

COI Focus

RWANDA

Sexual Orientation and Gender Identity (SOGI)

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Cedoca

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List of abbreviations used

ANSP+	Association nationale de soutien aux personnes vivant avec le VIH/SIDA + [National support association for people living with HIV/AIDS +]
CERULAR	Centre for Rule of Law
CNLS	Commission nationale de lutte contre le SIDA [National AIDS Control Commission]
HDI	Health Development Initiative
HOCA	Horizon Community Association
MSM	Men who have sex with men
HRW	Human Rights Watch
IDS	Institute of Development Studies
IMRO	Ihorere Munyarwanda Organisation
JABFA	Joint Action for Bright Future Association
LGBT(IQ)	Lesbian, Gay, Bisexual, Transgender/Transsexual (Intersex, Queer/Questioning)
ONG	NGO – Non-governmental Organisation
RBC	Rwanda Biomedical Centre
RIFA	Rights for All Rwanda
TFAM	The Fellowship of Affirming Ministries
UHAI	UHAI - The East African Sexual Health and Rights Initiative
UNHCR	United Nations High Commissioner for Refugees
USAID	United States Agency for International Development
USDOS	United States Department of State

Introduction

In the international discourse on human rights, the acronym LGBT (lesbian, gay, bisexual, transgender) is currently used to designate sexual minorities. This acronym is also used to designate the institutions, organizations and individuals who campaign for the defence of their rights.

However, while all sexual minorities may be subject to similar pressures in a given context, the situation of each of them is not necessarily similar. Thus, the issues of sexual orientation and gender identity (masculine or feminine) are different. Sexual orientation "refers to each person's capacity for profound emotional, affectional and sexual attraction to, and intimate relations with, individuals of a different gender or the same gender or more than one gender"¹. Gender identity "refers to each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth. It includes the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms"².

This research focuses mainly on the specific situation of homosexuals in Rwanda. However, Cedoca refers a number of times to the acronym LGBT which encompasses other realities but which is used by a significant number of the consulted sources. Similarly, the term "men who have sex with men" (MSM), often used in an academic or epidemiological context and which focuses on sexual practice rather than sexual orientation, also appears in this COI Focus whenever it is used by a source. The term "homosexual" designates both men and women, but Cedoca uses the terms "gay" and "lesbian" when the focus is on the specific experience of one or the other.

Cedoca has also included in this COI Focus information about gender identity in Rwanda, especially when this appears in the broader context of LGBT rights.

The desk research covers the period from 2014 to 22 October 2019.

This COI Focus consists of three parts. The first part examines legislation relating to people's sexual orientation. It also looks into the legal actions taken by the state and the attitude of law enforcement against or in favour of homosexuals, in application or not of the existing legal provisions.

The second part concerns the situation of homosexuals in Rwandan society. Firstly, it focuses on the socio-cultural perceptions of homosexuality, the state of homophobic violence as well as the differences in treatment to which homosexuals may be subjected on the socio-economic level and, secondly, it examines their social life, in particular the availability of meeting places or associations.

¹ UNHCR, 22/09/2010, [url](#)

² UNHCR, 22/09/2010, [url](#)

The third chapter describes the current general socio-political context and in particular the position of the political and religious authorities vis-à-vis homosexuality.

Several sources report great discretion, indeed a taboo, around sexuality and in particular non-heterosexual sexuality in Rwanda. A Rwandan academic study from 2015 reports a "strategic silence" on the part of the Rwandan authorities around the issue of homosexuality and the situation of the LGBT community³. The attention devoted to Rwanda by the local and international press, the academic world and even the international LGBT community appears to be less extensive than that given to other African countries where the LGBT community is more visible and where these questions are more strongly debated or subject to repressive legislation.

For this research, Cedoca consulted the local English-language press – which is generally considered to be very pro-government – in particular The New Times newspaper, as well as the international media. Other information was drawn from publications by international non-governmental organisations (NGOs) defending human rights, such as Human Rights Watch (HRW), studies published by academic institutions or reports by government agencies such as the United States Department of State (USDOS).

Finally, in order to have more current and precise information on the situation of LGBT people in Rwanda, Cedoca contacted several human rights and LGBT rights activists. Some of them preferred to remain anonymous. Answers were provided by an employee of an international human rights organisation, who responded on 24 July 2019; by the Programme Coordinator of a Rwandan human rights and LGBT organisation, who responded on 2 August 2019; by Jean Claude Uwihoreye, the Executive Director of My Right Alliance, who responded on 1 August 2019⁴; by Aflodis Kagaba, the Executive Director of Health and Development Initiative (HDI), who responded on 24 September 2019⁵ and finally by Seleman Nizeyimana, the Executive Director of Hope and Care, who responded on 4 September 2019⁶.

The following questions were asked:

1. What is the current attitude of the police and judiciary towards LGBT people?
2. What is the overall attitude of Rwandan society towards LGBT people? Are you aware of acts of discrimination against them (for example in work, education, housing, etc.)? Are you aware of acts of violence against them?
3. What is the current attitude of political authorities, religious authorities, and the Rwandan media towards LGBT people?
4. Are there Rwandan associations that engage in the defence of LGBT rights?
5. Are there meeting places such as bars or hotels, public places or associations where LGBT people can meet without being worried? Do these places exist in Kigali or in the interior of the country? Can you give examples?

³ IDS (Haste P., Gatete T. K.), 04/2015, pp. 6-7, 18-19, 27, 30, [url](#)

⁴ According to its website, My Right Alliance is an organisation for the promotion and advocacy of LGBT rights and for the fight against all forms of stigmatisation and discrimination of the LGBT community: My Right Alliance [website], s.d., [url](#) ; My Right Alliance [Facebook profile], s.d., [url](#)

⁵ HDI is an independent organisation which, through sensitization, education and training, works for adequate and accessible public health for all Rwandans: HDI [website], s.d., [url](#)

⁶ Hope and Care is an organisation that focuses on strengthening the LGBT community as well as that of sex workers, defending the rights of these vulnerable groups, access to health care, sports and recreation: Hope and Care [website], s.d., [url](#) ; Hope and Care [Facebook profile], [url](#)

1. Legal and institutional framework

1.1. Legislation

1.1.1. Laws condemning homosexuality

The old Rwandan Penal Code of 1977 punished with a prison sentence or a fine "an indecent or unnatural act with an individual of his sex under the age of eighteen" [translation], whereas the legal age for heterosexual intercourse was sixteen years. Moreover, the old Penal Code made no reference to homosexuality⁷.

In December 2009, the Rwandan parliament was preparing to adopt a draft penal code criminalising homosexuality. According to the International Federation for Human Rights (FIDH), Article 217 of the draft Penal Code stipulated⁸:

"Any person who practices, encourages or sensitises people of the same sex, to sexual relation or any sexual practice, shall be liable for a term of imprisonment ranging from five to ten years and fine ranging from 200,000 to one million Rwanda francs."

Rwandan civil society associations as well as international organisations launched a campaign against this article of law⁹. According to the US Embassy in Kigali, senior officials from the Rwandan Ministry of Health also quietly objected¹⁰. In December 2009, the then Minister of Justice declared that sexual orientation was a private matter and that there was no question of criminalising homosexuality¹¹.

At the end of 2009, the assembly and the Rwandan government removed the article from the draft penal code¹². The Penal Code published in June 2012 did not include any reference to homosexuality or sexual relations between persons of the same sex¹³.

The current Penal Code, adopted in 2018, does not mention homosexuality¹⁴ or same-sex relations. Homosexuality or sexual relations between people of the same sex are therefore not legally punishable in Rwanda.

Like the old legal texts, the new Penal Code punishes, in its article 143, 'public indecency', but does not offer a definition of this notion. The text of the Rwandan Official Gazette stipulated¹⁵:

"Any person who performs an indecent act in public, commits an offence. Upon conviction, he/she is liable to imprisonment for a term of not less than six (6) months and not more than two (2) years ."

Since 2009, activists have been concerned about the vague definition of indecent assault which 'could lead to probable manipulation and cause abuse', according to UHAI - The East African

⁷ Decree - Law No. 21/1977 of 18 August 1977 instituting the Penal Code [Rwanda], 18/08/1977, [url](#)

⁸ United States Embassy Kigali, 24/11/2009, [url](#) ; Têtu, 04/01/2010, [url](#) ; FIDH, 16/12/2009, [url](#)

⁹ United States Embassy Kigali, 24/11/2009, [url](#) ; UHAI (Irakunda I., Odoyo R.), 2016, p. 10, [url](#) ; IDS (Haste P., Gatete T. K.), 04/2015, pp. 15, 21-22, [url](#)

¹⁰ United States Embassy Kigali, 16/12/2009, [url](#)

¹¹ The New Times (Musoni E.), 19/12/2009, [url](#) ; IDS (Haste P., Gatete T. K.), 04/2015, p. 15, [url](#)

¹² United States Embassy Kigali, 31/12/2009, [url](#)

¹³ N° 01/2012/OL du 02/05/2012. *Organic Law on the Penal Code*, 14/06/2012, [url](#)

¹⁴ N°68/2018 du 30/08/2018. Law determining offences and penalties in general, 27/09/2018, [url](#)

¹⁵ N°68/2018 du 30/08/2018. Law determining offences and penalties in general, 27/09/2018, [url](#)

Sexual Health and Rights Initiative, a regional organisation for the defence of the rights of sexual minorities in East Africa¹⁶.

1.1.2. Laws granting rights to homosexuals

Constitution

Articles 15 and 16 of the Rwandan Constitution establish the equality of all Rwandan citizens before the law and prohibit any discrimination based on "inter alia, ethnic origin, family or ancestry, clan, skin colour or race, sex, region, economic categories, religion or faith, opinion, fortune, cultural differences, language, economic status, physical or mental disability or any other form of discrimination"¹⁷. While some sources, including UHAI, believe that this article protects all citizens, including LGBT people, against any form of discrimination¹⁸, several other Rwandan and international organisations have pointed out that sexual minorities are not included in this list and that the constitutional rights and freedoms of LGBT people are not sufficiently guaranteed¹⁹.

The organisation My Right Alliance specified in July 2018 that there has been no legal precedent in which use has been made of this provision in order to prohibit any discrimination in cases involving people from the LGBT community²⁰.

Section 23 of the Constitution protects the privacy of the individual²¹.

However, there are no anti-discrimination or hate speech laws or other laws to protect LGBT rights²².

Marriage and cohabitation

Article 17 of the Rwandan Constitution only recognises monogamous civil marriage contracted freely between a man and a woman²³. The Rwandan Civil Code of 2016 only indirectly refers to the union between a man and a woman, in the "procedure for marriage celebration" (article 177)²⁴.

International Law

In March 2011, Rwanda was one of six African countries to sign a joint UN declaration calling for an end to acts of violence and human rights violations related to sexual orientation and gender identity²⁵.

In September 2015, Rwanda signed the United Nations joint declaration calling for an end to violence and discrimination against lesbian, gay, bisexual, transgender and intersex people (LGBTI)²⁶.

¹⁶ United States Embassy Kigali, 31/12/2009, [url](#) ; UHAI (Irudukunda I., Odoyo R.), 2016, p. 17, [url](#)

¹⁷ *The Constitution of the Republic of Rwanda of 2003 revised in 2015*, 24/12/2015, [url](#)

¹⁸ UHAI (Irudukunda I., Odoyo R.), 2016, p. 15, [url](#); IDS (Haste P., Gatete T. K.), 04/2015, p. 15, [url](#)

¹⁹ USDOS, 13/03/2019, [url](#) ; Global Rights e.a., 03/2009, pp. 7-8, [url](#) ; *United Nations Human Rights Council*, 04/11/2010, p. 5, [url](#)

²⁰ My Right Alliance, 07/2018

²¹ *The Constitution of the Republic of Rwanda of 2003 revised in 2015*, 24/12/2015, [url](#)

²² International Institute of Social Studies (Musangwa E. T.), 12/2016, p. 3, [url](#) ; USAID, Laterite, 11/12/2018, p. 21, [url](#) ; Program Coordinator for a Rwandan human rights and LGBT organisation, email, 02/08/2019

²³ *The Constitution of the Republic of Rwanda of 2003 revised in 2015*, 24/12/2015, [url](#)

²⁴ *N° 32/2016 du 28/08/2016. Law governing persons and family*, in Official Gazette, n°37, 12/09/2016, [url](#)

²⁵ United States Mission to International Organizations in Geneva, 22/03/2011, [url](#)

²⁶ USAID, Laterite, 11/12/2018, p. 21, [url](#) ; HCDH, 09/2015, [url](#)

When in November 2016, a coalition of 54 African countries in the United Nations General Assembly called for a vote to abolish the newly created position of independent expert on sexual orientation and gender identity, Rwanda abstained²⁷.

In September 2017, Rwanda signed a UN Human Rights Council resolution condemning capital punishment for consensual same-sex sexual relationships²⁸.

1.2. Legal action

1.2.1. Against homosexuals

In the consulted sources, Cedoca found no information on legal actions against homosexuals or LGBT.

1.2.2. Against the perpetrators of homophobic violence

In 2016, UHAI conducted a survey on the rights of LGBT people and sex workers in Rwanda. The analysis is essentially based on data collected in the capital Kigali and mainly describes the situation in urban areas. The organisation notes the difficult access of LGBT people to justice in the event of violations of their rights. It attributes this to a lack of accessible and adequate legal assistance. Yet the vulnerable socio-economic situation of LGBT people often requires legal assistance. Some Rwandan NGOs, including the Health Development Initiative (HDI), offer legal aid, but this, according to UHAI, is reserved for members of LGBT organisations²⁹.

In his response to questions from Cedoca, Aflodis Kagaba, Executive Director of HDI, admits that it is difficult to assess the position of the Rwandan judiciary in the absence of court cases:

“For the judiciary, it is hard to determine their attitude because, we don’t have many cases involving LGBT that have been investigated and brought to courts of law for us to appreciate the attitude of the judiciary. However we had one known case that we followed where a transgender person was being victimised by his family and chased out of his family home on grounds that he is homosexual and the Judge turned to the victim and superciliously asked if he was really gay!”³⁰.

According to Jean-Claude Uwihoreye, Executive Director of My Right Alliance, LGBT people cannot seek protection from the courts or the police. Lawyers refuse to take LGBT cases and LGBT court cases are dismissed:

“[...] even if the lawyers are aware that lgbti community is not criminalized they are homophobic because of their societal origin influence and many of them ignore to treat and defend lgbti cases in courts. Judicial authorities’ actions against lgbti are not frequent but cases of rejecting their cases occur. LGBTI can't at all request protection from the police or from the courts”³¹.

²⁷ HRW, 21/11/2016, [url](#) ; Têtu, 24/11/2016, [url](#)

²⁸ ILGA, 02/10/2017, [url](#) ; United Nations Human Rights Council, 22/09/2017, [url](#)

²⁹ UHAI (Iradukunda I., Odoyo R.), 2016, p. 14, [url](#)

³⁰ Kagaba A., Executive Director, Health and Development Initiative (HDI), E-mail, 24/09/2019

³¹ Uwihoreye J. C., Executive Director, My Right Alliance, E-mail, 01/08/2019

1.3. Attitude of law enforcement

1.3.1. Against homosexuals

LGBT people interviewed in 2014 as part of an academic survey conducted by the Institute for Policy Analysis and Research on sexuality in Rwanda said that they generally do not face discrimination from the government. However, others added that the government could do more to protect them from stigma and discrimination. A participant said that some members of the LGBT community fled the country after extensive questioning by police upon arrival at Kigali airport following a conference in Nairobi. The report does not mention the date of this incident³². While a young homosexual declared in 2014 in the newspaper *The East African* that he did not know anyone arrested or intimidated in any way by the authorities because of his sexual orientation³³, another witness told HDI in 2015, that they knew several LGBT people who had been arrested by the police for this reason but under false accusations. This witness adds that some gay men consider police violations almost normal³⁴.

The employee of an international human rights organization contacted by Cedoca stated that he was unaware of “[any] arrest on the basis of sexual orientation or gender identity/expression in recent years [translation]³⁵”. However, Rwandan organisations contacted by Cedoca claim that illegal arrests still take place, among other things because of a lack of knowledge of LGBT rights within the police. Thus, Aflodis Kagaba, the Executive Director of HDI, writes:

“During the last decade working with LGBT, we have noticed that some officers of the police and judiciary do not have sufficient knowledge of LGBT from a human rights perspective. They consider people belonging to LGBT community as deviant in regards to the Rwanda culture. There are still instances of illegal arrests especially when found in bars or streets and later released after a few days of detention and later realising that there is no case to be prosecuted. [...] Despite the fact that homosexuality is not an offence under the Rwandan legislation we have observed that a number of law enforcement agents tend to believe that homosexuality falls under the offence of violating good morals!

[...] we have registered cases of illegal arrests and detentions of LGBT by the police and other security organ known as DASSO³⁶. For instance in this year, we have registered a case where LGBT members were prevented by the police from organising meetings in three hotels located in Kigali. When we followed up, we learnt that the order was given by one of high ranked officials of the national police³⁷.

Jean-Claude Uwihoreye, Executive Director of My Right Alliance, says that the police are often unaware that homosexuality is not punishable and that LGBT people, especially transgender people, are arrested on false charges:

“[...] that is why sometimes some of lgbti community are violated and arrested innocently especially transgender people and when arrived on police station they create other different false

³² Institute for Policy Analysis and Research Rwanda (Abbott P. e.a.), 05/2014, pp. 75-76, [url](#)

³³ *The East African* (Mwijuke G.), 16/05/2014, [url](#)

³⁴ HDI, 12/2015, pp. 17-18, [url](#)

³⁵ Employee of an international organisation for the defence of human rights, e-mail, 24/07/2019

³⁶ The District Administration Security Support Organ (DASSO) is a police auxiliary local defence force: Ministerie van Buitenlandse Zaken – Nederland, 18/08/2016, pp. 14-15, [url](#)

³⁷ Kagaba A., Executive Director, Health and Development Initiative (HDI), E-mail, 24/09/2019

accusations in order to maintain them arrested. Actions against lgbt are there and we are documenting some of them so that we could have tools of our advocacy work even if it is very complicated to find the evidences of those violations because when they arrest them they change their accusations"³⁸.

Seleman Nizeyimana, the Executive Director of Hope and Care, responds along the same lines, while admitting that there are police officers with integrity:

"I cannot say that there is a huge plan to withhold large number of homosexual individuals at once here in Rwanda although we face individual difficulties in our everyday lives [...].

[...] arrests that happen on behalf of lies that the arrestees were stealing, were the causers of insecurity, that our LGBTI community is the root of all bad things like smoking ,that some of us they are forcing themselves to be in the community due to some incentives ,and many more false allegations. In fact, in nowadays there are presence of allied policemen who understand well human rights and freedom expression, but the large number don't even want to hear the existence of the community, this is the same case in judicial individuals"³⁹.

Nizeyimana also mentions false accusations of sexual abuse made against LGBT people (Cedoca did not find other sources that corroborate this information):

"There are also some cases where individuals of member community have been arrested being accused to rape young boys and after long investigation the found out that it was a forged allegation just to get some money from those individual for the community"⁴⁰.

According to the survey that UHAI published in 2016, LGBT victims of cases of "physical violence, extortion and cruel and degrading treatment[s]" regularly point to the Inkeragutabara, who constitute the reserve force of the Rwandan army, as the perpetrators of the abuse. The Inkeragutabara, recruited from former soldiers and the population, participate on a voluntary basis in various security activities, such as night patrols alongside the police in the city of Kigali. The example cited by UHAI concerns a transgender man beaten up by the Inkeragutabara and forced to accompany their patrol all night⁴¹.

In that same report, UHAI listed a number of arbitrary arrests of LGBT people by police. The police do not refer to the homosexuality of the defendants, but use other grounds such as the disturbance of public order, theft, possession of drugs or vagrancy. Targeted individuals, who in most cases report that their IDs were not checked, avoid being taken into custody by paying bribes⁴².

In its 2016 report, UHAI denounces the arbitrary detention of LGBT people in the Gikondo transit centre. This centre, which is located in a suburb of the capital and commonly called "Kwa Kabuga", is an unofficial place of detention. According to HRW, detainees, who are generally poor and vulnerable are often apprehended during police or Inkeragutabara raids. They are accused of vagrancy, prostitution or petty crime and are imprisoned without legal basis in unsanitary conditions. Ill-treatment is common there⁴³. According to UHAI, among the detainees are LGBT people identified as vagrants or prostitutes. The organization says the place is not suitable for vulnerable groups such as LGBT people living with HIV/AIDS or transgender people⁴⁴. The Executive Director of HDI states in his response

³⁸ Uwihoreye J. C., Executive Director, My Right Alliance, E-mail, 01/08/2019

³⁹ Nizeyimana S., Executive Director, Hope and Care, E-mail, 04/09/2019

⁴⁰ Nizeyimana S., Executive Director, Hope and Care, E-mail, 04/09/2019

⁴¹ UHAI (Iradukunda I., Odoyo R.), 2016, p. 11, [url](#)

⁴² UHAI (Iradukunda I., Odoyo R.), 2016, p. 11, [url](#)

⁴³ HRW, 23/09/2015, [url](#) ; HRW, 25/03/2019, [url](#)

⁴⁴ UHAI (Iradukunda I., Odoyo R.), 2016, pp. 12-13, [url](#)

to Cedoca to have recorded some cases of arrests and detentions of LGBT in this detention centre "presumably to transform them from the immoral behaviour"⁴⁵.

UHAI cites the case of Bobette, a transgender and homosexual woman, arrested by the police in 2014 leaving a nightclub in Kigali and illegally detained for a week in Kwa Kabuga without being informed of the reason for her arrest. During an interview with France 24, Bobette, who "fully assumes her homosexuality and her share of femininity" states that "[she is] lucky to be in Rwanda" instead of other countries like Uganda and not being "chased by people in the street [translation]". However, she says she was beaten by the police and humiliated in front of the other detainees by cutting off her long hair⁴⁶.

In May 2017, a well-known Ugandan LGBT activist, Kasha Nabagesera, was arrested upon arrival at Kigali airport. Rwandan police say they found her intoxicated. However, she claims she was arrested for criticizing President Kagame. The Rwandan authorities sent her back to Uganda the next day. The consulted sources do not cite her sexual orientation or her activism as the reason for her arrest⁴⁷.

According to annual reports on human rights in Rwanda published by USDOS and covering the period from 2015 to 2017, LGBT activists reported occasional harassment by the police. The report covering the year 2018 no longer mentions it⁴⁸.

1.3.2. Against perpetrators of homophobic violence

In the consulted sources, Cedoca found no information on the attitudes of law enforcement agencies towards perpetrators of homophobic violence. However, several sources point out that few victims appeal to justice or to the police.

According to a 2013 report by the Rwanda Biomedical Centre (RBC), an official institution in charge of promoting health services, the high level of stigma and discrimination risks leading certain vulnerable social groups not to seek protection from the authorities. Thus, victims of rights violations and violence, including MSM, doubt that they can lodge a complaint with the police and that they have access to one stop centres (OSC), shelters which generally receive women victims of such violence⁴⁹.

Aflodis Kagaba, Executive Director of HDI, responds in the same way to Cedoca's questions, but specifies that the police are not all hostile to LGBT people:

"In principle, an LGBT as all citizens have the right to seek a protection from the police – but in practice, it is difficult for the community to trust the policeman (individual) knowing that they might have their own attitudes.

Interestingly, last year we registered a case of an 'LGBT couple' who had been co-habiting for a period of 7 years. When they had a conflict, they approached the police station to seek for help for separation. The police informed them that their union is not recognised under the Rwanda law and they were advised to resolve the matter amicably. With this attitude we have also noted that not all policemen have necessarily a negative attitude on LGBT issues"⁵⁰.

⁴⁵ Kagaba A., Executive Director, Health and Development Initiative (HDI), E-mail, 24/09/2019

⁴⁶ France 24, 15/11/2014, [url](#)

⁴⁷ Reuters, 12/05/2017, [url](#) ; Pink News (Beresford M.), 13/05/2017, [url](#)

⁴⁸ USDOS, 13/04/2016, [url](#) ; USDOS, 03/03/2017, [url](#) ; USDOS, 20/04/2018, [url](#) ; USDOS, 13/03/2019, [url](#)

⁴⁹ RBC e.a., 05/2013, pp. 66, 75, [url](#)

⁵⁰ Kagaba A., Executive Director, HDI, E-mail, 24/09/2019

The Employee of an international organisation for the defence of human rights told Cedoca that LGBT people can seek police or judicial protection, but also warns:

“[However] the reactions of law enforcement officers may vary, so an LGBT individual may be denied protection. This due to individual beliefs or traditions and not [to] an institutional policy [translation]”⁵¹.

The Programme Coordinator of a Rwandan organisation for the defence of human rights and LGBT nevertheless states that it has some allies within the police:

“In general, law enforcement officers remain somewhat green on the principle of equality and non-discrimination of the LGBTI/Q community though there are some allies within the forces that we bank on for support whenever cases of violence and abuse arise from time to time. We have previously had members of the community illegally detained because of their orientation but this has gradually improved in the recent past”⁵².

2. Social climate

2.1. Societal Attitudes

2.1.1. Social representation of homosexuality

In 2008 and 2009, the Ministry of Health and the National AIDS Control Commission (Commission nationale de lutte contre le SIDA, CNLS) carried out a behavioural surveillance study (BSS) among a hundred MSM in Kigali. Almost half of the respondents described themselves as homosexual, a third as bisexual. Among older people in particular, around one in ten did not know how to classify their sexual orientation and 4% considered themselves heterosexual, despite having had no heterosexual intercourse during the preceding twelve months. Nine of those interviewed had discussed their sexual orientation with their families, who in only two cases were supportive⁵³.

A survey conducted in 2011 by the RBC estimated the number of MSM at 6,100, but warns of a possible significant underestimation. This same study reports that a significant proportion of MSM engage in commercial or transactional sex⁵⁴. A member of Rainbow Rights Rwanda attributes this to the particular vulnerability of many LGBT people who are out of work or have been rejected by their families⁵⁵. In 2013, the RBC found that it is difficult to make an estimate of the number of MSM in Rwanda due to the stigmatisation of homosexuality⁵⁶.

Several sources highlight the social discrimination and stigmatisation of the LGBT community, despite the Rwandan state's apparent progressive approach to non-heterosexual sexual orientations. Discrimination and social abuse against LGBT are mentioned in successive annual reports on human rights in Rwanda by USDOS, including the one covering the year 2018⁵⁷. Aflodis Kagaba, Executive Director of HDI, describes the situation of Rwandan society as follows:

⁵¹ Employee of an international organisation for the defence of human rights, E-mail, 24/07/2019

⁵² Program coordinator of a Rwandan organisation for the defence of human rights and LGBT, E-mail, 02/08/2019

⁵³ CNLS, 08/07/2010, pp. 13-14, [url](#)

⁵⁴ RBC e.a., 05/2013, p. 19, [url](#); RBC e.a., 02/2012, [url](#)

⁵⁵ The East African (Gahigi M.), 07/08/2015, [url](#)

⁵⁶ RBC e.a., 05/2013, p. 19, [url](#)

“The Rwandan society is normally conservative with a high adhesion to religious and cultural values. Many Rwandans do not tolerate homosexuality on the basis that it is immoral or a foreign sickness imported into the country”⁵⁸.

Jean-Claude Uwihoreye, Executive Director of My Right Alliance, describes Rwandan society as “very homophobic”:

“[The] violent acts are many in different areas where Rwandan lgbti community live, work, study and stay. Stigma, discrimination and harassment exist in general society on high scale level because of the culture and religion which are very intolerant towards homosexuality [...]”⁵⁹.

Sexuality is taboo in Rwanda, especially “non-normative” sexuality. Homosexuality is not considered to correspond to African values, and LGBT people are seen as westernised and lazy, according to UHAI and the analysis and research centre Laterite. This centre, which in December 2018 published a survey conducted in collaboration with the United States Agency for International Development (USAID), adds that the stigma is all the greater for transgender men and women⁶⁰. LGBT and LGBT activists interviewed in 2013 and 2014 said that especially in rural areas, attitudes towards LGBT people are very negative. Living in total isolation, rejected by their relatives, LGBT people there rarely reveal their sexual orientation. On the other hand, in the city, some LGBT people are more open and some city dwellers more tolerant⁶¹.

According to Stefan Jansen, a researcher at the University of Rwanda in Kigali, the stigmatisation of gays and lesbians has increased following the draft 2009 penal code criminalizing homosexuality⁶².

According to a study carried out in 2014 and 2015 by the Institute of Development Studies (IDS) in collaboration with the Rwandan NGO Centre for Human Rights, stigma and social taboos as well as the lack of understanding of sexual orientation and Gender identity are the major challenges identified by Rwandan organisations advocating for the rights of sexual minorities. Although examples of physical violence are cited, stigma rarely takes the form of threats or physical attacks. Rather, it is an often implicit but ever-present judgment that inspires shame and fear in those subject to that judgment⁶³.

According to the USDOS report covering the human rights situation in Rwanda in 2017, physical attacks against LGBT people occur sporadically. The report covering the year 2018 does not mention this⁶⁴.

Most LGBT people interviewed by UHAI in 2016 said it was very difficult to “come out”. Many of them still live with their families, are dependent on them and cannot live their sexuality freely. Various sources collected several testimonies of LGBT people who were discriminated against, stigmatised or excluded by their relatives, friends or neighbours, sometimes forced into marriage by the family because of their perceived sexual orientation or gender identity.

⁵⁷ USDOS, 13/04/2016, [url](#) ; USDOS, 03/03/2017, [url](#) ; USDOS, 20/04/2018, [url](#) ; USDOS, 13/03/2019, [url](#)

⁵⁸ Kagaba A., Executive Director, HDI, E-mail, 24/09/2019

⁵⁹ Uwihoreye J. C., Executive Director, My Right Alliance, E-mail, 01/08/2019

⁶⁰ Institute for Policy Analysis and Research Rwanda (Abbott P. e.a.), 05/2014, p. 74, [url](#) ; HDI, 12/2015, pp. 9-10, [url](#) ; UHAI (Irudukunda I., Odoyo R.), 2016, pp. 7, 26, [url](#) ; USAID, Laterite, 11/12/2018, p. 23, [url](#) ; The East African (Mwijuke G.), 16/05/2014, [url](#) ; France 24, 15/11/2014, [url](#) ; Têtu, 09/09/2016, [url](#) ; Seronet (Cyuzuzo B.), 13/08/2017, [url](#) ; Human Rights First, 12/09/2016, [url](#) ; Employee of an international organisation for the defence of human rights, E-mail, 24/07/2019

⁶¹ CISR, 09/09/2013, [url](#) ; Institute for Policy Analysis and Research Rwanda (Abbott P. e.a.), 05/2014, p. 74, [url](#)

⁶² The East African (Mwijuke G.), 31/05/2014, [url](#)

⁶³ IDS (Haste P., Gatete T. K.), 04/2015, p. 20, [url](#)

⁶⁴ USDOS, 20/04/2018, [url](#) ; USDOS, 13/03/2019, [url](#)

Once driven out of the house, these people lose their financial support, cannot continue their studies, and are at risk of falling into the trap of drugs or engaging in high-risk sexual behaviour, according to multiple sources⁶⁵.

In July 2019, the Employee of an international organisation for the defence of human rights stated that, in the past, he had followed “a few cases of social discrimination in which the neighbours threatened LGBT people or transgender people who were verbally threatened [translation]”⁶⁶.

In 2014, the Tanzanian newspaper The East African reported the story of a Rwandan lesbian woman who, as a teenager, was insulted, abused and discriminated against because of her sexual orientation. When she was fourteen, her parents gave her in marriage in order to “change” her sexual orientation⁶⁷. Other LGBT women said they face constant pressure from family to get married⁶⁸.

Another testimony, heard in 2017 by the American media Mashable, recounts the case of a young gay man expelled by his family and detained by the police for two days at the request of his father under the pretext of drug consumption⁶⁹.

Some sources suggest a link between the socio-economic class to which an LGBT person belongs and the stigma and discrimination they encounter. In their 2015 study, IDS and the Centre for Human Rights indicate that, unlike LGBT associations which often arise in response to negative experiences, more affluent and socially privileged LGBT people do not see a need for political activism⁷⁰. In the consulted sources, Cedoca did not find any other information on this subject.

2.1.2. Position and role of the Media

UHAI reports in 2016 the use by the Rwandan media of the term *abatinganyi* to designate LGBT people. This term refers to “non-heteronormative” sexual practices⁷¹.

LGBT people interviewed by UHAI in 2016 report the publication by Rwandan media of sensational stories about the LGBT community. Some newspapers are quick to publish sensitive information and clearly identifiable photos, thus violating the privacy of those exposed⁷². Jean-Claude Uwihoreye, Executive Director of My Right Alliance, denounces the hateful articles published by the Rwandan media which he describes as homophobic⁷³.

The study published in 2015 by IDS and the Centre of Human Rights indicates that, following negative experiences of ignorance and hostility on the part of the media, LGBT organisations are reluctant to meet them. However, the study cites two examples where issues of sexual orientation were discussed. First, the leader of the Christian LGBT organisation Other Sheep Rwanda took part in a radio program to answer questions, often hostile, from listeners. Next, Ni Nyampinga, a business platform that hosts a magazine and radio show for young girls,

⁶⁵ UHAI (Irudukunda I., Odoyo R.), 2016, pp. 26-27, [url](#) ; USAID, Laterite, 11/12/2018, p. 23, [url](#) ; IDS (Haste P., Gatete T. K.), 04/2015, p. 21, [url](#) ; Mashable (Dockray H., Villasana D.), 18/11/2017, [url](#) ; Rwanda Today, 07/10/2018, [url](#) ; Seronet (Cyuzuzo B.), 13/08/2017, [url](#) ; Program coordinator of a Rwandan organisation for the defence of human rights and LGBT, E-mail, 02/08/2019

⁶⁶ Employee of an international organisation for the defence of human rights, E-mail, 24/07/2019

⁶⁷ The East African (Mwijuke G.), 31/05/2014, [url](#)

⁶⁸ Institute for Policy Analysis and Research Rwanda (Abbott P. e.a.), 05/2014, pp. 74-75, [url](#)

⁶⁹ Mashable (Dockray H., Villasana D.), 18/11/2017, [url](#)

⁷⁰ IDS (Haste P., Gatete T. K.), 04/2015, p. 9, [url](#)

⁷¹ UHAI (Irudukunda I., Odoyo R.), 2016, p. 30, [url](#)

⁷² UHAI (Irudukunda I., Odoyo R.), 2016, pp. 31-32, [url](#)

⁷³ Uwihoreye J. C., Executive Director, My Right Alliance, E-mail, 01/08/2019

asserted that sexual orientation has become a more commonly and openly raised issue. In another survey in 2014, participants noted that the private channel Radio 10 broadcasts "positive messages"⁷⁵.

As for the written press, the articles that refer to homosexuality published in the newspaper The New Times, reputed to be very pro-government, seem to have evolved since 2009. Articles published before 2009 consider homosexuality as an unnatural vice against African values and give voice mainly to people who are hostile to LGBT⁷⁶. On the other hand, the articles published subsequently (with a few exceptions⁷⁷) reflect a diversity of points of view, with several authors showing themselves to be quite tolerant towards LGBT people and openly pleading their cause.

The private newspaper Rushyashya attacks the opposition movement Rwanda National Congress (RNC) in two articles, attacking among other things the presumed homosexuality of some of its leaders. The RNC is said to be "composed of thieves, killers and homosexuals"⁷⁹. Other articles in the newspaper refer in neutral terms to homosexual couples living in Rwanda and the United States⁸⁰.

2.1.3. Homophobic violence

In a survey carried out by the CNLS in 2008 and 2009 among around 100 MSM in Kigali, one in five participants said they had suffered ill-treatment because of their sexual orientation, such as verbal and physical abuse, within the family, at work, at school or in public places. Of the 98 people interviewed, 17 reported sexual violence⁸¹.

The Voice of America reports that in February 2017, a female Rwandan television journalist, Mucyo Becky, publicly proposed to another woman⁸² which provoked anger and caused many LGBT people to hide or flee Rwanda. A transgender activist said his community was once again being harassed and that transgender people were no longer taking to the streets in Kigali following this incident. In its 2017 assessment of the human rights situation in Rwanda, USDOS reported the flight of two LGBT people following their harassment on social media which LGBT activists said had been endorsed by community leaders. It is likely, but not certain, that both these reports refer to the same incident.

Although cases of violence still occur, according to a survey by the analysis and research centre Laterite published in 2018, violence against LGBT people has decreased significantly since 2009⁸⁵.

⁷⁴ IDS (Haste P., Gatete T. K.), 04/2015, p. 20, [url](#)

⁷⁵ Institute for Policy Analysis and Research Rwanda (Abbott P. e.a.), 05/2014, p. 75, [url](#) ;

⁷⁶ The New Times, 11/03/2008, [url](#) ; The New Times, 02/07/2008, [url](#) ; The New Times, 17/05/2009, [url](#)

⁷⁷ The New Times (Karemera D.), 31/10/2014, [url](#)

⁷⁸ The New Times, 30/01/2010, [url](#) ; The New Times, 18/12/2011, [url](#) ; The New Times, 05/01/2012, [url](#) ; The New Times (Opobo M.), 10/03/2014, [url](#) ; The New Times (Byumvuhore F.), 10/12/2016, [url](#) ; The New Times (Kwizera M.), 27/04/2019, [url](#)

⁷⁹ Rushyashya, 23/11/2016, [url](#) ; Rushyashya, 13/02/2017, [url](#)

⁸⁰ Rushyashya, 17/03/2017, [url](#) ; Rushyashya, 06/06/2017, [url](#)

⁸¹ CNLS, 08/07/2010, p. 14, [url](#)

⁸² See also: Rushyashya, 17/03/2017, [url](#)

⁸³ CISR, 20/11/2018, [url](#) ; VOA (Elrasam H.), 27/04/2017, [url](#) ; Quartz Africa (Chutel L.), 06/06/2018, [url](#)

⁸⁴ USDOS, 20/04/2018, [url](#)

⁸⁵ USAID, Laterite, 11/12/2018, p. 27, [url](#)

2.1.4. Infringement of rights

In its 2016 report, UHAI highlights the particular vulnerability of LGBT people to various violations of their rights such as verbal, physical and sexual abuse, arbitrary arrest and detention, denial of access to justice, eviction by family, denial of the right to housing or employment, and discrimination⁸⁶.

UHAI warns that many human rights violations against LGBT people go undocumented. Victims often do not report them for fear of encountering more problems but also because of stigma or because they are unaware of their rights⁸⁷.

The consulted sources by Cedoca identify different social areas where LGBT people encounter discrimination and collected numerous testimonies of LGBT people who are confronted with it⁸⁸. Aflodis Kagaba, Executive Director of HDI, summarises the situation within the family and in areas such as education, public health and housing as follows:

“We have registered cases where parents have refused to pay school fees, healthcare insurance or providing food to their children because of their sexual orientation or gender identity. We have also cases of schools that have chassed students on the ground of homosexuality. We also see cases of stigmatisation and discrimination of LGBT especially for men who have sex with men (MSM) by healthcare providers have been frequently noticed by my organisation. Although, Rwanda has included this group in the national strategic plan against HIV (NSP 2018-2024), healthcare providers still hesitate to provide stigma-free services to this population. Furthermore, we have registered cases of landlords who have expelled LGBT members from their paid houses after getting to know about their homosexuality status⁸⁹.”

Education

Witnesses interviewed by HDI and UHAI say they have been victims of discrimination and harassment within school or university institutions because of their perceived sexual orientation or gender identity, whether from other students or from the teaching body. A 2015 academic study reports expulsion of students identified as gay⁹⁰.

LGBT activists point to high school dropping out rates, illiteracy and poverty among LGBT people⁹¹. Thus, Seleman Nizeyimana, Executive Director of Hope and Care, denounced in September 2019 the harassment of homosexual students at school:

“[...] an individual CANNOT identify as a community member due to the harassment of being called ‘CYABAKOBWA’ a boy who is she, or ‘CYABAHUNGU’ a girl who is he, but comparing to lesbians it is less hard as gay boys. As domino effect, most of our community members have dropped out from their studies and others didn’t even try to go there (School) in being afraid of rejection from the school communities, fallout that large number of community members faces illiteracy and poverty⁹².”

⁸⁶ UHAI (Iradukunda I., Odoyo R.), 2016, p. 7, [url](#)

⁸⁷ UHAI (Iradukunda I., Odoyo R.), 2016, p. 14, [url](#)

⁸⁸ HDI, 12/2015, [url](#) ; UHAI (Iradukunda I., Odoyo R.), 2016, [url](#)

⁸⁹ Kagaba A., Executive Director, HDI, E-mail, 24/09/2019

⁹⁰ HDI, 12/2015, [url](#) ; UHAI (Iradukunda I., Odoyo R.), 2016, pp. 28-29, [url](#)

⁹¹ UHAI (Iradukunda I., Odoyo R.), 2016, pp. 28-29, [url](#) ; IDS (Haste P., Gatete T. K.), 04/2015, p. 20, [url](#) ; USAID, Laterite, 11/12/2018, p. 26, [url](#) ; Nizeyimana S., Executive Director, Hope and Care, E-mail, 04/09/2019

⁹² Nizeyimana S., Executive Director, Hope and Care, E-mail, 04/09/2019

Job market

Several sources indicate that most LGBT people face discrimination and stigmatisation in the job market or workplace because of their perceived sexual orientation or gender identity⁹³. A study published by IDS and the Centre for Human Rights in 2015 indicates that the most vulnerable group is that of transgender people, whose “non-conforming” gender identity is more visible. Having no access to other jobs, they are often forced into prostitution⁹⁴.

According to the same study, it is widely accepted that senior government officials and politicians who are homosexual cannot reveal their sexual orientation⁹⁵.

According to Seleman Nizeyimana, Executive Director of Hope and Care, those who have a job dare not reveal their sexual orientation. Those who have already done so have little opportunity to find a job:

“In Working places is hard to come out homosexual, those who are already in the places (positions) they are they stay quite although suspicions in co-workers raises as days go by. Chance to get job when you are already identified yourself as homosexual is totally less, but there are some positions in different places that they target some our community members to attract various clients, here I mean like some business receptions room services and many others⁹⁶.”

In a 2015 HDI report, an activist testifies to having lost his job because of his involvement in the LGBT community⁹⁷.

In March 2017, Grace Nyinawumuntu lost her job coaching AS Kigali football team. Media have reported accusations of homosexuality and “promoting lesbianism” as well as sexual harassment of female soccer players. The team accused Grace Nyinawumuntu of a lack of discipline and the introduction of “divisionism⁹⁸” among the players. In April 2018, a court ordered the club to pay compensation for wrongful dismissal⁹⁹.

Housing

Several sources report evictions of LGBT people by landlords or by local administrators (i.e. officials of local administrative entities such as communes, sectors or *imidugudu*) due to their perceived sexual orientation or gender identity. This is done either on the initiative of the owner or the local authority, or under pressure from the inhabitants of the district, according to UHAI. Thus, LGBT people who have found

⁹³ HDI, 12/2015, [url](#) ; Institute for Policy Analysis and Research Rwanda (Abbott P. e.a.), 05/2014, p. 74, [url](#) ; UHAI (Iradukunda I., Odoyo R.), 2016, pp. 28-29, [url](#) ; International Institute of Social Studies (Musangwa E. T.), 12/2016, [url](#) ; USAID, Laterite, 11/12/2018, p. 27, [url](#) ; VOA (Elrasam H.), 27/04/2017, [url](#) ; Seronet (Cyuzuzo B.), 13/08/2017, [url](#)

⁹⁴ IDS (Haste P., Gatete T. K.), 04/2015, pp. 20-21, [url](#) ; Mashable (Dockray H., Villasana D.), 18/11/2017, [url](#)

⁹⁵ IDS (Haste P., Gatete T. K.), 04/2015, pp. 20-21, [url](#)

⁹⁶ Nizeyimana S., Executive Director, Hope and Care, E-mail, 04/09/2019

⁹⁷ HDI, 12/2015, p. 33, [url](#)

⁹⁸ The charge of “divisionism” or “sectarianism”, initially defined by *Law No 47/2001 on the repression of crimes of discrimination and the practice of sectarianism*, was integrated into the new Penal Code of 2018: “A person who makes use of speech, writing, or any other act which divide people or may set them against each other or cause civil unrest on the basis of discrimination, commits an offence”. According to article 164, this offence is punishable by imprisonment for at least five days but not exceeding seven years: *N°68/2018 of 30/08/2018. Law determining offences and penalties in general* 27/09/2018, [url](#)

⁹⁹ The New Times (Asimwe G.), 06/03/2017, [url](#) ; The Chronicles (Cyiza T.), 06/03/2019, [url](#) ; BBC, 16/04/2018, [url](#)

¹⁰⁰ Institute for Policy Analysis and Research Rwanda (Abbott P. e.a.), 05/2014, p. 74, [url](#) ; Mashable (Dockray H., Villasana D.), 18/11/2017, [url](#)

housing often temporarily house other members of the community. According to the American media Mashable, members of the LGBT community are particularly affected by homelessness¹⁰¹.

Seleman Nizeyimana, Executive Director of Hope and Care, points to the difficulty of access to housing as one of the major problems of the LGBT community. He states that there are many evictions and that people expelled or driven out by the family often live together:

“This is the huge problem that we have among us, as many don’t have a good job due to the lack of knowledge, and those who has it, question become where will I live freely? It is immediate decision to be taken by landlords after acknowledging sex orientation of the one who rents the house that s/he is homosexual. Eviction happens a lot among our community, there is also a concentration in living with other on high number due to that some of member of the house has been expelled from there born home (house) by their relatives arguing that what is left to them is to die, so they don’t have to be with others, solution to that the get together with those who are living in favourable area which escalate number of member of the community who living together under one roof¹⁰².”

Health

Although other groups within the LGBT community are not directly targeted by the national HIV/AIDS strategic plan for 2009-2012, MSM were considered one of the key populations, one of the most at-risk groups. This is still the case in the national strategic plan for the period 2013-2020¹⁰⁴. Thus, according to the Rwanda Biomedical Centre (RBC), in the Eastern and Southern Africa region, Rwanda is one of the few countries which, in its national strategy, includes measures for MSM and recognizes the impact of their stigma when accessing HIV/AIDS services. Since 2009, efforts have been made to facilitate this access, among others: the development of HIV/AIDS services; training and raising awareness of healthcare providers; the opening of clinics accessible to MSM in Kigali; greater inclusion of MSM in the development and implementation of policies and programs; advocacy with local authorities and law enforcement to improve the protection of MSM. The preferred method of reaching out to MSM, who are considered a hard-to-reach group, is through peer education¹⁰⁵. The national HIV/AIDS strategic plan for 2013-2020 includes a package of similar services targeting hard-to-reach key populations such as MSM, including peer education and other strategies initiated since 2009¹⁰⁶.

The fact that many LGBT people do not dare to identify as such makes it difficult for them to be included in health programmes supporting the LGBT community. According to a 2009 study, only 20% of MSM had a fairly sound knowledge of the risk of HIV¹⁰⁷.

In 2014, the RBC highlighted that the HIV seroprevalence rate among MSM was not yet known and that there is a lack of data on the number of MSM who are aware of prevention programmes¹⁰⁸.

¹⁰¹ UHAI (Iradukunda I., Odoyo R.), 2016, pp. 28-29, [url](#) ; IDS (Haste P., Gatete T. K.), 04/2015, pp. 20-21, [url](#) ; Mashable (Dockray H., Villasana D.), 18/11/2017, [url](#)

¹⁰² Nizeyimana S., Executive Director, Hope and Care, E-mail, 04/09/2019

¹⁰³ RBC e.a., 05/2013, pp. 11, 18, [url](#) ; CNLS, 12/2005, [url](#) ; CNLS, 15/04/2008 [url](#) ; USAID, Laterite, 11/12/2018, p. 18, [url](#)

¹⁰⁴ Ministry of Health - Rwanda, RBC, 20/03/2017, pp. 6-7, [url](#) ; USAID, Laterite, 11/12/2018, p. 18, [url](#)

¹⁰⁵ RBC e.a., 05/2013, p. 73, [url](#)

¹⁰⁶ Ministry of Health - Rwanda, 20/03/2017, p. 28, [url](#)

¹⁰⁷ USAID, Laterite, 11/12/2018, p. 8, [url](#)

¹⁰⁸ UHAI (Iradukunda I., Odoyo R.), 2016, p. 37, [url](#)

The fourth sector strategic plan (Health Sector Strategic Plan, HSSP IV) covering the period from 2018 to 2024 does not mention the LGBT population or their specific health needs¹⁰⁹.

In a survey carried out in 2008-2009 by the CNLS among a hundred MSM, more than a quarter of the people questioned declared that they did not want to reveal their sexual orientation to medical personnel¹¹⁰. In 2013, an RBC study indicated that within the community, discrimination and stigma prevented certain key populations, such as MSM and other LGBT people, from accessing relevant HIV information and prevention services¹¹¹. LGBT people interviewed by UHAI and the Laterite analysis and research centre indicate that they prefer not to go to care centres accessible to everyone because of the discrimination and stigmatisation they encounter there. The LGBT community regards them as “unsafe environments”. Some healthcare providers, instead of prioritising care, blame patients’ behaviour, expose them to ‘public humiliation’ or breach medical confidentiality, according to multiple sources¹¹².

Laterite adds that few healthcare providers dare to engage in LGBT advocacy, fearing it will damage their own reputations¹¹³.

Transgender people are not specifically taken into account in health policies and programmes, are not formally recognised and do not have access to appropriate health services, such as psychosocial assistance or hormonal treatment which, according to the Programme Coordinator of a Rwandan organisation for the defence of human rights and LGBT people, are intentionally denied to transgender people¹¹⁴.

LGBT women also reported experiencing a lack of government support for health services¹¹⁵.

In the area of sexual and reproductive health, MSM are cared for by the same organisations and programs that target sex workers, according to the 2016 UHAI report. These structures offer screening services and basic treatment, provide access to condoms and lubricants, and conduct awareness training. UHAI cites four NGOs active in this area:

- HDI Rwanda;
- Ihorere Munyarwanda Organisation (IMRO, previously called AIMR);
- Project San Francisco;
- Association nationale de soutien aux personnes vivant avec le VIH/SIDA + (ANSP+) [National support association for people living with HIV/AIDS +]¹¹⁶.

For example, HDI runs Centres for Health and Rights in the capital's Nyamirambo and Kicukiro neighbourhoods where specialised LGBT care is available. These places have become “safe spaces” for LGBT people, according to Laterite¹¹⁷. Care providers can follow workshops supervised, among others, by Hope and Care. According to the Executive Director of this association, there are

¹⁰⁹ USAID, Laterite, 11/12/2018, p. 8, [url](#)

¹¹⁰ CNLS, 08/07/2010, p. 14, [url](#)

¹¹¹ RBC e.a., 05/2013, pp. V, 39, [url](#)

¹¹² UHAI (Irudukunda I., Odoyo R.), 2016, p. 39, [url](#) ; The East African (Gahigi M.), 07/08/2015, [url](#) ; USAID, Laterite, 11/12/2018, pp. 23-24, 27, [url](#) ; Seronet (Cyuzuzo B.), 13/08/2017, [url](#)

¹¹³ USAID, Laterite, 11/12/2018, p. 26, [url](#)

¹¹⁴ UHAI (Irudukunda I., Odoyo R.), 2016, p. 41, [url](#) ; Program coordinator of a Rwandan organisation for the defence of human rights and LGBT, E-mail, 02/08/2019

¹¹⁵ Institute for Policy Analysis and Research Rwanda (Abbott P. e.a.), 05/2014, p. 75, [url](#)

¹¹⁶ UHAI (Irudukunda I., Odoyo R.), 2016, p. 35, 38, [url](#)

¹¹⁷ USAID, Laterite, 11/12/2018, p. 35, [url](#) ; HDI, 30/01/2019, [url](#)

three health centres in the capital that have at least two healthcare providers who have participated in workshops on the LGBT community and their specific health needs¹¹⁸.

However, according to the 2016 report by the organization UHAI, LGBT people interviewed state that they have difficulty obtaining antiretroviral (ARV) drugs due to the remoteness of most of the structures that dispense them¹¹⁹. Seronet, a website offering help to HIV-positive people, points out that these services only exist in towns. People in rural areas do not have access¹²⁰. A Laterite survey with several Rwandan authorities and NGOs reveals that the latter do not know of health centres outside Kigali that are welcoming to LGBT. In Rubavu district, for example, in the northwest of the country on the Congolese border, LGBT people prefer to travel to Kigali or even Goma (in the Democratic Republic of Congo, DRC), where health care is not necessarily available or more welcoming but where bribes allow access to care¹²¹.

LGBT refugees

According to an article published by BuzzFeed News in May 2014, some LGBT people from East Africa sought refuge in Uganda, which is considered to be one of the most homophobic countries in sub-Saharan Africa. The article cites the case of a Rwandan transgender man who around 2010 had been the victim of a serious attack by the police. This person said he experienced violence in Uganda as well¹²².

On the other hand, a Rwandan LGBT activist claimed in 2017 that Ugandan LGBT people persecuted in their country of origin had taken refuge in Rwanda¹²³. Cedoca found no other source that identifies LGBT people seeking refuge in Rwanda.

In June 2019, the international press focused on the LGBT refugee community in Kenya, which mostly consists of Congolese, but also includes people of Rwandan, Burundian and other nationalities. Some 76 of these refugees, LGBT people and their children, settled in a poor district of the capital Nairobi, where they were the target of threats and homophobic violence from the inhabitants. They were then evicted by the owner of the building they occupied. These refugees had left the Kakuma refugee camp (Kenya) in April 2019 because they had also been victims of homophobic attacks there. At the end of June 2019, the Kenyan government ordered them to return to this camp. UNHCR offered to protect this group¹²⁴.

2.2. Visibility

2.2.1. Freedom of expression

The national strategic plan for the fight against HIV/AIDS for the period 2009-2012 included MSM as a key population for the first time and gave more importance to the fight against discrimination within health services. During an evaluation of this strategic plan, MSM

¹¹⁸ Nizeyimana S., Executive Director, Hope and Care, E-mail, 04/09/2019

¹¹⁹ UHAI (Irudukunda I., Odoyo R.), 2016, p. 41, [url](#)

¹²⁰ Seronet (Cyuzuzo B.), 13/08/2017, [url](#)

¹²¹ USAID, Laterite, 11/12/2018, p. 27, [url](#)

¹²² BuzzFeed News (Lester Feder J.), 05/05/2014, [url](#)

¹²³ Mashable (Dockray H., Villasana D.), 18/11/2017, [url](#)

¹²⁴ Reuters (Bhalla N.), 11/06/2019, [url](#) ; BBC (Samba C.), 14/06/2019, [url](#) ; BBC, 20/06/2019, [url](#)

reported that they gradually felt more free to express themselves in society, despite the persistence of stigma and social discrimination¹²⁵.

However, the report drawn up at the end of 2018 by the Laterite analysis and research centre indicates that many LGBT people do not dare to "come out of the closet" for fear of discrimination and social isolation¹²⁶.

In August 2019, Albert Nabonibo, a gospel singer from Kigali, revealed in an interview with a Christian channel that he was gay, after having hidden his sexual orientation for years. To the international media which widely covered his coming out, he said he received some support but pointed out that most of the reactions from his relatives and friends were "horrible". Out of shame, some of his interviewed friends preferred to remain anonymous. On the other hand, the Minister of State Olivier Nduhungirehe expressed his support for him on Twitter, as he had already done in other cases¹²⁷. The Executive Director of HDI also reports hostile reactions from the public, in particular on various social media¹²⁸. In 2019, Nabonibo declared to Radio France internationale (RFI) that he had been driven from his work and his church and had turned to the church of The Fellowship of Affirming Ministries (TFAM), a church open to LGBT persons (see 3.3. Position of religious stakeholders)¹²⁹.

Seleman Nizeyimana, Executive Director of Hope and Care, notes difficulties for the LGBT community when organising training or conferences and booking a room, but also cites some districts of Kigali which are ready to welcome LGBT events:

"[...] normally they have to notify before that the event happens, so the authorities responses the purpose of the gathering (which we lie about mostly). In most times there are some sectors in Kigali city that are friendly to host some LGBTI community events, here I can say Nyamirambo sector of Nyarugenge district, Remera sector, Muhanga city, and other area..."¹³⁰.

At the end of March 2019, a conference of the transgender organisation Rwanda Gender Pride, which was to be held in the Kigaliview hotel, was cancelled by the management of the hotel without valid reason, presumably because of the transgender and/or homosexual identity of the organisers¹³¹.

2.2.2. Meeting places

In the consulted sources on line, Cedoca did not find information on LGBT meeting places in Rwanda. The NGOs contacted by Cedoca mentioned several places.

The employee of an international organisation consulted by Cedoca indicates that "[the] bars in Kigali are often deemed LGBTI-friendly [translation]"¹³².

HDI's Executive Director says his organisation has yet to map these meeting places, but he gives some examples::

"We have not yet conducted a proper mapping of these spaces, but so far we have three hotels that are friendly with LGBT gatherings. There are also a number of small bars and night clubs that

¹²⁵ RBC e.a., 05/2013, p. 75, [url](#)

¹²⁶ USAID, Laterite, 11/12/2018, p. 8, [url](#)

¹²⁷ BBC, 28/08/2019, [url](#) ; AP (Ssuuna I.), 17/09/2019, [url](#) ; Amb. Olivier Nduhungirehe (@onduhungirehe), 13/04/2018, [url](#) ; Amb. Olivier Nduhungirehe (@onduhungirehe), 30/08/2019, [url](#) ; Kagaba A., Executive Director, Health and Development Initiative (HDI), E-mail, 24/09/2019

¹²⁸ Kagaba A., Executive Director, Health and Development Initiative (HDI), E-mail, 24/09/2019

¹²⁹ RFI (Broulard L.), 21/10/2019, [url](#)

¹³⁰ Nizeyimana S., Executive Director, Hope and Care, E-mail, 04/09/2019f

¹³¹ Program coordinator of a Rwandan organisation for the defence of human rights and LGBT, E-mail, 02/08/2019 ; Rwanda Gender Pride, 27/03/2019, [url](#) ; Nizeyimana S., Executive Director, Hope and Care, E-mail, 04/09/2019

¹³² Employee of an international organisation for the defence of human rights, E-mail, 24/07/2019

are friendly to the LGBTI community. Examples are Kigali View Hotel, Hart Land Hotel, Papyrus, People club...¹³³.

The Executive Director of My Right Alliance cites a few "safe and affordable" places in Kigali, including the Bauhaus Bar, the Sun City Hotel and the Inema Art Centre in Kigali¹³⁴.

The Program coordinator of a Rwandan organisation for the defence of human rights and LGBT people points out that safe places for LGBT people remain rare and are located in Kigali:

"Safe spaces for the LGBTI/Q community remain few and far in-between. There are some Gay-Friendly hotels like hotel Five to Five IN Remera, Kigali View Hotel, & Heartland Hotel in Nyamirambo and Hotel Umubano in Kacyiru. All these are in Kigali. I do not know of any which exists outside of the capital"¹³⁵.

The Executive Director of Hope and Care notes that LGBT-friendly places are mainly located in the Nyamirambo neighbourhood in Kigali. He also cites the church The Fellowship of Affirming Ministries (TFAM) (see 3.3. Position of religious stakeholders)¹³⁶.

2.2.3. Associations

Registration

Article 20 of the 2012 law on the organisation and functioning of non-governmental organisations (NGOs) lists the grounds for refusal to grant the temporary certificate of registration to an NGO, including the compromise of "security, public order, health, morals or human rights". The organisation UHAI indicates that the Rwandan authorities can cite these grounds to refuse the registration of LGBT organisations¹³⁸.

UHAI reported in 2016 that, despite the absence of legislation repressing homosexuality, the LGBT community is less visible in Rwanda than in some other East African countries such as Uganda or Kenya. Most LGBT organisations do not seek official recognition from Rwandan authorities for fear of not being registered and running into trouble with local administration, sources say¹³⁹.

Unable to identify themselves officially as LGBT associations, these register as organisations working on other target groups, such as youth, women, etc.¹⁴⁰, or as generalist organisations which are open also to LGBT¹⁴¹.

Only one organisation, Amahoro Human Respect, is fully legally recognised¹⁴². A few other organisations are registered at the district level. The statutory texts of these associations make no mention of "LGBT" or "homosexuality". Most organisations are unregistered¹⁴³.

¹³³ Kagaba A., Executive Director, Health and Development Initiative (HDI), E-mail, 24/09/2019

¹³⁴ Uwihoreye J. C., Executive Director, My Right Alliance, E-mail, 01/08/2019

¹³⁵ Program coordinator of a Rwandan organisation for the defence of human rights and LGBT, E-mail, 02/08/2019

¹³⁶ Nizeyimana S., Executive Director, Hope and Care, E-mail, 04/09/2019

¹³⁷ N°04/2012 du 17/02/2012. *Law on the organisation and functioning of national non-governmental organisations*, 09/04/2012, [url](#)

¹³⁸ UHAI (Irudukunda I., Odoyo R.), 2016, p. 17, [url](#)

¹³⁹ UHAI (Irudukunda I., Odoyo R.), 2016, p. 22, [url](#) ; Mashable (Dockray H., Villasana D.), 18/11/2017, [url](#)

¹⁴⁰ UHAI, s.d., p. 18, [url](#) ; USAID, Laterite, 11/12/2018, p. 26, [url](#)

¹⁴¹ Mashable (Dockray H., Villasana D.), 18/11/2017, [url](#)

¹⁴² Kagaba A., Executive Director, Health and Development Initiative (HDI), E-mail, 24/09/2019; Programme Coordinator of a Rwandan organisation for the defence of human rights and LGBT, E-mail, 02/08/2019

¹⁴³ IDS (Haste P., Gatete T. K.), 04/2015, p. 12, [url](#) ; UHAI (Irudukunda I., Odoyo R.), 2016, p. 22, [url](#)

Compared to other more generalist NGOs, registration difficulties as well as social stigma affect the capacities, financial and human resources as well as the expertise of LGBT associations, according to several sources. The Laterite analysis and research centre reports the lack of financial support as well as the opposition of some local authorities to the activities of the LGBT community¹⁴⁴.

Associations and coalitions

The first LGBT organisation in Rwanda, Horizon Community Association (HOCA), was established in Kigali in 2003 or 2004 by activist Naomi Ruzindana¹⁴⁵.

Many other LGBT organisations were created between 2009 and 2014 in Kigali, and their number continues to grow, according to UHAI. Many of these organisations were started by people who were already engaged in the fight against HIV/AIDS. In 2016, most of these associations were based in the capital, except the Other Sheep Rwanda associations operating in Gisenyi and Kesho Sawa in Musanze. In the consulted sources, Cedoca did not find more recent information on these two organisations. The organisation Hope and Care worked in the Eastern Province as a partner of the organisation Asolate¹⁴⁶. Obstacles faced by LGBT organisations, such as difficulties in registration as well as conservative mentalities inside the country, prevent coverage of rural areas, according to UHAI¹⁴⁷.

According to a 2014 study, the number of members of the different organisations ranged from around 30 to 100 people. The structures of the associations as well as the formality of the membership process also varied¹⁴⁸.

In April 2014, a coalition of LGBT organisations, Isange, was launched¹⁴⁹. In the consulted sources, Cedoca found no information on the structure, functioning or activities of this coalition.

Furthermore, in 2018, Laterite noted that there is no official umbrella organisation, but that the LGBT community is represented by national organisations such as HDI or Never Again Rwanda. Organisations that support LGBT people note, however, that collaboration between their associations and government institutions is limited due to a lack of consultation mechanisms and the lack of a platform that can express the perspectives of the LGBT community¹⁵⁰.

In September 2019, Aflodis Kagaba, Executive Director of HDI, listed around thirteen Rwandan organisations for the defence of LGBT rights¹⁵¹. The table below lists the organisations cited by the sources and the interlocutors consulted by Cedoca. These are organisations that mainly target LGBT people, but also organisations that have different target groups, including LGBT people¹⁵². Some organisations welcome the LGBT community in general, others deal more specifically with sub-groups such as MSM, women, young LGBT, transgender or

¹⁴⁴ UHAI (Iradukunda I., Odoyo R.), 2016, p. 22, [url](#) ; USAID, Laterite, 11/12/2018, p. 26, [url](#) ; IDS (Haste P., Gatete T. K.), 04/2015, p. 22, [url](#) ; GRET, 28/05/2015, [url](#)

¹⁴⁵ UHAI (Iradukunda I., Odoyo R.), 2016, pp. 20, 23, [url](#)

¹⁴⁶ UHAI (Iradukunda I., Odoyo R.), 2016, pp. 20-21, [url](#) ; IDS (Haste P., Gatete T. K.), 04/2015, pp. 17, 23, [url](#)

¹⁴⁷ UHAI (Iradukunda I., Odoyo R.), 2016, p. 24, [url](#)

¹⁴⁸ IDS (Haste P., Gatete T. K.), 04/2015, p. 17, [url](#)

¹⁴⁹ IDS (Haste P., Gatete T. K.), 04/2015, p. 12, [url](#)

¹⁵⁰ USAID, Laterite, 11/12/2018, pp. 28-29, 34, [url](#)

¹⁵¹ Kagaba A., Executive Director, Health and Development Initiative (HDI), E-mail, 24/09/2019

¹⁵² UHAI (Iradukunda I., Odoyo R.), 2016, p. 23, [url](#) ; USAID, Laterite, 11/12/2018, pp. 52-53, [url](#) ; Employee of an international organisation for the defence of human rights, E-mail, 24/07/2019 ; Programme Coordinator of a Rwandan organisation for the defence of human rights and LGBT, E-mail, 02/08/2019 ; Kagaba A., Executive Director, Health and Development Initiative (HDI), E-mail, 24/09/2019 ; Uwihoreye J. C., Executive Director, My Right Alliance, E-mail, 01/08/2019 ; Nizeyimana S., Executive Director, Hope and Care, E-mail, 04/09/2019

sex workers¹⁵³. Most of these organisations have a website or a Facebook page, but not all. Their size and level of activity are not always clear. Some organisations may no longer be active.

Organisation	Year created	Headquarters	Status
Horizon Community Association (HOCA)	2003 or 2004	Kigali	Not recognised; no website, no recent information
Other Sheep Rwanda	2009	Gisenyi	Recognised at district level; organisation for LGBT Christians; no website, no recent information
My Right Alliance¹⁵⁴	2010	Kigali	Recognised at district level
Rainbow Rights Rwanda	2011	Kigali	Not recognised; no website, no recent information
Safe Friendly Society¹⁵⁵	2011	Kigali	Not recognised
Hope and Care¹⁵⁶	2012	East province	Not recognised
Amahoro Human Respect¹⁵⁷	2014	Kigali	Recognised
Joint Action for Bright Future Association (JABFA)¹⁵⁸	2014	Kigali	Not recognised
Rights for All Rwanda (RIFA)¹⁵⁹	2014	Kigali	Not recognised
Isange Coalition¹⁶⁰	2014	Kigali	Not recognised
AGAP¹⁶¹	2014	Gisenyi	No information
Rwanda Gender Pride¹⁶²	No information	Kigali	Organisation for transgender people; no additional info
Building Hope for Future¹⁶³	No information	Kigali	No information

The following organisations, cited by the consulted sources, are more generalist human rights NGOs or NGOs working in the area of health, including sexual and reproductive health and the fight against HIV/AIDS, and which include sexual minorities in

¹⁵³ IDS (Haste P., Gatete T. K.), 04/2015, p. 9, [url](#)

¹⁵⁴ My Right Alliance [website], s.d., [url](#) ; My Right Alliance [Facebook profile], s.d., [url](#)

¹⁵⁵ Safe Friendly Society [website], s.d., [url](#) ; Safe Friendly Society [Facebook profile], s.d., [url](#)

¹⁵⁶ Hope and Care [website], s.d., [url](#) ; Hope and Care [Facebook profile], [url](#)

¹⁵⁷ Amahoro Human Respect [website], s.d., [url](#) ; Amahoro Human Respect Organization [Facebook profile], s.d., [url](#)

¹⁵⁸ Joint Action for Bright Future Association [Facebook profile], s.d., [url](#)

¹⁵⁹ RIFA [website], s.d., [url](#) ; Rights for All – RIFA [Facebook profile], s.d., [url](#)

¹⁶⁰ Isange coalition lgbt umbrella Rwanda [Facebook profile], s.d., [url](#)

¹⁶¹ AGAP [Facebook profile], s.d., [url](#)

¹⁶² Rwanda Gender Pride [Facebook profile], s.d., [url](#)

¹⁶³ Building Hope For Future Rwanda [Facebook profile], s.d., [url](#)

their services: Health Development Initiative (HDI)¹⁶⁴; Human Rights First Rwanda Association (Rights Rwanda)¹⁶⁵; Never Again Rwanda¹⁶⁶; Ihorere Munyarwanda Organisation (IMRO)¹⁶⁷; Centre for Rule of Law (CERULAR)¹⁶⁸; Association nationale de soutien aux personnes vivant avec le VIH/SIDA+ (ANSP+) [National support association for people living with HIV/AIDS+]¹⁶⁹; Health and Rights Initiative (HERI)¹⁷⁰; Great Lakes Initiative for Human Rights and Development (GLIHD)¹⁷¹; Bright Future Foundation Rwanda¹⁷². Again, some of these organisations are well structured and funded and carry out well-coordinated activities, while others seem to be less active.

Cedoca found no details on several other associations cited by the consulted sources, namely: Pride Ark, an organisation for transgender people founded in 2012 in Kigali and recognised at the district level; Kesho Sawa, founded in 2013 in Kigali; Against Drugs Abuse, which was allegedly founded in 2009 in Kigali and Key Population Coalition.

Activities

According to a study published by IDS and the Centre for Human Rights in 2015, the associations essentially focus on the basic needs of the LGBT community, such as accommodation, by setting up safe houses¹⁷³. The focus of most associations, however, is sexual and reproductive health and the fight against HIV/AIDS, according to UHAI. In collaboration with NGOs such as HDI Rwanda or an official institution such as RBC, these associations are responsible for peer education and awareness campaigns, mobilisation in the fight against HIV/AIDS, referral of patients to existing medical services. With the support of partner organisations, they also mediate with local administrations and relatives of LGBT people expelled from the family home. They try to guide their often vulnerable members on the job market, towards professional training or towards income-generating activities¹⁷⁴. For example, the organisation Building Hope for Future organises training for parents and relatives of LGBT people in order to help family acceptance¹⁷⁵.

Surveys by RBC in 2014 and UHAI in 2016 indicate that a majority of LGBT participants (three-quarters, according to RBC) are also sex workers, which explains why some LGBT organisations also target sex workers¹⁷⁶.

UHAI reports in its 2016 report that LGBT associations primarily focus on MSM, gay men, bisexuals and transgender women, while lesbian or bisexual women and transgender men are less often supported¹⁷⁷.

¹⁶⁴ HDI [website], s.d., [url](#)

¹⁶⁵ Human Rights First Association [website], s.d., [url](#); Human Rights First Rwanda Association (a.k.a Rights Rwanda) [Facebook profile], s.d., [url](#)

¹⁶⁶ Never Again Rwanda [website], s.d., [url](#)

¹⁶⁷ IMRO [website], s.d., [url](#)

¹⁶⁸ CERULAR [website], s.d., [url](#)

¹⁶⁹ ANSP+ [website], s.d., [url](#)

¹⁷⁰ Health Rights Initiative- Rwanda (HERI) [Facebook profile], s.d., [url](#)

¹⁷¹ Great Lakes Initiative for Human Rights and Development – GLIHD [Facebook profile], s.d., [url](#)

¹⁷² Bright Future Foundation Rwanda [site web], s.d., [url](#)

¹⁷³ IDS (Haste P., Gatete T. K.), 04/2015, p. 22, [url](#)

¹⁷⁴ UHAI (Irudukunda I., Odoyo R.), 2016, p. 22, [url](#); IDS (Haste P., Gatete T. K.), 04/2015, pp. 22-23, [url](#); HDI, 30/01/2019, [url](#)

¹⁷⁵ USAID, Laterite, 11/12/2018, p. 31, [url](#)

¹⁷⁶ Seronet (Cyuzuzo B.), 13/08/2017, [url](#); UHAI (Irudukunda I., Odoyo R.), 2016, p. 52, [url](#)

¹⁷⁷ UHAI (Irudukunda I., Odoyo R.), 2016, pp. 7, 20-22, [url](#)

Other NGOs, international organizations and diplomatic representations

According to a 2017 report on the Rwandan LGBT community by the American media Mashable, NGOs often refuse to collaborate with LGBT associations and do not want to include LGBT people in their services, fearing to be associated with this community. Nevertheless, several LGBT activists interviewed by Mashable were optimistic about the possibility of progress in the field of LGBT rights in Rwanda¹⁷⁸. Aflodis Kagaba, Executive Director of HDI, perceives “an increased interest among the mainstream human rights NGOs to address LGBT issues”¹⁷⁹.

According to the study published by IDS and the Centre for Human Rights in 2015, the approach of NGOs and international diplomatic representations is based on continuous monitoring and discreet engagement. The development of relations with LGBT associations, the direct financing of some of their events and activities such as the International Day against Homophobia and Transphobia (IDAHOT) and discreet discussions with members of the government are some examples of how the international community in Rwanda shows its interest. However, the presence and involvement of Westerners in these activities can be perceived, according to this study, as foreign interference and risk having a negative impact on the advocacy of the LGBT community¹⁸⁰.

Other examples of the collaboration between NGOs or international diplomats and the LGBT community are the celebration of LGBT Pride Month in June 2014 with the inauguration of a graffiti wall at the United States Embassy¹⁸¹; the celebration of the international IDAHOT day at the Goethe Institute in Kigali on 16 May 2016 in the presence of several Rwandan LGBT organizations¹⁸²; three-year projects aimed at strengthening local LGBT associations launched in 2012 and 2018 by the international development NGO GRET¹⁸³.

3. Socio-political context

3.1. General situation in the country

Since the end of the genocide and the seizure of power by the Rwandan Patriotic Front (RPF) in July 1994, the Rwandan political and military landscape has been dominated by this former rebel movement and by its leader, President Paul Kagame, who was elected in August 2017 for a third term of seven years. He built what the Bertelsmann Stiftung calls “an authoritarian developmental state, firmly believing that the construction of a new state and society requires strong leadership. This governance is based on liberal economic policies, but gives a predominant role to the ruling party and the army”¹⁸⁴. Freedom House says the regime has ensured the country's security stability and economic growth, while suppressing political dissent through intense surveillance, intimidation and possible assassinations¹⁸⁵.

According to the USDOS report on the situation of human rights in 2018, human rights violations in Rwanda include:

¹⁷⁸ Mashable (Dockray H., Villasana D.), 18/11/2017, [url](#)

¹⁷⁹ Kagaba A., Executive Director, HDI, E-mail, 24/09/2019

¹⁸⁰ IDS (Haste P., Gatete T. K.), 04/2015, p. 28, [url](#)

¹⁸¹ Igihe, 25/06/2014, [url](#)

¹⁸² The East African (Mwijuke G.), 31/05/2014, [url](#)

¹⁸³ GRET, PAFPD-GL [...], s.d., [url](#) ; GRET, The Baho Project [...], s.d., [url](#)

¹⁸⁴ Bertelsmann Stiftung, 2018, [url](#)

¹⁸⁵ Freedom House, 01/2019, [url](#)

"[...] reports of unlawful or arbitrary killings by state security forces; forced disappearance by state security forces; torture by state security forces including asphyxiation, electric shocks, mock executions; arbitrary detention by state security forces; political prisoners; arbitrary or unlawful interference with privacy; threats to and violence against journalists, censorship, website blocking, and criminal libel; substantial interference with the rights of peaceful assembly and freedom of association, such as overly restrictive nongovernmental organization (NGO) laws; and restrictions on political participation"¹⁸⁶.

HRW says civil society, local and international media, international human rights organisations and the political opposition cannot operate independently or criticise government policy¹⁸⁷.

USDOS adds that, despite some prosecutions and court convictions, impunity for civilian officials and some members of the security forces is a problem¹⁸⁸.

3.2. Position of political figures

Several sources note that the majority of Rwandan political leaders refrain from speaking out publicly on homosexuality and LGBT people, these issues being a "private matter" which is not "in the interest of the development of the country". UHAI cites an exception: a minister who, in 2014 during a public speech, called on young people to fight against drug use, child labour, prostitution and homosexuality¹⁸⁹. In May 2019, in response to a petition from a Rwandan citizen concerned about problems within prisons, a parliamentary committee underlined the regular awareness campaigns on good morals conducted in prisons in order to prevent "things like homosexuality and other bad vices"¹⁹⁰.

Aflodis Kagaba, Executive Director of HDI, describes the position of Rwandan political leaders as "progressive but sometimes ambiguous"¹⁹¹. The study by IDS and the Centre for Human Rights published in 2015 speaks of a "strategic" pragmatic silence on the part of the Rwandan authorities around the question of LGBT rights. This study suggests that the lack of debate around identity issues of LGBT and other socially and economically marginalised groups is a reflection of the silence around ethnic identity. Moreover, given, on the one hand, the influence of religious communities, but on the other hand, the importance of foreign governmental and non-governmental partners, the Rwandan government has an interest in avoiding a controversial debate which could arouse strong debates at national, regional and international levels. For the LGBT community, this means that dialogue with local authorities and community leaders is done discreetly, through informal networks, thus avoiding attracting public attention. The 2015 study indicates that the progress made by the LGBT community in terms of political mobilisation is very limited¹⁹².

¹⁸⁶ USDOS, 13/03/2019, [url](#)

¹⁸⁷ Human Rights Watch (HRW), 17/01/2019, [url](#)

¹⁸⁸ USDOS, 13/03/2019, [url](#)

¹⁸⁹ International Institute of Social Studies (Musangwa E. T.), 12/2016, pp. 4, 9, [url](#) ; UHAI (Irudukunda I., Odoyo R.), 2016, p. 31, [url](#) ; The New Times (Mbonyinshuti J. A.), 27/08/2014, [url](#)

¹⁹⁰ The Chronicles (Cyiza T.), 28/05/2019, [url](#)

¹⁹¹ Kagaba A., Executive Director, Health and Development Initiative (HDI), E-mail, 24/09/2019

¹⁹² IDS (Haste P., Gatete T. K.), 04/2015, pp. 6-7, 18-19, 27, 30, [url](#)

This attitude of state institutions of "non-discrimination or just non-speech/positioning on the subject" is, according to the employee of an international human rights organisation contacted by Cedoca, "the result of the positioning of the president"¹⁹³.

While signalling the frustration of some international stakeholders with this low-key approach, the IDS and Centre for Human Rights study finds that the authorities' strategic silence has created some opportunities for the LGBT community, which has made some significant advances¹⁹⁴.

In September 2016, questioned on the position of LGBT in Rwanda during a meeting with the Rwandan diaspora in the United States, President Kagame declared:

"It hasn't been our problem. And we don't intend to make it a problem. So we are struggling with all kinds of problems [...] We want to have everybody involved, participating. That means [...] being there for each other again [...] being supportive of each other. We mind the stability that comes with allowing people to live in harmony, and I think we've made a good progress on that"¹⁹⁵.

The American website Mashable underlines the ambivalence of this declaration: the president affirms not to want to discriminate while showing his embarrassment faced with this question¹⁹⁶.

In late May 2018, President Kagame met a well-known American lesbian couple, TV personality Ellen DeGeneres and her partner, who came to Rwanda to launch a gorilla conservation project¹⁹⁷.

Asked in March 2019 about the need for legislation protecting the rights of homosexuals during an interview with the magazine Jeune Afrique, President Kagame explained:

"In Rwanda, homosexuality is not a crime, and members of the gay community are not arrested, molested or insulted. So it's not a problem, neither for me nor for Rwandans. On the other hand, wanting to legislate on this subject at all costs is the best way to create a problem in a society that has had its standards, values and codes for centuries. Homosexuals exist, we know they exist. Their freedom should not interfere with that of others, and vice versa. Let's keep it at that [translation]"¹⁹⁸.

USDOS reports in its successive annual reports on human rights in Rwanda that members of the Rwandan government speak out in favour of human rights applicable to everyone, regardless of sexual orientation¹⁹⁹. However, according to Seleman Nizeyimana, Executive Director of Hope and Care, these same Rwandan officials privately hold a very different discourse, opposed to this apparent tolerance:

"Political authorities in public they [affirm] that they don't have any problem with LGBTI community, but with their personal standing point if you ask them is one of their relatives or children discovered that is homosexual, thing get other colour. They strongly oppose what they said publically"²⁰⁰.

The Program coordinator of a Rwandan organisation for the defence of human rights and LGBT states that it works with the Ministry of Justice and the National Human Rights Commission to promote equality in the justice sector:

¹⁹³ Employee of an international organisation for the defence of human rights, E-mail, 24/07/2019

¹⁹⁴ IDS (Haste P., Gatete T. K.), 04/2015, pp. 6-7, 18-19, 27, [url](#)

¹⁹⁵ Kigali Today, 26/09/2016, [url](#) ; Stop Homophobia (Grand C.), 26/09/2016, [url](#)

¹⁹⁶ Mashable (Dockray H., Villasana D.), 18/11/2017, [url](#)

¹⁹⁷ Quartz Africa (Chutel L.), 06/06/2018, [url](#)

¹⁹⁸ Jeune Afrique (Soudan F.), 01/04/2019, [url](#)

¹⁹⁹ USDOS, 13/04/2016, [url](#) ; USDOS, 03/03/2017, [url](#) ; USDOS, 20/04/2018, [url](#) ; USDOS, 13/03/2019, [url](#)

²⁰⁰ Nizeyimana S., Executive Director, Hope and Care, E-mail, 04/09/2019

“The Ministry of Justice, specifically the Access to Justice coordination unit as well as the National Human Rights Commission have also embraced the notion of equality in the justice sector and we work quite closely with them should instance of injustice arise. Coincidentally yesterday we had a meeting with the National Human Rights Commission discussing how to include LGBTI/Q in the National Human Rights Action Plan”²⁰¹.

As for local leaders, studies from 2014 highlight a lack of awareness. The survey published in 2015 by IDS and the Centre for Human Rights notes that many of these local officials are unaware that homosexuality is not punishable in Rwanda and that discrimination in public services is prohibited. The study cites the example (undated) of a person who confessed his homosexuality to a local leader. The latter then paraded him through the village so that the villagers knew he was gay and were dissuaded from following his example²⁰². According to Jean-Claude Uwihoreye, Executive Director of My Right Alliance, “some local authorities [...] have kicked off lgbti people in the areas they lead”²⁰³.

Unlike women, young people and people with disabilities, LGBT people do not have a formal council allowing them to participate in the development of political decisions²⁰⁴.

The LGBT Military Index established in 2014 by The Hague Centre for Strategic Studies (HCSS), which assesses the degree of LGBT inclusion in the armed forces, gives a score of 52 out of 100 to Rwanda. Rwanda scores much higher than other countries in the region, but well below more inclusive countries such as South Africa or European or American countries²⁰⁵.

3.3. Position of religious figures

Several sources highlight the very negative position towards LGBT people of Christian and Muslim clergy, who call for discrimination and intolerance. In 2007, the Archbishop of the Rwandan Episcopal Church described homosexuality as “moral genocide”²⁰⁶. In 2010, his successor swore to continue the fight against homosexuality²⁰⁷. UHAI quotes in 2016 the example (undated) of a Christian priest who, on several occasions, preached against LGBT people on local radio channels²⁰⁸. Several sources contacted by Cedoca highlight the homophobia, hatred and stigmatisation that characterise Christian sermons²⁰⁹. According to the Program coordinator of a Rwandan organisation for the defence of human rights and LGBT people, the Church “remains the biggest opposition towards the sexual minority family. Many have very tough and condescending words”²¹⁰.

However, according to the study published in 2015 by IDS and the Centre for Human Rights, some LGBT organisations have developed good discreet relations with religious leaders. The researchers themselves attended a workshop with 40 pastors willing to reflect on the issue of homosexuality and inclusion. Discretion is key, however, according to this study. An event organised in Rubavu by the LGBT organisation Other Sheep Rwanda (which does not currently appear to be active online) in collaboration with an American pastor attracted so much publicity

²⁰¹ Program coordinator of a Rwandan organisation for the defence of human rights and LGBT, E-mail, 02/08/2019

²⁰² IDS (Haste P., Gatete T. K.), 04/2015, p. 24-25, [url](#) ; Institute for Policy Analysis and Research Rwanda (Abbott P. e.a.), 05/2014, p. 75, [url](#)

²⁰³ Uwihoreye J. C., Executive Director, My Right Alliance, E-mail, 01/08/2019

²⁰⁴ USAID, Laterite, 11/12/2018, p. 26, [url](#)

²⁰⁵ HCSS, 20/02/2014, [url](#)

²⁰⁶ Coalition of African Lesbians e.a., 03/2009, p. 5, [url](#) ; The New Times (Muramila G.), 26/02/2007, [url](#)

²⁰⁷ The New Times, 30/09/2010, [url](#)

²⁰⁸ UHAI (Iradukunda I., Odoyo R.), 2016, p. 31, [url](#) ; TWOCARE (Wilson B.), 12/06/2015, [url](#) ; IDS (Haste P., Gatete T. K.), 04/2015, p. 15, [url](#)

²⁰⁹ Uwihoreye J. C., Executive Director, My Right Alliance, E-mail, 01/08/2019

²¹⁰ Program coordinator of a Rwandan organisation for the defence of human rights and LGBT, E-mail, 02/08/2019

that the mayor was concerned about the negative publicity for his district, while the local police questioned a leader of the organisation about his links with other "LGBT recruiters"²¹¹.

In November 2017, US media outlet Mashable reported on an alliance between LGBT activists and the international network of faith leaders Fellowship of Affirming Ministries (TFAM) which aimed to build a network of LGBT-led and LGBT-friendly churches across East Africa. In collaboration with LGBT activists, Bishop Joseph Tolton held religious services across Rwanda in neighbourhoods hostile to LGBT people. They intended to create a safe space for LGBT people who wanted to practice their faith and at the same time introduce Rwandans to the LGBT community. This sometimes provoked homophobic reactions from the neighbourhood²¹².

At the end of 2017, Bishop Tolton of TFAM established the first LGBT-inclusive church in East Africa in Nyamirambo, a popular district of Kigali. This was done with the help of LGBT organisations like Hope and Care and in partnership with a local church, the Church of God in Africa and Rwanda, according to several sources. This church preaches "radical inclusion"²¹³ and holds weekly services, according to a source contacted by Cedoca²¹⁴. The Program coordinator of a Rwandan organisation for the defence of human rights and LGBT people contacted by Cedoca is also a pastor in the TFAM church, "the first open church to homosexual community that we have from our beloved Bishop Torton". The bishop encouraged them to form a media group under the aegis of the LGBT coalition Isange, which broadcasts a weekly show on City radio 88.3 FM²¹⁵.

The LGBT association AGAP, which manages a clinic for "LGBT people who are sex workers" in the city of Gisenyi (north-west of the country), denounced in a press release the invasion and ransacking of its premises as well as the destruction of its equipment by about twenty members of a neighbouring evangelical church on 2 June 2019. According to AGAP, the pastor and his parishioners wanted to drive them out of the parish, but he and some of his companions were arrested by the police²¹⁶.

²¹¹ The study does not mention the date that had been planned for this event: IDS (Haste P., Gatete T. K.), 04/2015, pp. 25-26, [url](#)

²¹² Mashable (Dockray H., Villasana D.), 18/11/2017, [url](#)

²¹³ Mashable (Dockray H., Villasana D.), 18/11/2017, [url](#) ; RFI (Broulard L.), 23/10/2019, [url](#) ; Rwanda Today, 07/10/2018, [url](#)

²¹⁴ Nizeyimana S., Executive Director, Hope and Care, E-mail, 04/09/2019

²¹⁵ Program coordinator of a Rwandan organisation for the defence of human rights and LGBT, E-mail, 02/08/2019

²¹⁶ AGAP, s.d., [url](#)

Summary

The Rwandan Penal Code does not punish homosexuality or relations between people of the same sex. The Rwandan Constitution prohibits discrimination on the basis of different criteria, including sex, but does not include sexual orientation or gender identity.

Cedoca found no information on legal actions against LGBT people. NGOs, however, point out the difficulty for LGBT people to access adequate legal assistance. Some organisations believe that LGBT people cannot seek protection from the courts or the police because of the prejudice and ignorance within these state institutions. The high degree of social stigma and discrimination is also a factor that prevents LGBT people from filing complaints. On the other hand, some LGBT people report not being discriminated against by the authorities.

Several sources claim that harassment as well as illegal arrests and brief detentions of LGBT people still take place on the basis of false accusations such as indecent assault. Often, auxiliary forces of the army or the police are the perpetrators.

The consulted sources unanimously highlight the discrimination, stigmatisation and violations of the rights of the LGBT community within Rwandan society, which is culturally conservative and largely influenced by religion. Most LGBT people report that it is very difficult to “come out” for fear of being stigmatised and excluded by loved ones, friends or neighbours. In rural areas, negative attitudes towards LGBT people and the social isolation they experience are greater than in cities, where some LGBT people dare to be more open about their sexual orientation.

In a 2008 and 2009 survey of around 100 MSM in Kigali, one in five participants said they had experienced abuse, including sexual violence, because of their sexual orientation. Although instances of violence still occur, violence against LGBT people has decreased significantly since 2009, according to a Laterite survey published in 2018.

The consulted sources point to different social areas where LGBT people encounter discrimination. Witnesses say they were excluded by their families. Others are victims of harassment and discrimination within educational institutions on the part of other students or the teaching staff. Some denounce the stigmatisation they face on the employment and housing markets. Many instances have been reported of LGBT people chased from their homes. School dropout rates, illiteracy, unemployment, homelessness and poverty are particularly high within the LGBT community.

In the field of healthcare, access to conventional medical structures is difficult because of the stigmatisation that LGBT people encounter there. However, a number of organisations cater for LGBT people, offering various health services, particularly in the capital.

Since 2004, several LGBT rights organisations have emerged, mostly in Kigali. These are rarely officially registered and do not always identify themselves as LGBT associations for fear of not being registered by the authorities. They face a lack of resources and expertise. Some more mainstream organisations also include LGBT people in their services and advocacy. LGBT organisations are reluctant to engage with the Rwandan media, which they accuse of being homophobic.

Kagame has declared that homosexuality “is not a problem” in Rwanda. At the same time, the president, like the majority of political figures, generally does not speak out publicly on homosexuality. Several sources speak of a strategic silence on the part of the authorities. The political mobilisation of the LGBT community is limited.

Several sources highlight the very negative position towards LGBT people of the Christian and Muslim clergy, who call for discrimination and intolerance. However, one church in Kigali, the TFAM, was specifically created to be LGBT inclusive.

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