The image features a purple circular shape at the top, which contains the title text. Below this, a horizontal brushstroke in rainbow colors (red, orange, yellow, green, blue, purple) spans the width of the page. The background is a solid purple color.

# A GUIDE TO LGBTIQ+ RIGHTS IN THE UN AND AFRICAN HUMAN RIGHTS SYSTEMS



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Kingdom of the Netherlands



**Centre for  
Human Rights**  
UNIVERSITY OF PRETORIA

## Acknowledgment

This Guide has been prepared by the Sexual Orientation, Gender Identity and Expression and Sex Characteristics (SOGIESC) Unit of the Centre for Human Rights of the Faculty of Law, University of Pretoria.

The Centre for Human Rights (the Centre) is an academic department of the Faculty of Law at the University of Pretoria, South Africa. It also doubles as a non-profit organisation (NPO). It therefore functions as a teaching, training and research department as well as implementing human rights projects akin to the style of an NPO. The Centre's reach is within South Africa and beyond, particularly on the African continent. The Centre enjoys 'observer status' with the African Commission on Human and Peoples' Rights and the African Committee on the Rights and Welfare of the Child. The Centre has also submitted cases before the African Court on Human and Peoples' Rights. It, therefore, identifies itself as a pan-African organisation. It specialises in human rights law and human rights issues on the African continent, while linking these to global human rights knowledge streams and discourses from other regions of the world.

Formed in May 2016, the SOGIESC Unit's mandate is to advocate for and work towards equality, inclusion, non-discrimination, non-violence and non-heterosexism for lesbian, gay, bisexual, transgender, intersex, and other non-binary and gender-nonconforming LGBTIQ+ people. The SOGIESC Unit has been responsible for presenting statements at the African Commission on Human and Peoples' Rights on LGBTIQ+ issues; drafting soft law instruments and a model law on intersex rights for possible adoption by regional bodies; organising a yearly one-week introductory human rights short course on sexual minorities rights; and convening a strategic litigation and advocacy workshop for LGBTIQ+ human rights defenders in Africa.

This Guide was prepared by Dr Ayodele Sogunro with the assistance of Thiruna Naidoo and Sohela Surajpal; additional editorial contributions were made by Professor Frans Viljoen.

For more information, please visit [www.chr.up.ac.za/sogiesc-unit](http://www.chr.up.ac.za/sogiesc-unit).



## Terminology

The use of stigmatising words and negative stereotypes against LGBTIQ+ persons in everyday language (including local dialects) can contribute to human rights violations against them. By using inclusive terminology, affected individuals are empowered and given needed visibility on the human rights violations they face. Every individual has the right to choose what terms best describe their sexual orientation, gender identity and expression, or their sex characteristics.

Terminology of gender and sexuality may vary and change depending on context. The following are definitions of some key concepts and terminology:

**Biphobia:** an irrational fear, hatred or aversion towards bisexual people.

**Bisexual:** a person who is emotionally, romantically, sexually, or relationally attracted to both men and women, though not necessarily at the same time.

**Cisgender:** a person whose assigned sex at birth aligns with their gender identity.

**Gay:** describes a man who is emotionally, romantically, sexually, or relationally attracted to other men.

**Gender binary:** a system of dividing gender into two distinct categories of female and male.

**Gender expression:** is a person's external ways of communicating masculinity or femininity, both or neither, through physical appearance and mannerisms.

**Gender identity:** reflects a deeply felt and experienced sense of one's own gender which may not correspond with the sex assigned at birth.

**Gender non-conforming:** stipulates a broader, more flexible range of gender identities or expressions than the binary gender system.

**Gender:** socially constructed roles, behaviours, activities and attributes considered appropriate for men and women at a given time.

**Heterosexual:** describes a person who, broadly, is emotionally, romantically, sexually, or relationally attracted to a person of another sex or gender.

**Homophobia:** an irrational fear of, hatred or aversion towards homosexuals or homosexuality.

**Homosexual:** a person whose predominant attraction is to the same sex or gender.

**Intersex:** a person born with sex characteristics that do not fit the typical definition of male or female. This may be apparent at birth or later in life.

**Lesbian:** describes a woman who is emotionally, romantically, sexually, or relationally attracted to other women.

**LGBTIQ+:** an acronym for the terms lesbian, gay, bisexual, transgender, intersex, queer and other non-binary identities.

**Non-binary:** a system that recognises the existence of more gender categories beyond female and male.

**Queer:** an umbrella term used by some LGBTIQ+ persons to describe themselves. It is valued because of its inclusiveness. In some contexts it is offensive. Avoid using it unless it is clearly not offensive.

**Sex characteristics:** refers to the chromosomal, gonadal and anatomical features of a person. These include primary characteristics such as reproductive organs and secondary characteristics such as chromosome patterns.

**Sex:** a category assigned at birth based upon body parts and other physical characteristics. The categories are male, female and intersex.

**Sexual orientation:** refers to a person's physical, romantic and emotional attraction towards other people. Everyone has a sexual orientation, which is integral to a person's identity. Homosexuality, bisexuality and heterosexuality are some categories of sexual orientation.

**Sexuality:** describes a broad spectrum and individual erotic feelings, thoughts, attractions and behaviours towards other people at a given time.

**Transgender:** (sometimes shortened to 'trans') is an umbrella term used to describe a wide range of identities of persons whose gender identity do not correspond with the sex they were assigned at birth. Some transgender people seek surgery or take hormones to bring their body into alignment with their gender identity; others do not.

**Transmen:** persons who identify as male but were classified as female at birth.

**Transphobia:** an irrational fear, hatred or aversion towards transgender people.

**Transsexual:** describes a person who has taken some measures to alter their sex to match their gender identity. These may include sex reassignment surgery, implants, hormonal intake etc.

**Transwomen:** persons who identify as female but were classified as male at birth.

# Introduction

The United Nations (UN) human rights system consists of a range of treaties, guidelines, treaty bodies, and reporting mechanisms. This complex global machinery exists to establish and interpret human rights norms, investigate alleged rights violations, and pursue accountability when States or other actors violate their obligations under international human rights law. The rights protected by this system are extensive in nature. They include civil and political rights, socio-economic rights and cultural rights. Across all of these areas, a common and foundational principle of the UN human rights system is that rights are guaranteed to all people, without distinction on the grounds of race, sex, language, religion or other status.

The African human rights system exists to give regional flavour to these rights and norms. The various treaties, guidelines, resolutions and reporting mechanisms are specially tailored to speak to Africa's history of colonisation, Apartheid and conflict and attempt to move away from this future, towards a future founded on equality, freedom and human rights.

Unfortunately, across the world and in many African States, LGBTIQ+ people have been excluded from this vision and denied safety, agency and equality, despite facing egregious rates of violence and discrimination. Because LGBTIQ+ rights are not explicitly mentioned in the core documents of the UN and African human rights system, advocates for LGBTIQ+ rights have often met disinterest, resistance and, sometimes, hostility when attempting to encourage States to protect LGBTIQ+ rights or hold States accountable for rights

violations. These attitudes pose additional challenges to human rights defenders already facing difficulties working on promoting and protecting LGBTIQ+ rights domestically.

However, in recent years the UN and African human rights system have made significant progress in recognising and promoting the rights of LGBTIQ+ rights and have affirmed the foundational principle of human rights that: rights are guaranteed to all people, without arbitrary distinction on the grounds of, among others, sexual orientation and gender identity.

This Guide attempts to assist those working towards the promotion and protection of LGBTIQ+ rights by illustrating that global and African human rights law does indeed establish, affirm and protect LGBTIQ+ rights. This document highlights the universality of human rights, explaining that core UN human rights treaties have been consistently interpreted and applied to protect the human rights of all, including members of the LGBTIQ+ community. Next, it outlines a few of the UN mechanisms that support the implementation of these rights and also introduces the Yogyakarta Principles, soft law specially designed to highlight LGBTIQ+ rights and accompanying State obligations. Focusing next on African human rights law, this document discusses the inclusion of LGBTIQ+ people in the human rights paradigm under the African Charter, the African Commission's Resolution 275, other relevant resolutions, and concluding observations of the African Commission.

# United Nations human rights treaty bodies and the principle of universality

The UN human rights system and the legal framework deriving from it are universally applicable to all, including LGBTIQ+ people. The legal framework of the UN human rights system is principally derived from the core treaties of the United Nations, as well as from declarations, resolutions, and statements by the United Nations or any of its constituent bodies.

The Universal Declaration of Human Rights (UDHR), along with the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Social, Economic and Cultural Rights (ICESCR), constitute the foundational documents of the UN human rights system. The universality of human rights is emphasised in Article 2 of the UDHR which states:

*Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.*

Similarly, Article 2(1) of the ICCPR affirms:

*Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognised in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.*

Article 2(2) of the ICESCR also states:

*The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.*



Although not specifically referred to, LGBTIQ+ people are brought under the wide umbrella of human rights protection by the use of the phrase 'other status'. This phrase shows that the categories of discrimination are not exhaustive and should not be limited to the items listed in the provision. These provisions emphasise the necessity of equality, universality, and non-discrimination in the application of human rights to all people, including LGBTIQ+ persons. In treaty body observations, general comments,



and decisions on individual communications, UN treaty bodies have consistently interpreted treaty provisions to prevent discrimination against and uphold the rights of LGBTIQ+ persons. A few examples follow:

- In 1992 the United Nations Human Rights Committee (HRC) held in *Toonen v Australia*, that the ICCPR's prohibition of unfair discrimination on the grounds of 'sex' extends to a prohibition of unfair discrimination on the grounds of sexual orientation. As such, laws that discriminate on the basis of sexual orientation or private consensual same-sex sexual acts are a violation of the ICCPR.
- In *Young v Australia*, decided in 1999, the HRC found that Australia failure to allow same-sex couples the same benefits as heterosexual couples was discriminatory and in violation of Article 26 of the ICCPR.
- The Committee on Economic, Social and Cultural Rights in its General Comment No. 20 stipulates that the term 'other status', used to express the universality of human rights, includes within its ambit sexual orientation.

## Resolutions of the United Nations Human Rights Council

On 25 June 1993, representatives of 171 States at the World Conference on Human Rights concluded that all humans are entitled to human rights irrespective of domestic, legal and cultural differences. In furtherance of these principles, the United Nations Human Rights Council (UNHRC) adopted two resolutions in 2011 (Resolution 17/19) and 2014 (Resolution 27/32) expressing 'grave concern at acts of violence and discrimination, in all regions of the world, committed against individuals because of their sexual orientation and gender identity'.

Resolution 17/19 requested that the United Nations High Commissioner for Human Rights (UNHCHR) commission a study documenting discriminatory laws, practices and acts of violence against individuals based on their sexual orientation and gender identity, in all regions of the world. The study was to also explore how international human rights law can be used to end violence and related



Photo by Bruuna Sonore from Pexels

human rights violations based on sexual orientation and gender identity. Resolution 27/32 requested that the UNHCHR update the initial report to include good practices and methods to overcome violence and discrimination.

The UNHRC's stance in this regard has been supported and affirmed by the United Nations General Assembly. The General Assembly has called on states to effectively protect the right to life of all under their jurisdiction, and 'to investigate promptly and thoroughly all killings, including those targeted at specific groups of persons, such as ... killings of persons... because of their sexual orientation or gender identity' (UN General Assembly Resolution A/ RES/67/168 (2012); A/RES/69/182 (2014); A/ RES/65/208 (2010); and A/RES/63/182 (2008)).

## Independent Expert on Sexual Orientation and Gender Identity

In 2016, the UNHRC adopted Resolution 32/2 condemning acts of violence and discrimination in all regions of the world against individuals because of their sexual orientation or gender identity and, within the same resolution, appointed an Independent Expert on Sexual Orientation and Gender Identity (IE SOGI) to, amongst other things:

- assess the implementation of existing international human rights instruments with regard to ways to overcome violence and discrimination against persons on the basis of their sexual orientation or gender identity, while identifying both best practices and gaps;

- raise awareness on violence and discrimination against persons on the basis of their sexual orientation or gender identity, and to identify and address the root causes of violence and discrimination;
- engage in dialogue and to consult with States and other relevant stakeholders, including United Nations agencies, programmes and funds, regional human rights mechanisms, NHRIs, civil society organisations and academic institutions;
- work in cooperation with States in order to foster the implementation of measures that contribute to the protection of all persons against violence and discrimination based on sexual orientation and gender identity; address the multiple, intersecting and aggravated forms of violence and discrimination faced by persons based on their sexual orientation and gender identity; and
- conduct, facilitate and support the provision of advisory services, technical assistance, capacity-building and international cooperation in support of national efforts to combat violence and discrimination against persons on the basis of their sexual orientation or gender identity.

In July 2019, the UNHRC renewed the mandate of the Independent Expert, demonstrating the continuing necessity of dealing with issues of discrimination against LGBTIQ+ persons.

## Universal Periodic Review

The UNHRC has also utilised the Universal Periodic Review (UPR) mechanism to review the human rights records of States on LGBTIQ+ issues. For example, at the 2012 UPR of Ghana, it was advised that the provisions in the Ghanaian



Constitution that guarantee equality and dignity should be equally applied to LGBTIQ+ persons. In 2015 Malawi accepted recommendations to take effective measures to protect LGBTIQ+ persons from violence, prosecute the perpetrators of violent attacks, and guarantee that LGBTIQ+ individuals have effective access to health services, including treatment for HIV/ AIDS. At the 2018 UPR, Burundi was urged to 'take the necessary measures' to decriminalise same-sex relationships and to ensure legal protections against discrimination based on sexual orientation or gender identity. Similarly, Burkina Faso and Nigeria were advised to review and repeal existing laws criminalising sexual minorities and ensure that acts of discrimination against sexual minorities are investigated and punished.

## Office of the High Commissioner for Human Rights

The Office of the High Commissioner for Human Rights (OHCHR) has published a report entitled *Born free and equal: Sexual orientation and gender identity in international human rights law*, which interprets the existing obligations of States under international human rights treaties as it applies to the protection of LGBTIQ+ persons. The report identifies five core obligations: to protect individuals from homophobic, biphobic and transphobic violence, prevent torture and cruel, inhuman and degrading treatment of LGBTIQ+ persons, decriminalise homosexuality, prohibit discrimination based on sexual orientation and gender identity, and respect the freedom of expression, association and peaceful assembly of LGBTIQ+ persons.



Photo from Johannesburg Gay  
Pride 1990 ,courtesy the Gay and  
Lesbian Memory in Action, (GALA),  
Johannesburg



Photo from Johannesburg Gay Pride 1990, courtesy GALA Queer Archive

# The Yogyakarta Principles

The Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity (Principles) are a set of legal principles on the application of international law to human rights violations based on sexual orientation and gender identity. The Principles were formulated by experts from 25 countries in November 2006. Although the Principles are not contained within a binding treaty, they are considered 'soft law' and universally acknowledged as the definitive framework on the application of international human rights law to issues of sexual orientation and gender identity.

The preamble to the Principles recognises that international human rights law affirms that all persons, regardless of sexual orientation or gender identity, are entitled to the full enjoyment of all human rights, and that the application of existing human rights entitlements should take account of the specific situations and experiences of people of diverse sexual orientations and gender identities. The Principles cover the right to universal enjoyment of human rights, non-discrimination and recognition before the law, right to human and personal security, economic, social and cultural rights, rights to expression, opinion and association, freedom of movement and asylum, right of participation in cultural and family life, and the rights of human rights defenders.

Significant developments, both in the field of international human rights law and in the understanding of violations affecting LGBTIQ+ persons, including the understanding of sex characteristics, led to the release in November 2017 of additional principles and State obligations in a document known as the Yogyakarta Principles plus 10 (YP+10). These additional principles cover the right to State protection, right to legal recognition, right to bodily and mental integrity, right to freedom from criminalisation and sanction on the basis of sexual orientation, gender identity, gender expression or sex characteristics, right to protection from poverty, right to sanitation, right to the enjoyment of human rights in relation to information and communication technologies, right to truth, and the right to practise, protect, preserve and revive cultural diversity.

The Principles also enumerate State obligations, including the obligation to take measures to ensure the realisation of rights to equality and non-discrimination, privacy, treatment with humanity while in detention, freedom from torture and cruel, inhuman or degrading treatment or punishment, education, the highest attainable standard of health, freedom of opinion and expression, freedom of peaceful assembly and association, freedom to seek asylum; freedom to found a family, freedom to participate in public life; and freedom to promote human rights.

# The African Charter on Human and Peoples' Rights

The norms of the African human rights system are principally governed by the provisions of the African Charter on Human and Peoples' Rights (African Charter). The African Charter was adopted on 27 June 1981 and entered into effect on 21 October 1986. Other norms are set out in the Protocol on the Rights of Women in Africa, Protocol on the Rights of Persons with Disabilities in Africa and the African Children's Charter. The African Commission on Human and Peoples' Rights (African Commission) interprets and monitors the implementation of the African Charter.

The preamble of the African Charter provides that 'freedom, equality, justice and dignity are essential objectives for the achievement of the legitimate aspirations of the African peoples' and that 'fundamental rights stem from the attributes of human beings'.

Articles 2 and 3 of the African Charter guarantee all individuals freedom from discrimination and the equal protection and equality of individuals under the law respectively. In particular, Article 2 states:

**Every individual shall be entitled to the enjoyment of the rights and freedoms recognised and guaranteed in the present Charter without the distinction of any kind; such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status**

In various communications, the African Commission has expressed the view that 'other status' as used in the African Charter includes grounds other than those stated in the text of the African Charter. Even though 'sexual orientation' is not expressly stated, the use of the phrase 'other status' indicates that the grounds on which discrimination is prohibited should not be limited to those set out in the text. In this vein, the African Commission in the case of *Zimbabwe Human Rights NGO Forum v Zimbabwe* noted that the aim of Article 2 of the African Charter is 'to ensure equality of treatment for individuals irrespective of nationality, sex, racial or ethnic origin, political opinion, religion or belief, disability, age or sexual orientation.' (emphasis added)

The protection of LGBTIQ+ persons is also inherent in the African Commission's approach to the interpretation of human dignity, which expects that states will not interfere in the private lives of citizens.



## Resolution 275 of the African Commission on Human and Peoples' Rights

Despite certain challenges, the views of the African Commission on the protection of LGBTIQ+ persons have progressed significantly in the last ten years, and the African Commission has often called on States to revoke discriminatory laws targeting LGBTIQ+ persons in compliance with State obligations under the African Charter.

Crucially, Resolution 275 of the African Commission, 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 was adopted at the 55th Ordinary Session of the African Commission, which was held from 28 April to 12 May 2014. Resolution 275 draws on Articles 2, 3, 4 and 5 of the African Charter, the rights to freedom from discrimination, equality, life, and dignity respectively, to condemn and call on States to end violence, persecution and other human rights violations of persons on the basis of their sexual orientation or gender identity. Resolution 275 asks States to do so by enacting and enforcing appropriate laws, prohibiting and punishing violence against LGBTIQ+ persons, ensuring proper investigation and diligent prosecution of violence targeting LGBTIQ+ persons, and ensuring remedies for victims.





## Other African instruments that apply to LGBTIQ+ rights

Since the adoption of Resolution 275, the African Commission has increasingly incorporated LGBTIQ+ issues into its standard-setting activities. For instance, in 2017, the African Commission adopted **Resolution 376 on the Situation of Human Rights Defenders in Africa**, where it explicitly recognised both the added vulnerability and the need for specific legislation to protect LGBTIQ+ human rights defenders.

The Committee on the Prevention of Torture in Africa in **General Comment 4 (2017) on the Right to Redress for Victims of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment** (Article 5) lists sexual orientation and gender identity as one of the grounds of non-discrimination for victims to seek redress.

**The 2015 Guidelines on the Conditions of Arrest, Police Custody and Pre-Trial Detention in Africa (Luanda Guidelines)**, provide in Guideline 30(a) (Special measures are not discriminatory) that certain measures, including those 'designed to protect the rights of persons on the basis of gender identity', are not to be considered as 'discriminatory or applied in a manner that is discriminatory'.

In the **2017 Guidelines on Freedom of Association and Assembly in Africa**, sexual orientation and gender identity are included alongside other explicit grounds for non-discrimination.

The **2017 Guidelines for Policing Assemblies by Law Enforcement Officials in Africa** recognise the vulnerability of individuals who, due to their status including sexual orientation and gender identity, may face limitations on their right to freedom of assembly and be subject to other human rights violations in the context of policing assemblies.

**The 2017 Guidelines on Combating Sexual Violence and its Consequences in Africa** defines 'sexual violence' as including 'corrective rape'. Corrective rape is a homophobic practice where women are raped because of their real or imputed homosexuality, supposedly to 'cure' them of this sexual orientation.

Regarding access to reproductive and sexual health care, the African Commission established a Committee on the Protection of the Rights of People Living with HIV in 2010 which was mandated to 'integrate a gender perspective and give special attention to persons belonging to vulnerable groups, including women, children, sex workers, migrants, men having sex with men, intravenous drugs users and prisoners'.

In its 2018 report, *HIV, the Law and Human Rights in the African Human Rights System: Key challenges and Opportunities for Rights-Based Responses to HIV*, the African Commission defines 'key populations' as: 'gay men and other men who have sex with men, male and female sex workers and their clients, transgender people, prisoners and people who inject drugs'. The report highlights the disproportionate effect of HIV on these already marginalised groups and underscores the negative effect of criminalisation on access to health care. It also points out that 'transgender women are one of the most vulnerable groups in relation to HIV, being 49 times more likely to be living with HIV than other adults of reproductive age'.



## Concluding Observations by the African Commission

At the conclusion of examining states, the African Commission also issues Concluding Observations to protect the rights of LGBTIQ+ persons, raise awareness of LGBTIQ+ issues in Africa, and also highlight positive outcomes on these issues in national systems. Some of these are described in the following examples:

### Mauritius

In its Concluding Observations on the 2nd to 5th reports of Mauritius, covering the period 1995 to 2008, the African Commission commended the State for 'adopting the Equal Opportunities Act 2008, which prohibits discrimination on the grounds of age, caste, colour, creed, ethnic origin, impairment, marital status, place of origin, political opinion, race, sex and sexual orientation'.

### Cameroon

In its Concluding Observations on Cameroon's 3rd periodic report, adopted in 2014, the African Commission identified, among the

factors restricting the enjoyment of rights guaranteed by the African Charter, the following: 'The judicial harassment, offences against life and other violations of the rights of human rights defenders, in particular the rights of defenders working in the area of sexual orientation'. The African Commission then called on the government of Cameroon to 'take appropriate measures to ensure the safety and physical integrity of all persons irrespective of their sexual orientation and maintain an atmosphere of tolerance towards sexual minorities in the country'.

## Uganda

In its Concluding Observations adopted after the consideration of Uganda's 4th periodic report, the African Commission commended the state for investigating and prosecuting the perpetrator of the murder of David Kato, an activist for the rights of LGBTIQ+ persons.

## Nigeria

In its Concluding Observations to Nigeria's 5th periodic report, the African Commission raised concern with and urged the state to review the Same-Sex Marriage (Prohibition) Act 2013 in order to prohibit violence and discrimination in

access to HIV prevention, treatment and care services, as well as to ensure the protection of other human rights of sexual minorities guaranteed under the African Charter and other international instruments to which Nigeria is a party.

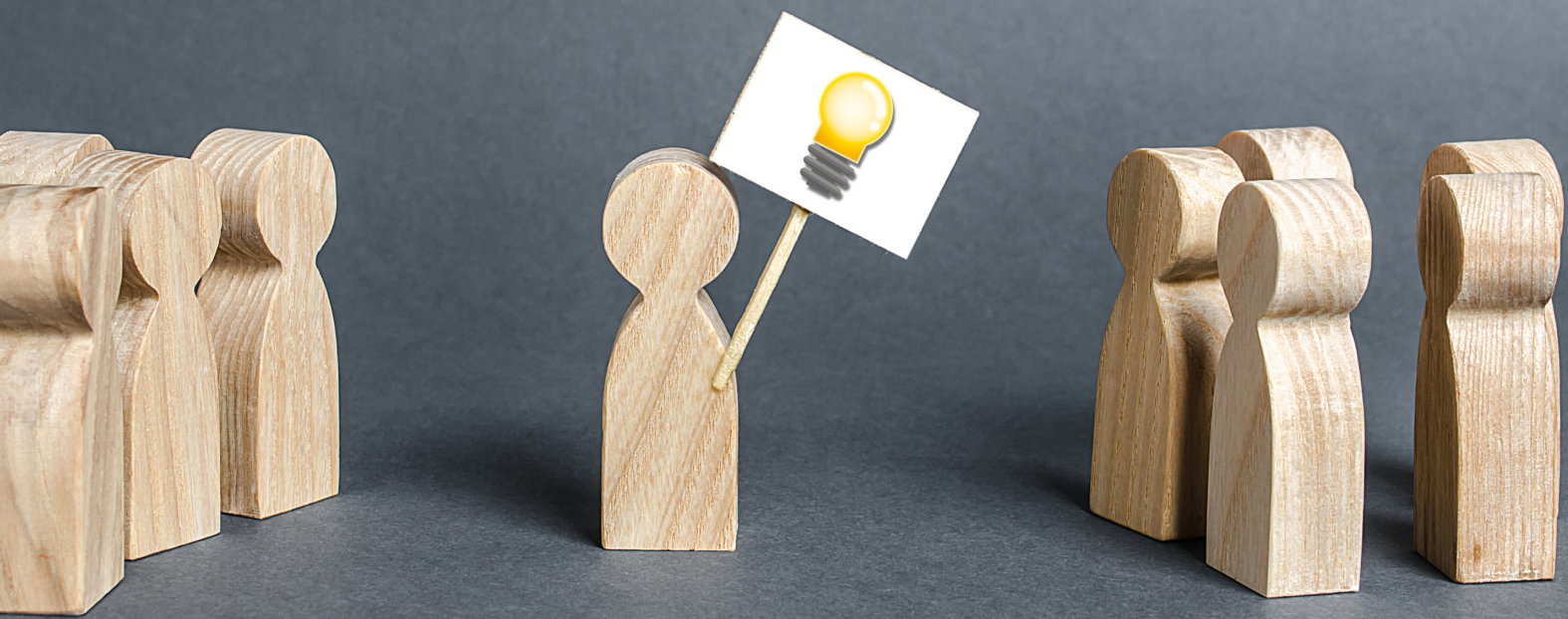
## Namibia

In its Concluding Observations to Namibia's 6th periodic report, the African Commission urged Namibia to end discrimination and stigmatisation limiting access to health care for vulnerable groups including the LGBTIQ+ community.

## Liberia

With respect to Liberia's initial periodic report, the African Commission recommended that Liberia should ensure equal rights to all its citizens without discrimination on the basis of their sexual orientation or gender identity and urged the state to apply appropriate laws prohibiting and punishing all forms of violence including those targeting persons based on their real or imputed sexual orientation or gender identity.





## Implementation

States must adopt legislative, administrative, judicial and policy measures to give effect to the rights guaranteed to LGBTIQ+ people in international law and in the African human rights system, and fulfil their accompanying State obligations.

States must cooperate with relevant global and regional human rights mechanisms. Cooperation includes making timely and accurate submissions to the UPR mechanism, the Independent Expert and the African Commission, implementing the recommendations of those bodies, and giving effect to the resolutions of those bodies.

Civil society and advocacy groups should consider using global and regional instruments, resolutions and mechanisms in their advocacy and lobbying efforts.

States and advocacy groups should disseminate this Guide, or similar resources, widely to inform the public of the rights guaranteed to LGBTIQ+ people. LGBTIQ+ people should be prioritised in these efforts, as well as relevant State functionaries and office bearers.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood

*Article 1 of the  
Universal Declaration  
of Human Rights*





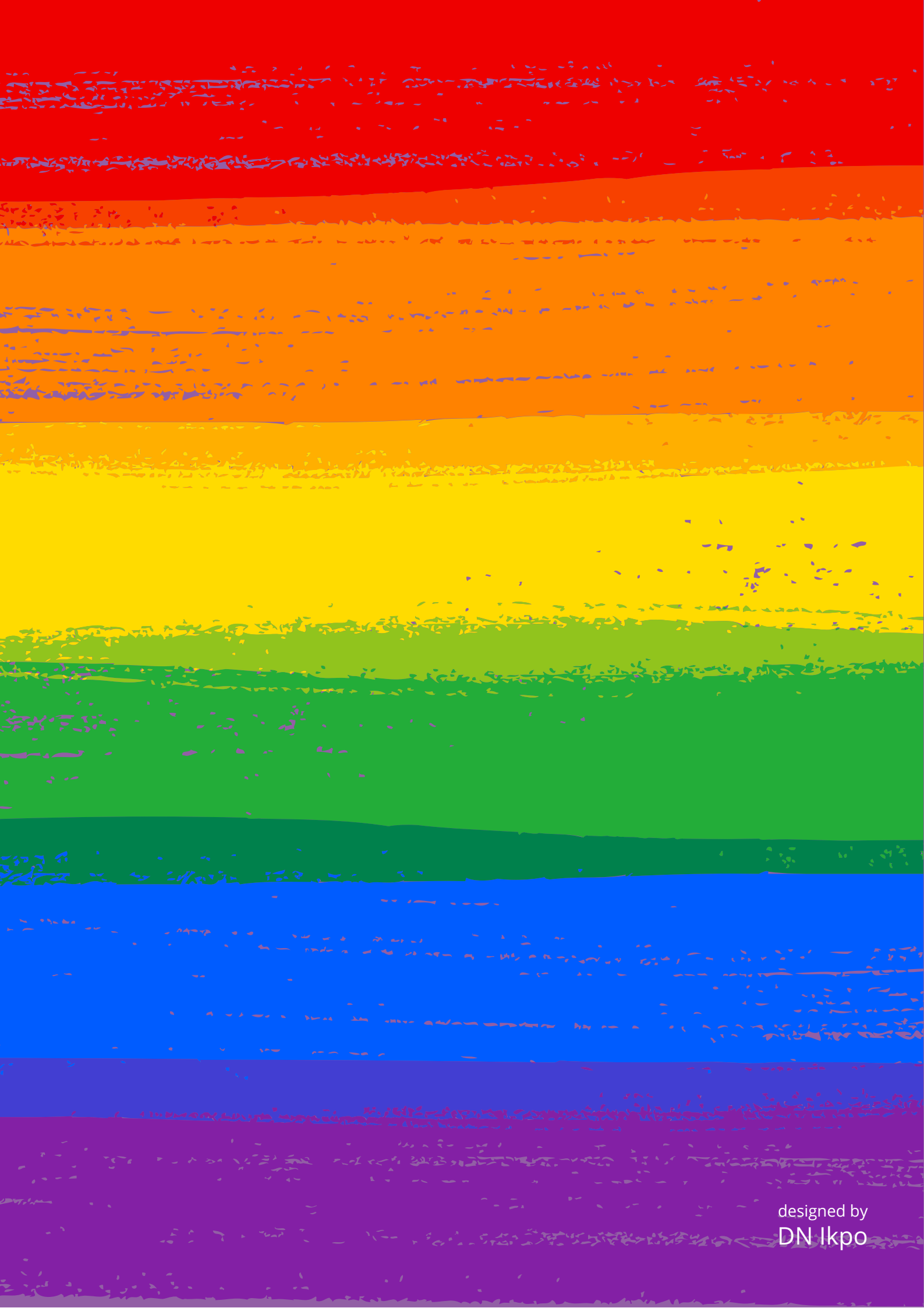
LESBIAN + GAYS  
AGAINST  
APARTHEID

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GAY PRIDE

Photo from Johannesburg Gay Pride 1990, courtesy GALA Queer Archive



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DN Ikpo