Civil Society Organisations Commend the African Commission's Resolution Condemning Violence Based on Sexual Orientation and Gender Identity

A coalition of organisations and human rights defenders working to advance human and peoples' rights welcomes the adoption of a Resolution on '*Protection Against Violence and other Human Rights Violations Against Persons on the Basis of their Real or Imputed Sexual Orientation or Gender Identity*' by the African Commission on Human and Peoples' Rights at its 55th session held in Luanda, Angola, April 2014.

We recall the preamble to the African Charter on Human and Peoples' Rights where member states took into consideration the virtues of Africa's historical traditions and the values of African civilisation and stated that these should inspire and characterise the member states' reflection on the concept of human and peoples' rights. We believe that the resolution constitutes an affirmation and a clear demonstration of these values.

We applaud the African Commission on Human and People's Rights, the premiere body mandated in the African Charter with the task of the protection and promotion of human rights in Africa, for its leadership and recognition of the entitlement to these rights by every African regardless of their sexual orientation, gender identity and expression or any other status. In the African Charter, the Commission is entrusted with the responsibility to set human rights standards that all African Union member states should observe. The Commission does not exist to reflect the prejudices of member states, but exists to hold states accountable when they fail to observe the required human rights standards. This resolution comes at a time when a number of countries are adopting or considering legislation targeted at persons perceived to be or actually different and non-conforming in relation to gender, gender identity and expression and sexual orientation. It is thus extremely important that the Commission, in its appreciation of the evolving situation of human rights issues in the continent, chose to focus its attention on human rights violations based on sexual orientation and gender identity.

We celebrate the Resolution that decisively places all human rights violations based on sexual orientation and gender identity and expression under the jurisdiction of the African Commission as mandated by the African Charter. Following similar initiatives in other regional and international systems of protection of human rights to address the global problem of homophobia and transphobia, the Resolution provides a legal basis for protection to all those who are suffering and living under the threat of violence because of their sexual orientation and gender identity and expression. We see this resolution as an honour to the memories of all those who have lost their lives to violence because they were perceived to be different on these grounds. This Resolution is the first step towards affirming the equality and dignity of all African people who have been targeted and continue to be treated as second-class citizens because of their real or perceived sexual orientation and gender identity and expression.

We call on all those committed to and working to achieve for all in Africa the right to autonomy over our bodies and lives and for dignity, non discrimination and

equality for all, to work together towards a continent that is free and safe from violence and to ensuring that the substance of the Resolution is implemented by all states parties to the African Charter.

We acknowledge the activists, human rights defenders, groups and institutions that have worked tirelessly and with commitment at the African Commission, as well as those who supported this work through various means over the past eight years (below the list of groups that between 2006 and 2014 have engaged at some point in the process). Our shared goal to ensure that the African Commission recognises that human rights violations based on sexual orientation and gender identity and expression are justiciable under the African Charter is now being realised. Whilst there were numerous doubts and frustrations we remained steadfast in our belief and trust that the African Charter is a living document that confers human and peoples' rights to all Africans regardless of sexual orientation, gender identity and expression. The Commission has now confirmed this by passing this historical resolution.

National NGOS: Afrique Arc-en-Ciel, Togo, AIDS ACODEV; Aides Senegal; Alternatives-Cameroun; ARCAD SIDA, Mali; Arc en Ciel Plus; Centre for Human Rights, University of Pretoria; Concerned Women's Initiative; East and Horn of Africa Human Rights Defenders Project [EHAHRDP]; Dignity Association; Freedom and Roam Uganda; Forum for the Empowerment of Women; Gay and Lesbian Coalition of Kenya; Human Rights Awareness and Promotion Forum; Human Rights Institute of Southern Africa; HOCA; Icebreakers Uganda; Initiative for the Advancement of Humanity; International Centre for the Advancement of the Rights to Health; Lambda Mozambique; LeGaBiBo; Matrix (Swaziland); Mouvement pour les Libertés Individuelles (MOLI); My Rights; National gay and lesbian human rights commission; PEMA-KENYA; People Opposing Women Abuse; Queer African Youth Networking; Queer Alliance; Rainbow Candle Light; Rainbow Identity Association; Sexual Minorities Uganda; The Initiative for Equal Rights; SIPD; Stay Awake Network Activities; Spectrum Initiatives Uganda; Stop AIDS; Together for Women's Rights; Women's Health and Equal Rights; Young Women's Initiative; Zanzibar Youth Empowerment Activities

Regional NGOs: African Men for Sexual Health and Rights; AIDS and Rights Alliance for Southern Africa; Coalition of African Lesbians; Rencontre Africaine pour la Defense des Droits de l'Homme (RADDO); Human Rights Defenders Network in Central Africa (REDHAC)

International NGOs: Amnesty International, Heartland Alliance (GISHR) Human Rights Watch; International Centre for the Protection of Human Rights (INTERIGHTS), International Gay and Lesbian Human Rights Commission and Global Rights

For further enquiries contact -

1. Kene C. Esom, +27 11 242 6801, kene@amsher.net
2. Fadzai Muparutsa +27 11 403 0004, fadzai@cal.org.za
3. Roselyn Odoyo +254 (020) 233 0050 / 812 7535 **roselyn@uhai-eashri.org**

Issued by: African Men for Sexual Health and Rights (AMSHeR), Coalition of African Lesbians (CAL), Heartland Alliance (GISHR) and UHAI-EASHRI