)
- 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.

Glossary

UNDERSTANDING SEXUALITY & GENDER

Sex refers to the physical and biological characteristics that differentiate males from 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 match their physical sex. When experience of gender does not match 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 physical and physiological characteristics that make it difficult to classify them male or female. These may include complex genitalia not considered *standard* for male or female, or dual organs. 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.

affirmative action	Policy designed to redress past discrimination against minority groups through measures to improve their economic and educational opportunities.
assisted procreation	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 (the transfer of semen into the uterus of a female in order to establish a pregnancy) or embryo transfer (the transfer of one or several embryos into the uterus of a female in order to establish a pregnancy).
civil union	A legal union similar to marriage established to allow equal rights to same-sex couples as the partners in marriage have.
closet	Referring to undisclosed sexual behavior, sexual orientation or gender identity.
coming out	Disclosing of one's sexual orientation or gender identity, personally or publicly.
dignity	The automatic honour and respect every human being has and is entitled to by the simple virtue of being human.
discrimination	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.
gender reassignment therapy	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. A transsexual is a transgender person that has undergone at least one such medical procedure.
homophobia (and transphobia)	The attitude of hate and often violence towards LGBTI persons.
hormonal therapy/ hormone replacement therapy (HRT)	Hormonal medication taken to modify secondary sex characteristics (shape of body, the distribution of hair etc.).
human right	Any legal entitlement believed to belong to every human being, and whose enjoyment Government should not interfere.
marginalise	Treat a person or group as of less importance in society.
MSM	Men who have sex with men.
Pride Parades	Also known as Gay Pride, they are events and marches celebrating LGBTI culture.
redress	Act of correcting an error, a fault or an evil.
remedies	To correct/improve/rectify a situation.
same-sex sexual activity	A range of public and private displays of affection between persons of the same gender; from holding hands and kissing, to fondling or sex.

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

Learning

Objectives:

Participants will walk away having an understanding that Human Rights:

- have been a part of the human way of life since the beginning of time.
- Since the beginning, people have asked what are their rights, and responsibilities as a human being. Apply to all/ Are Universal
- Are Interconnected
- Are Interdependent
- Are Indivisible

Tools Needed

For this Section:

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

Extra Resources:

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

What are the Yogyakarta Principles?

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

All Kenyans are equal no matter how different they are from each other. Our differences—social, cultural, 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.

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.

Setting the Stage: Environment is just as important as the trainings themselves. Make sure that you set up the space in a manner that is comfortable and appropriate for the training itself. Provide food, opening exercises, welcoming personality.

A. Introductions (3 Minutes) →

B. Guiding Parameters (2 Minutes) →

C. Introduction to Gender and Sexuality (10 Minutes) →

Safe Space- The creation of a physical space where individuals feel that they can be all of who they are, live openly and honestly and not fear reprisal for what they say or who they are. Safe Spaces not only consists of respect and understanding, but also support and community.

Imagery- Power lies within images that help to draw parallels and roadmaps for individuals to better retain information. A single image can encapsulate a theme that when recalled will stimulate certain brain responses, generating information recall, etc

→
D. Facilitate Discussion: Human Rights + List Diverse make up of Humanity (5 Minutes)

On Butcher Paper Write:

Human Rights- Any legal entitlement believed to belong to every human being, and whose enjoyment Government should not interfere.

On Butcher Paper List what is said:

E. Origins of Human Rights
a. (8 minutes) →

INTRODUCTION:

This section is meant to introduce the audience to human rights, its history and the basic premises behind what is meant when we say, “Human Right”. It will also begin the presentation of the Yogyakarta Principles, and its application of human rights to sexual orientation and gender identity.

APPROACHES/STRATEGIES: NOTES:

A. Introductions

B. Guiding Parameters

Ensure ground rules are established before beginning this lesson.

C. Introduction to Gender and Sexuality

D. Discussion Questions

Participants clarify their understanding of the term ‘Human Rights’.

1. Ask participants to define the term **Human Right**.

- Facilitate discussion on what it means to be human, explore the universality of a human being, what connects to every person in the world.

2. Define Human Rights as it applies to this training

3. Ask participants to list the diverse make up of identity that make up humanity and how those differences can make up human rights.

The list may include some of the following:

- Age	-	National Origin
- Gender	-	Legal Status
- Ability/Disability	-	Intellect
	-	Tribe
	-	Religion

E. Origins of Human Rights

F. Introduction of the Yogyakarta Principles

Below

G. Principle 1: The Right to the Universal Enjoyment of Human Rights

Human rights apply to all, simply because we are humans. Human rights are universal, indivisible, inter-related and are interdependent on one another.

H. Wrap Up Section:

- **Human Rights Are:**
- any basic right or freedom to which all human beings are entitled and in whose exercise a government may not interfere
- **Origins of Human Rights**
- Been around since the beginning of time, present in all ancient texts from around the world.
- Universal Declaration of Human Rights establishes today's foundation for human rights.
- **The Yogyakarta Principles**
- takes international human rights law and applies it to sexual orientation and gender identity.
- The first principle, the **Right to Universal Enjoyment of Human Rights** establishes that human rights are Universal, interdependent, indivisible and interconnected.

PROCESSING:

QUESTION BOX:

If time permits, address participant questions.

FACILITATOR REFLECTION:

During the lesson, were:

- Ground rules being followed?
- Good practices established regarding group work and discussion?

What will you change for future classes with this group?

What will you change for future use of this lesson?

PARTICIPANT ASSESSMENT:

During the lesson, did participants:

Knowledge: -Define the term "Human Right"?

- Identify the Origins of Human Rights?
- Identify the first Yogyakarta Principle?

Skills: - Increase their ability to apply human rights universally, interdependently, indivisibly, and interconnected as it relates to LGBTI rights

Attitudes: - Gain an appreciation for themselves within the context of human rights?
Recognize the connection between Sexual Orientation/Gender Identity and human rights?

F. Yogyakarta Principles

a. (5 Minutes)

G. Principle 1:

a. (5 Minutes)

H. Wrap up Section

a. (2 Minutes)

Kenyan Approach: Special Emphasis should be placed on articulating the specific atmosphere that is currently present in Kenya. This information will help the rest of the experience to have a feeling of identification for participants as they move through the training.

Universality of Rights: Emphasis needs to be placed on this first principle as it is the building block that will be used throughout the training. Use the visual below to highlight this effort.



Origins of Human Rights

Taken from: 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 Humprey 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

"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



which they are to be realized. Humphrey and Cassin 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
-

Learning Objectives:

Participants will walk away having an understanding that:

- Grounds for non-discrimination should include SO/GI
- 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.
- Legal status/law should not be blind to one's identity/ rights to express oneself
- No one is entitled to cause physical harm or execute a person
- Mob Justice is illegal
- Incitement to violence and threats at depriving life should be condemned and punished thoroughly.
- All Kenyans including LGBTI persons deserve protection by government and the communities in which they live.
- Security should be guaranteed, all should feel safe in public spaces + private spaces. Free from arbitrary search of personal effects, home, communications, email, etc
- 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.
- There is a separation of private intimate decisions & public life.

Tools Needed For this Section:

- Projector
- Scenarios
- Note cards

Extra Resources:

- Understanding Prejudice
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.

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.

**Opening video highlighting recent human rights violations revolving around human rights violations surrounding prejudice and discrimination.*

- A. Them Intro
- B. Opening Exercise
 - a. (10 Minutes)

Prejudice: a partiality that prevents objective consideration on an issue or situation.

Discrimination: Unfair treatment of a person or group on the basis of prejudice.

Be Aware: this activity may be sensitive to some. Reactions may be strong to some of the responses that individuals either receive or give. Leave plenty of space for processing this exercise to ensure the full effect.

- C. Discussion Questions
 - a. (5 Minutes)

Discussion Questions: This section will be important in debriefing the activity and getting participants to engage in conversation surrounding their feelings and thoughts that were evoked as a part of the activity.

- D. Scenario Break Out
 - a. (10 Minutes)

Exercise Adapted from:
<http://www.understandingprejudice.org/teach/activity/labels.htm>

INTRODUCTION:

This section is meant to highlight the various ways that prejudice and discrimination can take place throughout the world. It is also meant to highlight Yogyakarta Principles 2 – 6 and the connection to human rights and the violation of those rights.

APPROACHES/STRATEGIES: NOTES:

A. Intro of Section Theme:

B. Opening Exercise to Highlight Discrimination and Prejudice

1. Introduce section Theme: Rights Regarding Discrimination and Prejudice. Tell Participants that participation in this exercise is optional, and that anyone who prefers not to participate directly can simply play the role of an observer.
2. Next, attach a label on each participant's forehead (or back) so that the label is not visible to the wearer. Make clear that these labels are being assigned randomly and have nothing to do with participants' actual attributes.
3. Then ask participants to spend 8 minutes talking with each other about "future goals" (another general topic can be chosen, but this one works well in eliciting responses to the labels). Tell participants that they should circulate in order to talk with several different people, and that they should treat one another according to the other person's labeled attribute. For example, someone labeled "forgetful" might be repeatedly reminded of the instructions.
4. After 8 minutes, reconvene the class and ask participants to leave their labels on for a little while longer (if the class size and furniture allows, it's best to sit in a circle). Then ask participants to share how they felt during the exercise, how they were treated by others, and how this treatment affected them. Participants will often mention their discomfort not only with being stereotyped but with treating others stereotypically.

C. Discussion Questions

Participants clarify their understanding of Prejudice

- Was the label what you guessed, or were you surprised by it?
- When people stereotyped you, were you able to disregard it?
- Did you try to disprove the stereotype? If so, did it work?
- How did you feel toward the person who was stereotyping you?
- If your attribute was positive (e.g., "good at math"), how did you feel?
- When stereotyping others, how easy was it to find confirming evidence?
- When stereotyping others, how did you react to disconfirming evidence?
- How does this impact the way that rights are seen in the world?
- How does this exercise tie into our theme of rights revolving around Discrimination and Prejudice?

D. Scenario Break Out

Divide into 5 groups. Each group will take a principle and a scenario and come up with a small presentation that highlights their scenario and points out how their principle applies to the situation.

E. Principles Presentation:

Each group is given 5 minutes to present their principle and case study and help the group as a whole understand the individual principles. Groups will be asked to highlight what they discussed, how they came to understand their principle and how the case study applied to their principle.

F. Review of Section Principles:

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 whether heterosexual, homosexual, bisexual, asexual, transgender, intersexual, or any other gender variances.

Principle 4: The Right to Life

Every Kenyan has the right to life, and no one should be killed on grounds of their 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 privacy.

G. Section Wrap-Up

- **Prejudice and Discrimination:-**
- Often drive what human rights abuses that exist within the world
- **The Yogyakarta Principles identify that you have a right to:**
- Equality and Non-Discrimination
- Be recognized before the law for all of who you are.
- to live your life
- To feel secure as you progress through your life
- To have your privacy honored, respected and protected.

PROCESSING:

QUESTION BOX:

If time permits, address participant questions.

SELF REFLECTION:

During the lesson, were:

- Ground rules being followed?
- Good practices established regarding group work and discussion?

What will you change for future classes with this group?

What will you change for future use of this lesson?

PARTICIPANT ASSESSMENT:

During the lesson, did participants:

Knowledge: Identify the 5 principles in this section? – Come to differentiate between prejudice and discrimination? Understand that non-discrimination should include SO/GI?

Skills: -

Attitudes: - recognize their rights as individuals to live free from prejudice and discrimination?

← E.- Principle Presentation

b. (25 Minutes)

← F.- Review of Section Principles

c. (5 Minutes)

Be Aware: This section can shed light on sensitive elements that may have impacted participant's personal lives in profound ways. Examples could be brought up of the death of someone close to them.

← G.- Section Wrap-Up

d. (2 Minutes)

Bringing it Back to the Reality: Many participants will begin to ask the question, how does this apply to my life? Where does this relate to my personal experiences? What can I do when I face these realities within Kenya? Be prepared to answer these questions and reference future principles that will relate more specifically to questions that may be brought up in this section.

The Effect of Stereotypes: What's in a Label?

Goal

To demonstrate how stereotypes affect the self-perception and behavior of the person who is stereotyped.

Preparation

Obtain the same number of adhesive labels (e.g., of the kind for file folders) as there are participants in your class, and write a stereotypic attribute on each label. Some examples include *violent*, *athletic*, *cute*, *overemotional*, *incompetent*, *good at math*, *lazy*, *untrustworthy*, *unclean*, *musical*, *materialistic*, *diseased*, *unintelligent*, *exotic*, *forgetful*, and *frail*.

Activity

1. After discussing research and theories on stereotyping, explain that you will conduct a labeling exercise to help participants learn about how stereotypes work. Tell participants that participation in this exercise is optional, and that anyone who prefers not to participate directly can simply play the role of an observer.
 2. Next, attach a label on each participant's forehead (or back) so that the label is not visible to the wearer. Make clear that these labels are being assigned randomly and have nothing to do with participants' actual attributes.
 3. Then ask participants to spend 15 minutes talking with each other about "future goals" (another general topic can be chosen, but this one works well in eliciting responses to the labels). Tell participants that they should circulate in order to talk with several different people, and that they should treat one another according to the other person's labeled attribute. For example, someone labeled "forgetful" might be repeatedly reminded of the instructions.
 4. After 15 minutes, reconvene the class and ask participants to leave their labels on for a little while longer (if the class size and furniture allows, it's best to sit in a circle). Then ask participants to share how they felt during the exercise, how they were treated by others, and how this treatment affected them. Participants will often mention their discomfort not only with being stereotyped but with treating others stereotypically.
- Finally, tell participants that they can now remove their labels. Then discuss questions such as the following:
 - Was the label what you guessed, or were you surprised by it?
 - When people stereotyped you, were you able to disregard it?
 - Did you try to disprove the stereotype? If so, did it work?
 - How did you feel toward the person who was stereotyping you?
 - If your attribute was positive (e.g., "good at math"), how did you feel?
 - When stereotyping others, how easy was it to find confirming evidence?
 - When stereotyping others, how did you react to disconfirming evidence?

These questions offer a natural forum to discuss sub-typing, self-fulfilling prophecies, confirmation biases, belief perseverance, and other psychological factors involved in stereotyping.

Notes

1. This exercise works well with 10-60 participants, but when there are more than 20 participants, you should find a way to affix labels efficiently. One technique is to have a TA or class member help affix labels. Another is to distribute the labels and have participants affix them to each other.
2. For facilitators using *Understanding Prejudice and Discrimination*, this activity is best used in connection with Section I (on stereotyping), Section II (on stigmatization), or Section IV (on contemporary racism).

Source

Adapted from Goldstein, S. B. (1997). The power of stereotypes: A labeling exercise. *Teaching of Psychology*, 24, 256-258.

Personality Traits

Violent

Athletic

Cute

Overemotional

Incompetant

Good at Math

Lazy

Untrustworthy

unclean

Musical

Materialistic

Diseased

Unintelligent

Exotic

* Should be copied, and then cut out and pasted to note cards which will then be stuck to a person's back or forehead.

Forgetful

Frail

Dumb

Rude

Liar

Fearful

Airheaded

Macho

illegal

* Should be copied, and then cut out and pasted to note cards which will then be stuck to a person's back or forehead.

Social Groups in Kenya

Muslims

Luo

Kikuyu

Albino

HIV +

Mzungu

F3 Student

Chokora

Gay

Kamba Politician

MP

Receptionist

Unintelligent

Bartender

* Should be copied, and then cut out and pasted to note cards which will then be stuck to a person's back or forehead.

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.

Learning Objectives:

Participants will walk away having an understanding that Human Rights:

- Arrest should be on criminal grounds and one must be informed and charged before arrest.
- Private affairs should not be illegal where they do not harm other individuals and are between consenting adults.
- 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.
- Following an arrest, one must be informed of charges and be brought before a court of law within 48 hrs
- During a trial, a person's sexual orientation or gender identity should not be used to cast doubt on the evidence.
- Judicial Officers should be impartial
- Whether or not convicted, one has the right to be treated humanely.
- Unfair exposure/confinement- free from harassment

Tools Needed For this Section:

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

Extra Resources:

- Kenyan Human Rights Commission

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.

Kenyan Challenges State Over Prison Facilities

Jillo Kadida, Mail & Guardian Kenya, 21st 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.

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.



During Break, Set up small obstacle course for the "Walk of Shame"

- Include soft items that volunteers can navigate.
- Blindfold for volunteer

A. Intro Theme (2 Minutes) ➡

B. Walk of Shame ➡

a. (10 Minutes)

Walk of Shame Exercise: This exercise will assist the participants in experiencing briefly the concepts presented in this section's theme. It is the hope that this activity will get the participants in the mood to discuss the sections themes and principles.

C. Discussion Session ➡

a. (5 Minutes)

Discussion Sessions: There is great importance in debriefing every exercise and processing the events that took place. Having these questions at the end of an experience will help it to stick and hopefully inspire in the future.

D. Scenario Break Out ➡

a. (10 Minutes)

Kenyan Penal Code: Chapter XV - Offences Against Morality: "Any person who has carnal knowledge against the order of nature is guilty of a felony and is liable to imprisonment for fourteen years." (National Assembly: Parliament of the Republic of Kenya)

E. Skits/Presentation ➡

a. (25 Minutes)

For Group Work: Pair principles 9 and 10 together if needed.

INTRODUCTION:

This section we introduce participants to the experience between the state and the citizen. The individual will be asked to explore their expectations on how they or others are treated directly by the law.

APPROACHES/STRATEGIES: NOTES:

A. Introduction of Section Theme:

B. Walk of Shame/Introduction of Theme < SEE BELOW FOR EXERCISE >

Walk of Shame has to do with loss of control, and being under the control of someone else. < SEE BELOW FOR EXERCISE >

1. Introduce the theme of the section "Rights Regarding Interactions between the State and Citizen"
2. Participants will line up along a gauntlet full of obstacles, and a volunteer will be directed by a friendly crowd through the "system".
3. A second volunteer will do the same, but this time the crowd won't be as helpful, demonstrating the crucial need for the authorities and members of the government.
4. This will help participants to understand that every person deserves a certain level of respect and dignity while in control of the state.

C. Discussion Questions

Participants explore the direct relationships between the state and the citizen

1. How did this exercise make you feel in terms of the law and fair treatment of those who are incarcerated or whom have interactions with state police?
2. What was the difference between the first and second volunteer.
3. Why does it matter that individuals are treated with fairness and equality before the law? How is that universal?
4. How does this connect to the principles that we have already learned today?

D. Scenario Break Out

Participants are split into 5 groups where they will be given a scenario and a principle and they will be responsible for teaching the group about their principle.

1. Ask participants to divide themselves up into 5 groups.
2. Tell participants that they will have 15 minutes to discuss the principle that they have been given and to prepare a small introduction to the principle to help others learn it.
3. The presentations will be able to take ANY creative form that the groups can think of, including a small skit, a lecture, a dialogue or discussion, etc, etc.
4. Each presentation must include a reference to the scenario, as well as an explicit statement of the principle.

D. Skits/Presentations

Each group will have 3 minutes to present their principle and help the group to learn more about the principle, its rationale, and the scenario it is connected to.

E. Review of Principles

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 in detention 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.

F. Section Wrap-Up

- **Rights between the State and the Citizen are a unique privilege that all people deserve.**
- **The Yogyakarta Principles identify that you have a right to:**
- live free from arbitrary deprivation of your liberty.
- Have a fair trial that respects the person that you are.
- If convicted, you have a right to be treated humanely while in custody.
- Be free from degrading or torturous behavior while in custody.
- Be free from all forms of exploitation, including from your own family.

PROCESSING:

QUESTION BOX:

If time permits, address participant questions.

SELF REFLECTION:

During the lesson, were:

- Ground rules being followed?
- Good practices established regarding group work and discussion?

What will you change for future classes with this group?

What will you change for future use of this lesson?

PARTICIPANT ASSESSMENT:

In what ways did the participants grow in the following areas?

Knowledge: know their rights as it pertains to interactions with the law, learn what to do with future interactions with law enforcement.

Skills:

Attitudes: Feel more confident knowing their rights and understanding what to do in the event that they are prosecuted.

E. Review of Principles

a. (5 Minutes)

Recommendations to Individuals who have had interactions with Law Enforcement:

Some individuals will have experienced first hand these human rights violations. While the law currently does not protect homosexuals, advising participants to be aware of their rights and to be able to ask in future incidents the exact charges being levels against them may assist them. At the very least, documenting these experiences will assist to track and prosecute in the future when these incidents can be challenged.

F. Section Wrap-Up

a. (3 Minutes)

The Walk of Shame Exercise

Goal:

The goal of this activity is to introduce participants to the experience of interactions between the state and the citizen and how that is reflected through human rights in this activity.

Preparation:

During the break, set up an obstacle course (Jail) at one end of the room. Place masking tape to mark the beginning of the obstacle course and the end about 20 ft apart. Then, in between set up random obstacles (soft nerf balls, balloons, bean bags, etc.)

Activity:

This activity is meant to highlight the differences between an allowable amount of force and control demonstrated by the state compared with a second approach that is meant to highlight how one's human rights can be violated.

1. Before the break, identify 2 volunteers who will participate in the activity as blind folded inmates.
2. Ask the two volunteers to step outside of the room for a moment while you brief the rest of the participants.
3. Select two volunteers to serve as "officers" during the exercise.
4. Brief the participants: *This hour we will be exploring the relationship between the citizen and the state and the human rights associated with such a relationship. Next to me is our "jail" which our "inmates will be asked to walk through. Consider this walk the process of being arrested to serving time in jail. The first volunteer will be guided through the "system" and the second volunteer will receive treatment that violates his or her human rights. Please pay attention to the differences.*
5. Invite the volunteers in and begin to introduce them to the setting. Welcome to the Nairobi Jail. Today you will be processed through the system because you were accused of being a homosexual. Due to Penal code 147 we will process you through our jail. This blindfold represents our control over you during the next 24 hrs as a police force. You must make your way from this end of the jail, to the other end of the jail without stepping on any obstacles.
6. Volunteer is then guided to the first line of masking tape and on the other end is an "officer" giving clear instructions to the blindfolded inmate. Instruct 1st officer that they are to do their best to assist the inmate through the process and to get them from point A to Point B.
7. Repeat step 5 and 6, but this time, instruct the 2nd officer to treat the 2nd inmate unfairly, misguide them, don't give them full instructions, be partial and disrespectful
8. Once the 2nd inmate has made it through, or after 5 minutes of unsuccessful tries, end the exercise and enter into the debriefing session.

Debriefing the exercise:

1. How did this exercise make you consider the way that the State relates to the average citizen?
2. Can you see the difference between the first volunteer and the second volunteer?
3. What are some elements that you feel were present in this scenario that relate to "human rights"?
4. What are some of the main elements of the first inmate that differ from the second inmate?

Notes

Theme: Rights Relating to Standards of Living



In the Section:

- Principle 12: The Right 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

Learning Objectives:

Participants will walk away having an understanding that:

- Everyone has a right to work, if qualified.
- Everyone has the right to decent and productive work
- A person's promotion, training, remuneration and career advancement should not be affected by their SO/GI
- Care and benefits programs should be available to all persons
- Equal access to social security and social protection measures should be provided by the Government of Kenya.
- Poverty reduction strategies and associated programs should not be dependent on one's SO/GI.
- Everyone has the rights to a dignified and continuously improving standard of living.
- Legislative and administrative steps should be taken to facilitate access to basic needs for all, without discrimination.
- Individuals have a right to secure a home within a community that is safe and where they can live in peace and with dignity.
- Education is a basic right
- All persons should be welcome to apply to public institutions selected, and retained on merit.
- The Government of Kenya should take all legislative and administrative measures to eliminate discrimination of SO/GI
- A person's SO/GI is not a pathological condition to be treated or suppressed through corrective counseling.
- No Kenyan should be forced to undergo any hormonal, shock or psychological therapy to correct or change their SO/GI.

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.

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.

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.

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 medical procedure in attempt to impose a gender at the time of birth.

Adaptation: Feel free to adapt identity circle statements to reflect the local participants and their lives.

A. Section Intro (2 Minutes)

B. Identity Circles

b. (10 Minutes)

Identity Circles: This exercise will assist the participants in experiencing briefly the concepts presented in this section's theme. It is the hope that this activity will get the participants in the mood to relate to one another.

C. Discussion Session

a. (5 Minutes)

Discussion Sessions: There is great importance in debriefing every exercise and processing the events that took place. Having these questions at the end of an experience will help it to stick and hopefully inspire in the future.

D. Scenario Break-Out

a. (10 Minutes)

Optional: Feel free, given time, given the energy of the group to turn the breakout session and skits into an interactive discussion where the facilitator guides the participants through each principle while generating a dialogue surrounding personal experiences of the participants.

E. Principles Presentation

a. (25 Minutes)

INTRODUCTION:

This section is intended to highlight the human rights abuses that exist within a person's standard way of living and what ought to be protected by the law. It also introduces principles 12-18.

APPROACHES/STRATEGIES: NOTES:

A. Introduction of Section Theme:

B. Identity Circles

1. Once back from break, gather the group into a circle.
2. Explain the rules: As you identify with each statement that is said, please take a step into the circle, and then back out. As you take a step forward, please take the time to recognize the people that step in with you to see and value the experiences of other.
3. Read list of statements
4. End process by sharing an identity that all people share, so that all people can step in.

C. Discussion Questions

Participants clarify their understanding of Prejudice

- As we went through this exercise, what emotions and feelings did it evoke?
- What was something unique and special about this exercise that you noticed as individuals stepped in?
- How did it feel to look across the circle and see a person who identified with a similar experience to you?
- After hearing the various concepts brought up in the circle, how did it make you reflect on things like housing, education, work, safety from a human rights perspective?
- How does this exercise tie into our topic today of human rights and the theme of rights regarding our standard of living?

D. Scenario Break Out

Divide into 5 groups. Each group will take a principle and a scenario and come up with a small presentation that highlights their scenario and points out how their principle applies to the situation.

1. Ask participants to divide themselves up into 5 groups.
2. Tell participants that they will have 15 minutes to discuss the principle that they have been given and to prepare a small introduction to the principle to help others learn it.
3. The presentations will be able to take ANY creative form that the groups can think of, including a small skit, a lecture, a dialogue or discussion, etc, etc.
4. Each presentation must include a reference to the skit, as well as an explicit statement of the principle.
5. The presentations will be able to take ANY creative form that the groups can think of, including a small skit, a lecture, a dialogue or discussion, etc, etc.

D. Principles Presentation:

Each group is given 3 minutes to present their principle and case study and help the group as a whole understand the individual principles. Groups will be asked to highlight what they discussed, how they came to understand their principle and how the case study applied to their principle.

E. Review of Section Principles

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 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.

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.

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.

F. Section Wrap-Up

- You have a right to expect a reasonable standard of living identified through the principles.
- The Yogyakarta Principles identify that you have a right to:
 - go to work and work in an environment free of harassment or discrimination.
 - State-Sponsored care that can be provided to you and your partner regardless of your sexual orientation or gender identity.
 - To live in a place that meets a standard of living worthy of your humanity.
 - To go to school and receive an education without prejudice against your sexual orientation or gender identity.
 - To reach towards the highest attainable standard of living
 - Live free from medical abuses that are related to your sexual orientation or gender identity.

PROCESSING:

QUESTION BOX:

If time permits, address participant questions.

SELF REFLECTION:

During the lesson, were:

- Ground rules being followed?
- Good practices established regarding group work and discussion?

What will you change for future classes with this group?

What will you change for future use of this lesson?

E. Review of the Section Principles

c. (5 Minutes)

For Group Work: Pair Principles 12 and 13, Principles 14 and 15, and if need be, principles 17 and 18.

F. Section Wrap-Up

a. (3 Minutes)

Identity Circles Exercise

Goal:

The goal of this exercise is to assist group members in identifying particular instances when their human rights were violated, while at the same time sharing in an identity that bonds them through shared experiences regarding their personal standards of living.

Preparation: Identify several life experiences that are closely associated with your audience, such as where people grew up, the types of conditions that they may have grown up in, the kinds of circumstances that might have disturbed their standard of living, etc.

Activity:

Gather participants into a circle. Explain to them that this is a voluntary exercise only. We will be reading out statements and every time you personally identify with these questions, please take a step into the circle, and then back into the circle again. Step in only if you feel comfortable. This exercise is to be silently.

Slowly read off the following statements:

1. If you have ever been to Nairobi, please take a step in.
2. If you have ever ridden a Matatu, please take a step in.
3. If you have ever been out of the country, please take a step in.
4. If you have ever been to a national football game, please take a step in.
5. If you have ever visited a local slum, please take a step in.
6. If you have ever lived in a local slum, please take a step in.
7. If you have ever questioned your sexuality, please take a step in.
8. If your sexuality has ever caused you to face violence or discrimination in any way, please take a step in.
9. If you have ever feared the revelation of your sexuality or gender identity to others, please take a step in.
10. If you have ever feared that the revelation of your sexuality to others might cause you to be fired from your place of work, please take a step in.
11. If you have ever overheard at work remarks that were homophobic or threatened the lives of Lesbian, Gay, Bisexual and Transgendered community members, please take a step in.
12. If you have ever felt unsafe because of your sexual orientation or gender identity while in the work place, please take a step in.
13. If you have ever felt that if the police were to find out about your hidden sexuality or gender identity that they would not protect you in your times of need, please take a step in.
14. If you have ever felt that the government of Kenya has done more to hinder your life and WHO you are than help it, please take a step in.
15. If you have ever felt that the revelation of your sexuality or gender identity might prohibit your access to your livelihood including, but not limited to your access to food, clothing, water, please take a step in.
16. If you have ever felt that the discovery of your sexuality or gender identity by your landlord might result in the expulsion from your home, please take a step in.
17. If you have ever felt threatened due to your sexuality or gender identity while residing in your home, please take a step in.
18. If you have ever been bullied or harassed while you were once in school because of your sexual orientation or gender identity, please take a step in.
19. If your grades have ever suffered while you were once in school because you were struggling to come to terms with your sexuality or gender identity and there was no safe space for you to explore your identity, please take a step in.
20. If you have ever visited a doctor's office and there was an assumption of your sexual orientation or gender identity that did not represent who you were, please take a step in.
21. If you have ever visited a doctor's office and felt like you had to hide your sexuality or gender identity when you disclosed to them personal information about yourself, please take a step in.
22. If you have ever been asked to participate in a study or medical research project based on your sexuality or gender identity, please take a step in.
23. If you have ever hoped that you would own a home and live peacefully amongst your neighbors, please take a step in.
24. If you have ever hoped that you could walk down the street holding the hand of your partner and would have the peace of mind knowing that if you were attacked, the police would protect you and prosecute your attackers, please take a step in.
25. If you have ever wished that while you were in school you could go to class without being bullied or harassed based upon your sexuality or gender identity, please take a step in.
26. If you have ever dreamed of living forever in a healthy and productive way, please take a step in.

27. If you have ever hoped to fall in love, and to spend a good portion of your life with the person whom you've connected with, please take a step in.
28. If you believe in fairness and equality, please take a step in.
29. If you believe that justice ought to be applied to all regardless of one's sexual orientation or gender identity, please take a step in.
30. If you believe that the core of who you are is not based solely on your color, your sex, your citizenship, your ability to speak a language, your sexuality, or your gender identity, but rather the common humanity you share with the rest of the world, please take a step in.

Debrief:

The following questions can be used to guide the discussion about the experience along.

- As we went through this exercise, what emotions and feelings did it evoke?
- What was something unique and special about this exercise that you noticed as individuals stepped in?
- How did it feel to look across the circle and see a person who identified with a similar experience to you?
- After hearing the various concepts brought up in the circle, how did it make you reflect on things like housing, education, work, safety from a human rights perspective?
- How does this exercise tie into our topic today of human rights?
- What did this exercise make you reflect upon?
- How can it be applied to the Principles that you have learned about in the prior sections?
- What area's of life do you believe that the current principles surround?

* As we walk away from this exercise and into our principles, let us remember that our individual experiences of violation, corruption, pain, and hurt as well as our hopes, our dreams and our wishes, are shared by others in our community. Let us remember that we are not alone in our suffering and should not suffer silently. We have rights, human rights, and we share those rights with every human being on this planet.

Notes

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

Learning Objectives:

Participants will walk away having an understanding that:

- Expression of identity through speech, demeanor, dress, bodily characteristics and choice of name are fundamental human rights that should not be denied based on SO/GI.
- The freedom to seek, receive and impart information on human right through any medium is a right.
- Media Houses must be sensitive and diverse in reporting news pertaining to LGBTI persons.
- All Kenyans have the right to peaceful assembly and association.
- Person's may form and have recognized associations.
- Distributing information about or advocating for the rights of LGBTI persons is a Right.
- The Government must provide for registration processes for social associations, particularly human rights issues associations.
- Every Kenyan has the right to freedom of thought, conscience and religion.
- The rights of all persons, regardless of SO/GI to hold and practice their faith, along or in association with others and to be free from imposition of other beliefs should be protected.
- Everyone has the right to seek and enjoy refuge from religious or politically motivated violence, and other forms of persecution.
- Kenya may not remove or send away a person to any other country 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 SO/GI.

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 20th 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?"

Rev. Kimindu's church is a unique fellowship of university students, middle-level professionals and clergy aged between 23 and 40. This closely knit group attends church, 3pm Sundays where they discuss living gay but Christian lives. Young professionals told the Nation they go to the Rev Kimindu's church because they "feel more accepted."

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.



Perspective: a particular evaluation of a situation or facts, especially from one person's point of view.

- A. Section Intro: (2 Minutes) →
- B. Optical Illusions →
 - a. (10 Minutes)
- C. Discussion Questions →
 - a. (5 Minutes)

Optical Illusion Participant Goal:

The aim of this activity is NOT to reach consensus or even to see everything, merely to generate an understanding of Difference and variance in perspective.

- D. Scenario Break Out →
 - a. (10 Minutes)

Optional: Feel free, given time, given the energy of the group to turn the breakout session and skits into an interactive discussion where the facilitator guides the participants through each principle while generating a dialogue surrounding personal experiences of the participants.

- E. Skit/ Presentations →
 - a. (25 Minutes)

INTRODUCTION:

This section we will introduce the rights relating to ones participation within society, particularly in regards to personal expression and opinion. We will also introduce Principles 19 – 23.

APPROACHES/STRATEGIES: NOTES:

A. Introduction of Section Theme:

B. Optical Illusions

Optical Illusions are meant to highlight the variations in perspective that one can have towards a single instance. It is important to be able to have a diverse set of idea's, opinions and expressions and we hope to express that through this exercise. < SEE BELOW FOR EXERCISE >

C. Discussion Questions

Participants explore the direct relationships between the state and the citizen
How did this exercise help you to consider the importance of different perspectives?

Why is it important to have different perspectives within a community?

What would happen if these different perceptions were limited to only one or two perspectives?

How does this relate to the conception of Freedom of Expression and opinion?

D. Scenarios Break Out

Participants are split into 5 groups where they will be given a scenario and a principle and they will be responsible for teaching the group about their principle.

1. Ask participants to divide themselves up into 5 groups.
2. Tell participants that they will have 15 minutes to discuss the principle that they have been given and to prepare a small introduction to the principle to help others learn it.
3. The presentations will be able to take ANY creative form that the groups can think of, including a small skit, a lecture, a dialogue or discussion, etc, etc.
4. Each presentation must include a reference to the scenario, as well as an explicit statement of the principle.
5. Why are ideas and the right to protect those ideas important?

E. Skits/Presentations

Each group will have 3 minutes to present their principle and help the group to learn more about the principle, its rationale, and the scenario it is connected to.

F. Review of the 5 principles

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 within the borders of Kenya.

Principle 23: The Right to Seek Asylum

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

G. Section Wrap-Up

- Individuals have the right to be full members of their society.
- The Yogyakarta Principles identify that you have a right to:
 - freely express themselves, their opinions and their thoughts.
 - Peacefully assemble for a cause that you identify with or care about.
 - think differently, practice your religion or refrain from being a part of a religion, and to your own conscience.
 - move about your own country of resident without persecution.
 - Seek out refuge from persecution in other countries and societies.

PROCESSING:

QUESTION BOX:

If time permits, address participant questions.

SELF REFLECTION:

During the lesson, were:

- Ground rules being followed?
- Good practices established regarding group work and discussion?

What will you change for future classes with this group?

What will you change for future use of this lesson?



F.- Review of Principles

b. (5 Minutes)



G.- Review

c. (3 Minutes)

Goal:

The goal of this exercise is to illuminate the various perspectives that one single element such as a drawing can have. With the optical illusions it is hoped that the participant will recognize the need and capacity for multiple perspectives and the value of such elements within society.

Preparation

Ensure that the optical illusions are in order and the power point is ready to go to display the artwork.

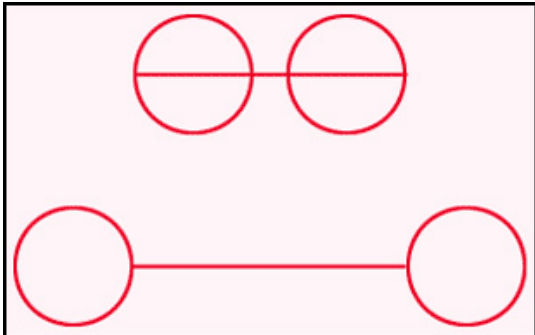
Activity:

1. Start the activity by explaining the theme of the section. Theme: Rights Relating to Participation in Society. This section is meant to explore our interactions with society at large as individuals. We will explore elements that involve one's freedom of thought, freedom of religion, freedom from coercion, etc, etc.
2. Explain that you will be showing a number of slides and you want the participants to keep in mind the theme of this section as we proceed. Take note of what you see.
3. Go carefully through each slide/picture and ask audience members what they can see. Write down on butcher paper/flip charts
4. Then Identify in each picture what the optical illusion was.

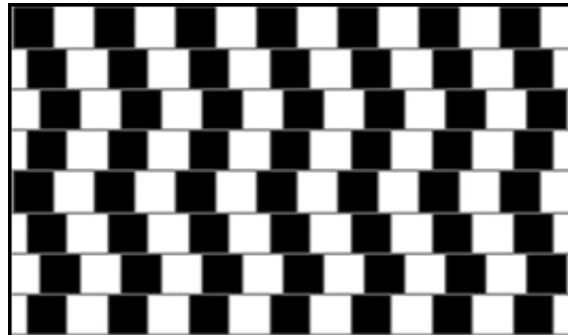
Process:

1. How does this help us to understand rights to freedom of expression and opinion?
2. How does having the multiple ways of viewing something relate to society and the way we think and behave?
3. How do these illusions challenge us to think differently about the world around us, and more so the way that things appear?
4. How does this activity relate to the human rights we are about to explore?

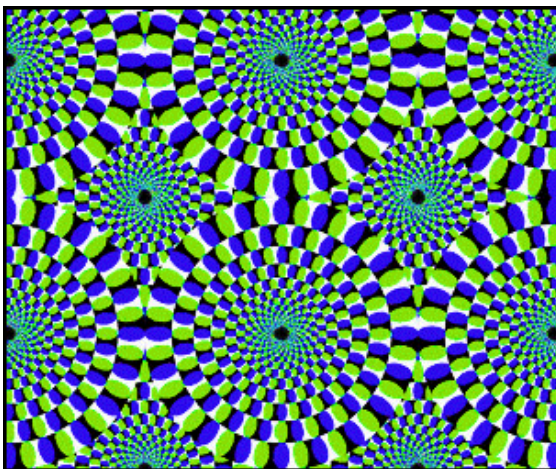
Notes



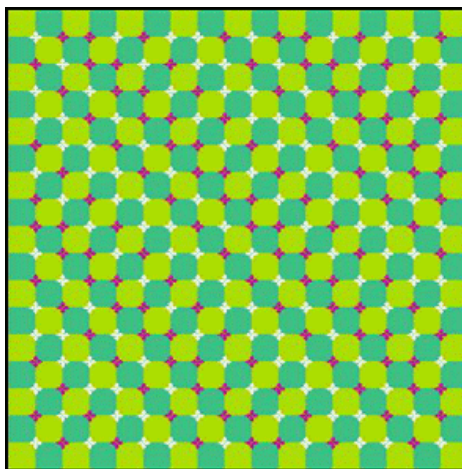
Which Line is Longer?



Are these Lines Parallel?



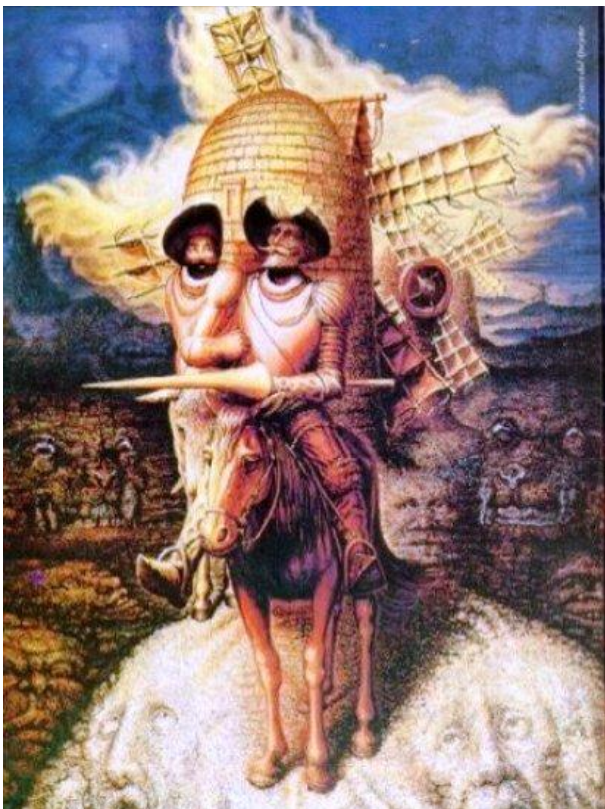
Are these Shapes Moving?



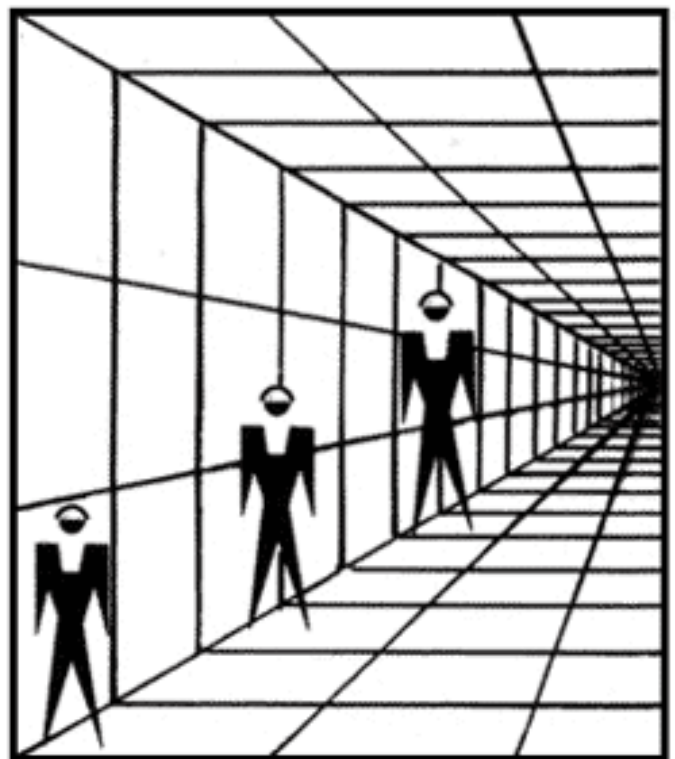
Are these Shapes Moving?



Within this image what do you see? (elderly woman, elderly man, vase, woman in doorway, guitar player, Latina woman)

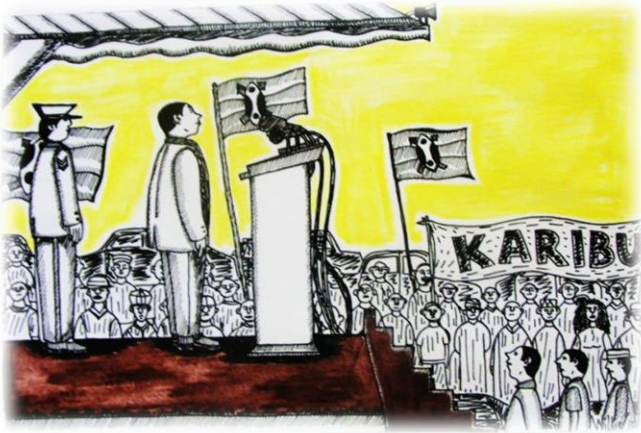


What Do you see in this image?



Which Figure is biggest?

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

Learning Objectives:

Participants will walk away having an understanding that:

- All human beings have the right to form a family
- Families come in all different shapes, sizes, colors and identities
- No family may be subjected to discrimination because it is formed by persons of diverse sexual orientations and gender identities.
- All Kenyan's have the right to participate in public life irrespective of their SO/GI, and hold public office, and be elected into office including the highest office of the land without discrimination.
- A comprehensive Equality and Non-discrimination Act ought to be passed to protect the SO/GI of all people.
- Every person has the right to participate freely in cultural life regardless of their SO/GI.
- Every person has the right to express, through cultural participation, the diversity of SO/GI.
- 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.
- The promotion and protection of the rights of persons of diverse SO/GI is a right.
- Every victim of human rights violation, and especially on grounds of SO/GI, has the right to adequate and appropriate remedies.
- 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 SO/GI.
- Everyone whose human rights are violated is entitled to have those directly or indirectly responsible for the violation held accountable for their actions in a manner proportionate to the seriousness of the violation.

Tools Needed For this Section:

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 17th 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.



- A. Section Intro (2 Minutes) →
- B. A Guided Journey →
 - b. (15 minutes)

This activity can be very deep, prepare for participant reactions.

- C. Discussion Questions →
 - a. (5 Minutes)

Discussion Questions are aimed primarily at creating a dialogue. They are not necessarily prescribed to be read word for word, all of them, and in order. They are simply meant to assist the facilitator in generating responses.

- D. Scenario Break Out →
 - a. (10 Minutes)

For Group Work: Pair Principles 28 and 29 if needed.

- E. Principle Presentations →
 - a. (25 Minutes)

INTRODUCTION:

This section explores the theme of Rights Relating to Protection of Human Rights which attempts to connect the principles back to the universality of the Principles. It also explores principles 24-29

APPROACHES/STRATEGIES: NOTES:

A. Introduction to Section Theme:

B. A Guided Journey

1. Ask participants to follow instructions as you read them aloud
2. Have participants write down important places to them.
3. Read story aloud and follow instructor instructions.

C. Discussion Questions

Participants clarify their understanding of Prejudice

Through this activity what can you infer about participation in public life as a human right?

Through this activity what can you infer about participation in cultural life as a human right?

Through this activity what can you infer about founding a family as your personal human right that can't be taken away?

How do these themes relate to the rest of the training we've experienced today?

Through this activity do you comprehend more the experiences of human rights as it relates to you personally?

D. Scenario Break Up

Divide into 5 groups. Each group will take a principle and a scenario and come up with a small presentation that highlights their scenario and points out how their principle applies to the situation.

1. Ask participants to divide themselves up into 5 groups.
2. Tell participants that they will have 15 minutes to discuss the principle that they have been given and to prepare a small introduction to the principle to help others learn it.
3. The presentations will be able to take ANY creative form that the groups can think of, including a small skit, a lecture, a dialogue or discussion, etc, etc.
4. Each Presentation must include a reference to the skit, as well as an explicit statement of the principle.

E. Principles Presentation:

Each group is given 5 minutes to present their principle and case study and help the group as a whole understand the individual principles. Groups will be asked to highlight what they discussed, how they came to understand their principle and how the case study applied to their principle.

F. Principles Review:

Principle 24: The Right to Found a Family

All human beings should have the right to form a family.

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.

G. Section Wrap-Up

Follow up the activity with a series of questions to briefly reiterate the principles found in the section of the training.

PROCESSING:

QUESTION BOX:

If time permits, address participant questions.

SELF REFLECTION:

During the lesson, were:

- Ground rules being followed?
- Good practices established regarding group work and discussion?

What will you change for future classes with this group?

What will you change for future use of this lesson?

PARTICIPANT ASSESSMENT:

During the lesson, did participants:

Knowledge: walk away with an understanding of their right to found a family, to live and participate in cultural and social life, and to advocate for human rights?

Skills:

Attitudes: Did participants walk away empowered and with an understanding that their rights ought to be protected equally to others.

← F.- Principle Review

b. (5 Minutes)

← G.- Section Wrap-Up
c. (3 Minutes)

A Guided Journey Exercise

Before Exercise Print Out and distribute 6 small slips of paper to write on.

1. A goal or dream you've had for what you want to experience in your long term committed relationship.	2. If you could be a professional at anything, what would it be?
3. Your favorite cultural or social tradition that you annually partake in.	5. You're most valued belief or opinion regarding the rights of a human being. (life, love, breathing, etc)
6. A type of government professional who you believe you should be able to trust in the event that something bad happens.	7. A Member of Parliament who you trust to represent you fairly

We will take a journey through your mind's eye of what life may be like for someone here in Kenya. You will experience a variety of feelings during this journey. Allow yourself to examine these feelings, but do not let your feelings distract you from participating fully. Please realize that our intent is not to change who you are, rather to help you understand some of the feelings and experiences that someone who is gay, lesbian bisexual or transgender might feel as they traverse the vast array of experiences related to their human rights. The experiences that I am about to guide you through are not universal but depict an all too true reality for many LGBTI people throughout the world.

On the pieces of paper handed out to you, please write a name, word or phrase, which fits the following categories:

A goal or dream you've had for what you want to experience in your long term committed relationship.

If you could be a professional at anything, what would it be?

Your favorite cultural or social tradition that you annually partake in.

You're most valued belief or opinion regarding the rights of a human being.

A type of government professional who you believe you should be able to trust in the event that something bad happens.

A Member of Parliament who you trust to represent you fairly.

As you undertake this journey, look at the cards in your hand and consider what the things written on them mean to you. As we proceed, imagine how you would feel if any one of these things were taken from you.

Let us pretend that you and a partner are interested in forming a family together. Choose a moment in time when you were really inspired to form a family of your own. Perhaps you wanted to have a child, or you wanted to travel with your partner, or you wanted to emulate the family life you had growing up. You are sitting at the table with your partner of nine years and you bring up to them that you are interested in advancing the status of your relationship to more than what it is. Your partner agrees.

Nine years together is no easy task. You're both laughing and getting excited about what the future may hold. You think back to all of the amazing up's and downs that you've had. Your first date, the dinners you would make for one another, and when you moved in together. You start planning all of the details, how the ceremony will look, where you will go and how the rest of your lives might be together. As you plan and plan and plan for that special day though, you begin to realize that the society you live in does not honor the family you want to have.

Suddenly all of your dreams, including the ones you've had since you were a small child, bear that much more of a weight on your relationship and you have to question whether or not you and your partner are ready for such a challenge. Hold up the card with a name of the goal or dream you've hoped to experience within a long term relationship. Tear it to pieces, for it no longer seems like a reality to you because the weight of the world may be too much for you and your partner to accomplish.

You and your partner are frustrated, but not completely devastated. You begin to share with your friends and colleagues the great news of your relationship. However, at the city clerk's office where you work as a commissioner of the Nairobi district, a

colleague has overheard your good news. She does not approve of your life choices and decides to raise a fuss about the fact that you are talking about your sex life” in the office, even though all you said was that you have gotten engaged to the love of your life. Your colleague goes to the head commissioner and demands your resignation. “There is no tolerance for your kind in our country” she says.

Hold up the card with the name of the dream job you’ve wanted your whole life and tear it to pieces. The head commissioner, your boss, has fired you on the spot and you are requested to pack up all of your personal belongings and leave. Even though you’ve always wanted to work in public office, this recent outing will now inevitably prevent you from ever reaching that goal.

Obviously you’re having a bad week, but you and your partner try to maintain the high energy you felt after you decided that you wanted to spend the rest of your lives together. You decide to take a break at home this weekend with your partner since there will be a ceremony in the community that you grew up in. You have gone every year since you were born and you are excited to participate because you get to finally share it with your partner. You arrive home after a long drive. The next day you and your partner arrive at the ceremony. You start to join in all of the activities and traditions that started early in the morning.

Suddenly, a person in the crowd notices you from the local newspaper. An article had been published about your recent firing from the commissioner’s office for being different. He came over to confront you and your partner. “You don’t belong here! You are worse than the dirt that I walk on. You make me sick and I don’t want you bringing bad spirits to this sacred space! Get out!!”

Hold up the card with your favorite cultural and social traditions that you once participated in and tear it to pieces. You no longer feel safe being a part of this community and its traditions. You’ve been excommunicated because you are different. You and your partner are no longer welcome in that space. You don’t feel safe in a space you once considered your home.

At this point you and your partner are pretty broken and decide that something has to be done. You decide that you want to put together an information forum at the local university about your rights as a human being to fall in love and to be with the person that you choose for the rest of your life. You work with a local student group to pull together panelists, you do research on the internet for examples from around the world of people who are just like you, and you work for weeks making sure that all of the materials are ready to go. You and your partner have worked really hard to put together this major event and believe with all of your hearts that it is the right thing to do. Your relationship has become pretty prominent through the newspapers and now both you and your partner are pretty identifiable to the general public as the “other” couple. You find comfort in knowing that you have the other person there, and you take their hand as the program begins.

Suddenly in the middle of the event, a mob of angry people storms into the forum and starts to disrupt the event. They are yielding bats and clubs and start to beat people up. They jump on stage, take the microphones away and beat up the panelists including you and your partner.

Hold up the card with the name of your most valued belief or opinion and tear it to pieces. You have just been silenced. You are not safe to promote your human rights here.

You’ve been brutally beaten up and as you come too, you turn and see that your partner has also been severely injured. You and your friends rush them immediately to the hospital where they sadly pass away over the night from their injuries. You are devastated and feel that something has to be done to make amends for your loss. You approach the local law enforcement officers and begin to tell them your story about who you are and what transpired the previous night. After talking to them for a few minutes, they start to laugh and point out that your relationship is not recognized by them. “In fact” they say, “it is illegal.” They turn you away and tell you that you have brought this situation on to yourself and refuse to help.

Hold up the card of public professional you believe you are supposed to trust the most and tear it to pieces. You no longer feel safe approaching them for help and you don’t feel that you have a way for there to be any form of remedy for what has happened to you and your partner. In fact instead of being a victim, the police, a public professional has made you feel as if you were a criminal.

You are still hopeful and decide that there is one more thing that you can do. You decide to take it upon yourself to begin meeting with your government officials. You go door to door to every parliament member that you can. You even attempt to get a meeting with the Prime Minister and the President. You want to share your story and you want the government to be accountable for what goes on within the country. You beg and you plead with the secretaries and the support staff day in and day out. Nothing happens.

Hold the card up with the name of the member of parliament that you believe will represent you fairly and tear it to pieces. You’ve had the door slammed in your face so many times that you no longer have faith in the country’s ability to honor you and your life and to respect your basic human rights. You feel hopeless and don’t know where you will go next. Where will you go from here? What will be your next steps? Who will you turn to? What will you do now?

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.

GKT YP Training Manual

Principle:	Learning Outcomes/ Take Away's
Theme: Universality of Human Rights	
A Brief History of International Human Rights	<ul style="list-style-type: none"> ❖ Participants will walk away having an understanding that Human rights: <ul style="list-style-type: none"> ➤ Human Rights have been a part of the human way of life since the beginning of time. ➤ Since the beginning, people have asked what are the rights, responsibilities of a human being that every person deserves.
Principle 1: The Right to the Universal Enjoyment of Human Rights	<ul style="list-style-type: none"> ❖ Participants will walk away having an understanding that Human rights: <ul style="list-style-type: none"> ➤ Apply to all/ Are Universal ➤ Are Interconnected ➤ Are Interdependent ➤ Are Indivisible
Theme: Rights Regarding Discrimination and Prejudice	
Principle 2. The Rights to Equality and Non-discrimination	<ul style="list-style-type: none"> ❖ Participants will walk away having an understanding that a state has a responsibility to provide <ul style="list-style-type: none"> ➤ Grounds for non-discrimination should not be closed based upon Sexual Orientation ➤ 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.
Principle 3: The Right to Recognition Before the Law	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ❖ Legal status/law should not be blind to one's identity/ rights to express oneself ❖ Law should recognize one's life circumstance and should provide procedures for your unique challenges
Principle 4: The Right to Life	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ Kenyan's, along with most African nations have never executed the death penalty even though there's people on death row. ➤ 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. ➤ 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. ➤ Mob Justice is illegal and state should investigate and prosecute. Incitement to violence and threats at depriving life should be condemned and punished thoroughly.
Principle 5: The Right to Security of the Person	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ All Kenyans including LGBTI persons deserve protection by government and the communities in which they live. ➤ Security should be guaranteed, all should feel safe in public spaces + private spaces.
Principle 6: The Right to Privacy	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ Free from arbitrary search of personal effects, home, internet correspondence, communications ➤ 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.
Theme: Rights Regarding Interactions between the State and the Citizen	
Principle 7. The Right to Freedom from Arbitrary Deprivation of Liberty	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ❖ Arrest should be on criminal grounds and one must be informed and charged before arrest. ❖ Private affairs should not be illegal where they do not harm other individuals and where they are between consenting adults.

	<ul style="list-style-type: none"> ❖ 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.
Principle 8: The Right to a Fair Trial	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ 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. ➤ 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 ➤ Judicial Officers should be impartial
Principle 9: The Right to Treatment with humanity While in Detention	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ Whether or not convicted, one has the right to be treated humanely. <ul style="list-style-type: none"> ▪ Medical- JIVE Meds, Hormones, Reproductive health service ▪ Sensitivity to appearance/responsive ▪ Psychological support ▪ Unfair exposure/confinement- free from harassment
Principle 10: The Right to Freedom from Torture, Cruel, Inhumane or Degrading Treatment or Punishment	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ Excessive abuse or verbal harassment (inappropriate) sexual assault should not be tolerated, and further should be against the law. ➤ Cruelty should be understood to be any form of physical, mental and or verbal abuse intended to inflict fear or bodily harm.
Principle 11: The Right to Protection from ALL forms of Exploitation, Sale and Trafficking of Human Beings.	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ The sale, trafficking, or exploitation of LGBTI individuals into labor camps, sex trade or servitude should be condemned. ➤ Sex work should not be criminalized based on LGBTI identity. ➤ Restricting a child's or dependents freedom based on sexual orientation or gender identity.
Theme: Rights Relating to Standards of Living	
Principle 12: The Right to Work	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ Everyone has a right to work, if qualified. ➤ Everyone has the right to decent and productive work ➤ Everyone has the right to just and favorable conditions of work. ➤ A person's sexual retention, promotion, training, remuneration and career advancement should not be affected by their sexual orientation or gender identity.
Principle 13: The Right to Social Security and to Other Social Protection Measures	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ Care and benefits programs should be available to all persons regardless of sexual orientation or gender identity. ➤ Equal access to social security and social protection measures should be provided by the Government of Kenya. ➤ Poverty reduction strategies and associated programs should not be dependent on one's sexual orientation.
Principle 14: The Right to an Adequate Standard of Living	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ 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. ➤ Legislative and administrative steps should be taken to facilitate access to basic needs for all, without discrimination.
Principle 15: The Right to Adequate Housing	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ Individuals have a right to secure a home within a community that is safe and where they can live in peace and with dignity. ➤ The National Assembly must: <ul style="list-style-type: none"> ▪ Afford equal rights in property inheritance; ▪ Ensure landlords and housing providers, parents and guardians do no tenants and dependants to isolation and homelessness;

	<ul style="list-style-type: none"> ▪ Address the social exclusion and homelessness of LGBTI persons and especially of children and the youth who are rejected due to their sexual orientation and gender identity.
Principle 16: The Right to Education	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ The right to education is a basic right ➤ All persons should be welcome to apply to public institutions and they should be selected, and retained on merit and discipline.
Principle 17: The Right to the Highest Attainable Standard of Health	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ The Government of Kenya should take all legislative and administrative measures to eliminate discrimination on the basis of sexual orientation and gender identity.
Principle 18: The Right from Medical Abuses	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ 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. ➤ No Kenyan should be forced to undergo any hormonal, shock or psychological therapy to correct or change their sexual orientation or gender identity.
Theme: Rights Relating to Participation in Society	
Principle 19: The Right to Freedom of Opinion and Expression	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ 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. ➤ The freedom to seek, receive and impart information on human right through any medium is a right. ➤ 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. ,
Principle 20: The Right to Freedom of Peaceful Assembly and Association	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ All Kenyans have the right to peaceful assembly and association. ➤ Person's may form and have recognized associations based on diverse sexual orientations and gender identities. ➤ They may also form associations distributing information about, or advocating for the rights of LGBTI persons. ➤ The Government must provide for registration processes for social associations, particularly those associating around human rights issues.
Principle 21: The Right to Freedom of Thought, Conscience and Religion	<ul style="list-style-type: none"> - Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ Every Kenyan including LGBTI persons, has the right to freedom of thought, conscience and religion. ➤ 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.
Principle 22: The Right to Freedom of Movement	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ Every Kenyan Lawfully residing within the country has the right to freedom of movement and residence within the Kenyan Border. ➤ Sexual orientation or Gender Identity must never be involved to limit or block the entry, exit or return of any Kenyan citizen.
Principle 23: The Right to Seek Asylum	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ Everyone has the right to seek and enjoy refuge from religious or politically motivated violence, and other forms of persecution or danger. ➤ Kenya may not remove or send away a person to so any other country 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.

Theme: Rights Relating to Personal Decisions and Expression	
Principle 24: The Right to Found a Family	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ All human beings have the right to form a family regardless of their sexual orientation or gender identity. ➤ Families come in all different shapes, sizes, colors and orientations. ➤ No family may be subjected to discrimination because it is formed by persons of diverse sexual orientations and gender identities.
Principle 25: The Right to Participate in Public Life	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ 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. ➤ Appointments to public office, public service, police and military should be made available to all without discrimination. ➤ A comprehensive Equality and Non-discrimination Act ought to be passed to protect the sexual orientation and gender identities of all people.
Principle 26: The Right to Participate in Cultural Life	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ Every person has the right to participate freely in cultural life regardless of their sexual orientation and gender identity ➤ Every person has the right to express, through cultural participation, the diversity of sexual orientation and gender identity.
Principle 27: The Right to Promote Human Rights	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ 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. ➤ 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.
Principle 28: The Right to Effective Remedies and Redress	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ 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.
Principle 29: Accountability	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ 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. ➤ 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.
ACTION AREA's	
Action Area's	<ul style="list-style-type: none"> ❖ Participants will walk away from the YP Trainings knowing that: <ul style="list-style-type: none"> ➤ REFRAIN from labels and stereotypes about LGBTI individuals as they are often insulting, demeaning and untrue, and hate speech because it encourages violence. ➤ RESPECT all people and all forms of families even when people have different opinions, when they practice different lifestyles and different faiths. ➤ 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. ➤ 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.

	<ul style="list-style-type: none">➤ VOLUNTEER time and DONATE resources to a local civil society working at a cause you believe in.➤ WRITE your Member of Parliament about issues that are important to you, FILL petitions on human rights appeals.➤ PARTICIPATE in demonstrations, festivals and rallies around issues you care about.➤ 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 include coming out and letting people know that you are of a different sexual orientation or gender identity, it could be healthier when people important to you know.➤ LISTEN to people that are often not given a fair hearing—they too have their story.➤ VOTE; always that we all take as sacred our duty to elect to office leaders of merit based on their commitment, policies and performance.
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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 Labor 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/hompage.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/

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 International Lesbian, Gay, Bisexual, Transgender and Intersex 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 Web: 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.