



# **The Violations of the Rights of Lesbian, Gay, Bisexual and Transgender Persons in RWANDA**

## **A Shadow Report**

Submitted to the Human Rights Committee by:

Coalition of African Lesbians

Global Rights

Horizon Community Association

International Gay and Lesbian Human Rights Commission (IGLHRC)

International Human Rights Clinic, Human Rights Program, Harvard Law School

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## INTRODUCTION

This shadow report is a collaborative effort created and submitted by Global Rights, the International Gay and Lesbian Human Rights Commission, the Coalition of African Lesbians, the International Human Rights Clinic, and the Human Rights Program at Harvard Law School. It is also based on previous research and work done by the University of Virginia School of Law.<sup>1</sup> This report offers an evaluation of Rwanda's compliance with the International Covenant on Civil and Political Rights (ICCPR), particularly in regard to the protection of LGBT persons in Rwanda.

Rwanda ratified the ICCPR on April 16, 1975<sup>2</sup>; however, in violation of its duty under Article 40 to present state reports, Rwanda's third report, due in 1992, has still not been submitted.<sup>3</sup> While some delay is, unfortunately, common to states reporting under international agreements, Rwanda's extreme disregard of its obligation under the Covenant has led the Human Rights Committee to specifically request that Rwanda provide basic information on the implementation of the Covenant and explain major gaps

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<sup>1</sup> This report was drafted by Sheila Myung ('09 HLS), under the supervision of Mindy Jane Roseman (J.D., Ph.D. HLS), based on a previous first draft from Natalie Blazer ('08 UVA), Katherine Monahan ('07 UVA), Erin Stieber ('07 UVA), under the supervision of Prof. Deena Hurwitz (UVA); special thanks to Stefano Fabeni (J.D., LL.M.), Director of the LGBT Initiative of Global Rights; Naome Ruzindana, Viktor Mukasa, Zaharadeen Gambo, Fikile Vilakasi and Cary Johnson, Executive Director for the International Gay and Lesbian Human Rights Commission.

<sup>2</sup> Rwanda acceded to the ICCPR on April 16, 1975. See *Ratifications and Reservations, International Covenant on Civil and Political Rights New York, 16 December 1966*, Office of the United Nations High Commissioner for Human Rights, at <http://www.ohchr.org/english/countries/ratification/4.htm> (Dec. 6, 2006).

<sup>3</sup> Article 40 reads, "[t]he States Parties to the present Covenant undertake to submit reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made in the enjoyment of those rights: (a) Within one year of the entry into force of the present Covenant for the States Parties concerned; (b) Thereafter whenever the Committee so requests." International Covenant on Civil and Political Rights, G.A. res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, *entered into force* Mar. 23, 1976 [hereinafter ICCPR].

in human rights protections.<sup>4</sup> The lack of protection for the rights of individuals in Rwanda based on their sexual orientation or gender identity is of the utmost concern.

On March 16<sup>th</sup> –April 3<sup>rd</sup>, 2009, Rwanda will stand before the Human Rights Committee for consideration of its compliance with the Covenant. Non-governmental organizations may submit shadow reports to serve as an additional source of information for United Nations committee members.

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<sup>4</sup> *List of issues to be taken up in the absence of the third regular report of the Republic of Rwanda, expected on 10 April 1992, Constitutional and legal framework within which the Covenant is implemented, right to an effective remedy and action to combat impunity* (art. 2), CCPR/C/RWA/Q/3, Human Rights Committee, Eighty-Eighth Session, at [http://www.unhcr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/f4de85cdb79a55d0c125724a0034f0c5/\\$FILE/G0645733.pdf](http://www.unhcr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/f4de85cdb79a55d0c125724a0034f0c5/$FILE/G0645733.pdf) (Nov. 22, 2006) [*hereinafter* List of Issues].

## EXECUTIVE SUMMARY

Article 16 of Rwanda’s Constitution protects equality under the law and prohibits discrimination on the basis of “race, color, origin, ethnic background, clan, sex, opinion, religion, or social status.”<sup>5</sup> However, there is no provision in the law explicitly prohibiting discrimination on the basis of sexual orientation or gender identity, and LGBT persons are effectively prohibited access to any legal recourse for discrimination that they face.

There are currently no laws that criminalize sodomy or homosexual acts or conduct. Additionally, we are pleased to see that previously proposed amendments to Rwanda’s Penal Code criminalizing sexual conduct between individuals of the same sex have been dropped. However, newly proposed amendments include Article 191, which would criminalize persons who “encourage or sensitize people to same-sex sexual relations or practice.”<sup>6</sup> This article, if passed into law, would violate a number of provisions under the ICCPR.

Legislative activity in Rwanda within the last several years has failed to move toward greater compliance with ICCPR mandates protecting the rights of individuals regardless of their sexual orientation or gender identity. Rather, these recent amendment proposals have demonstrated a lack of commitment to the protection of LGBT individuals and communities, and furthermore, a disregard for the state’s duty to protect and prevent ICCPR violations.

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<sup>5</sup> Article 16, Constitution of Rwanda, 30 May 1991.

<sup>6</sup> Draft law governing the Penal Code, Article 191, version of 2008, aiming at replacing the Revised Decree-Law n° 21/77 of 18 August 1977 governing the Penal Code.

Beyond legislative activity, Rwanda is generally not accepting of LGBT persons. Continued and widespread reports indicate social stigmatization and hostility toward LGBT individuals. On February 24, 2007, the Archbishop of the local Episcopal Church declared the act of homosexuality “moral genocide.”<sup>7</sup> The anti-gay views espoused by many of Rwanda’s religious leaders are particularly distressing due to the significant role of religion in Rwandan society, and the influence that these leaders may have on family and social life.

In the fall of 2007, Kigali police carried out at least two instances of arbitrary arrest and illegal detention in violation of Article 9’s protections of the right to liberty and security. In both instances, the police arrested individuals for allegedly being homosexuals (even though there is no provision under Rwandan law that outlaws homosexuality) and detained them anywhere from several days to three months without access to counsel or to a court.

State officials have also violated Article 7’s protection to freedom from torture and cruel, inhuman and degrading treatment. In 2003, a transvestite was reportedly severely beaten by police and abused by soldiers who threatened to kill her. Recently, a man seeking to report a case of torture to the police was instead abused and raped. Violations are rarely reported, due to the likelihood of stigmatization and intolerance, and, yet, the few instances when violations are officially reported are a cause for serious concern.

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<sup>7</sup> Gasheegu Muramila, *Rwanda: Homosexuality Moral Genocide, Says Kolini*, The New Times, at <http://allafrica.com/stories/200702260968.html> (Feb. 24, 2007).

## SUBSTANTIVE VIOLATIONS OF THE CONVENTION

### **Article 2(1) and 26 (Non-Discrimination)**

The principle of non-discrimination underpins the protection of individuals under the ICCPR, regardless of their sexual orientation or gender identity. Under Article 2(1), state parties are required to “undertake to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, *without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property birth or other status*”<sup>8</sup> (emphasis added). The Human Rights Committee expands protection under Article 2(1) in General Comment 31 to say that state parties could also be held accountable for violations of ICCPR rights perpetrated by non-state actors if the state has failed to take measures to protect individuals from these violations.<sup>9</sup>

Article 26 states that “all persons are equal before the law and are entitled without any discrimination to the equal protection of the law.” It also requires the law to prohibit discrimination and guarantee “equal and effective protection against discrimination” on any protected ground, including race, colour, sex, language, religion, political opinion, national origin, property, birth or other status.<sup>10</sup>

In the case of *Toonen v. Australia*,<sup>11</sup> the Human Rights Committee held that “the reference to ‘sex’ in Articles 2, paragraph 1, and 26 is to be taken as including sexual

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<sup>8</sup> ICCPR *supra* note 3, at Article 2(1).

<sup>9</sup> General Comment 31 to Article 2 of the ICCPR.

<sup>10</sup> ICCPR, *supra* note 3 at Article 26.

<sup>11</sup> *Toonen v. Australia*, Communication no. 488/1992, U.N. Doc. No. CCPR/C/50/D/488/1992 (1994).

orientation.”<sup>12</sup> However, in direct contravention of the broad protection required by the non-discrimination regime of Articles 2(1) and 26, policies, practices, and legislation in Rwanda have been used to discriminate against LGBT persons.

### Discrimination in Proposed Legislation

In violation of Article 26, Rwanda does not maintain any law that expressly prohibits discrimination on the basis of sexual orientation or gender identity, nor does it positively guarantee substantive equality to LGBT persons based on sexual orientation or gender identity. In fact, within the last two years, the government has considered enacting a new provision into the Rwandan penal code that would penalize homosexual conduct.<sup>13</sup> In the recent 2008 draft penal code, the provision penalizing sexual conduct between individuals of the same sex has been dropped. However, Article 191, if implemented, would criminalize behavior that encourages and sensitizes sexual intercourse between people of the same sex. The text of the draft provision states: “Any person who encourages or sensitizes people of the same sex, to sexual relations or any sexual practice, shall be liable for a term of imprisonment ranging from five to ten years, and a fine ranging from fifty thousand to five hundred thousand francs.”<sup>14</sup>

Although the proposed provision no longer technically criminalizes sexual same-sex conduct, the government has still failed to fulfil its duty under Article 26 to prohibit

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<sup>12</sup> *Id.* at para. 8.7.

<sup>13</sup> The proposed provision stated: “Without prejudice to the most severe sentences provided for in other provisions of this code, will be sentenced to six (6) months anyone who will have committed an immodest and unnatural act with a person of his/her sex or an animal” Draft law governing the Penal Code, Article 158, version of 2006, aiming at replacing the Revised Decree-Law n° 21/77 of 18 August 1977 governing the Penal Code, Rwanda Ministry of Justice, at <http://www.minijust.gov.rw/speeches.html> (Feb. 27, 2007). See also *Rwanda: New law criminalizing same-sex conduct proposed*, Pambazuka News, at <http://www.pambazuka.org/en/category/rights/39390> (Jan. 24, 2007); *New Law Criminalizing Same-Sex Conduct Proposed in Rwanda*, International Gay and Lesbian Human Rights Commission, at <http://www.iglhrc.org/site/iglhrc/section.php?id=5&detail=709> (Jan. 23, 2007).

<sup>14</sup> Article 191, *supra* note 6.

discrimination based on sexual orientation, or to guarantee protection against discrimination. Rather, by criminalizing the act of encouraging or sensitizing people to homosexual conduct, the government would effectively criminalize LGBT rights activists. In a society where homosexual conduct is already reviled and stigmatized, criminalization of LGBT rights activism could further aggravate and perpetuate pre-existing attitudes of intolerance and discrimination against LGBT persons.

In addition, although same-sex sexual conduct would no longer be explicitly outlawed under the proposed act, any individual who is involved in a same-sex relationship or who engages in same-sex sexual conduct could be accused of having “encourage[d]” or “sensitize[d]” “people of the same sex,” (i.e., each other) “to sexual relations or any sexual practice.” It is clear that enacting this provision would be a violation of the state’s duty as established by the Human Rights Committee in *Toonen v. Australia*.

#### Discrimination in Health Education and the Provision of Healthcare

Discrimination on grounds of sexual orientation and gender identity seriously impedes the ability of LGBT persons to have equal access to medical treatment and adequate health care. In one case, a lesbian woman who was a member of Horizon Community Association (HOCA), a gay and lesbian community organization, visited a hospital in Kigali for medical treatment. She encountered multiple rounds of questioning and disparate treatment based on her sexual orientation. Her doctors requested that she undress, “after which they said they just wanted to confirm my gender, that there had

always been a debate whether Rwanda has such people.”<sup>15</sup> Although she eventually received treatment, it was delayed.

The government of Rwanda encourages continued discrimination against LGBT persons by failing to properly educate citizens about the causes of HIV/AIDS, and by directly linking HIV/AIDS to homosexual conduct. The government has initiated programs with UNAIDS and other groups to provide HIV/AIDS testing and treatment, and to reduce the stigma associated with the disease. While these health education programs do inform about non-sexual means of transmission, including blood transfusions, the government has done nothing to dispel the myth that the disease is spread through “immoral” homosexual conduct.<sup>16</sup> Instead, the government has called on citizens to exercise “good morals among Rwandans to help control the HIV prevalence rate.”<sup>17</sup>

### **Article 7 (Freedom from Torture and Cruel, Inhuman and Degrading Treatment or Punishment)**

Article 7 of the ICCPR guarantees that “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.”<sup>18</sup> State action is required for a direct violation of Article 7. However, the state may also be held responsible for violations by non-state actors if it has failed to adequately protect against them.

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<sup>15</sup> Statement by Naome Ruzindana, Horizon Community Association, February 23, 2009.

<sup>16</sup> Patience Uwitonze, *Rwanda: HIV Stigma on Decline*, The New Times, at <http://allafrica.com/stories/200702160523.html> (Feb. 15, 2007).

<sup>17</sup> *Id.*

<sup>18</sup> ICCPR, *supra* note 3 at Article 7.

Violations are likely to be under-reported due to the underground nature of the LGBT community, the fear of being “out-ed” in a culture of intolerance and stigmatization, and the lack of official support and protection from violations. Even the few reported cases are serious causes for alarm, however. In 2003, newspapers reported the case of a transvestite who encountered discrimination and abusive treatment by state officials. Officials delayed the individual’s passport application for two years and scorned her as “queer.” Soldiers threatened to kill her, and she was hauled from a hotel bar by police, who “beat her to a pulp.”<sup>19</sup>

In another case, an individual who went to the police to report that he had been tortured on grounds of her sexual orientation was instead beaten and raped by police.<sup>20</sup> Due to the extreme stigmatization and harassment of the individual, he has reportedly fled the country.<sup>21</sup> These cases highlight the urgent need to fully investigate treatment of LGBT persons by state actors and potential violations of Article 7.

In General Comment 20, the Human Rights Committee extends Article 7 protections against mental, as well as physical, suffering and harm.<sup>22</sup> There are not necessarily any clear bright-line rules regarding psychological and mental harm that reach the level of torture or cruel, inhuman, and degrading treatment. However, several cases discuss potential factors to consider, including: the threat of torture, the threat of violence to family and friends, and repeated death threats.<sup>23</sup> In the case considered by the Committee in *Estrella v. Uruguay*, the threats were considered serious enough to amount

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<sup>19</sup> Declan Walsh, *The tough life of being a transvestite in gay-hating Rwanda*, The Mercury, at <http://www.themercury.co.za/index.php?fSectionId=284&fArticleId=236281> (Sept. 16, 2003).

<sup>20</sup> Ruzindana Statement, *supra* note 15.

<sup>21</sup> Naome Ruzindana Follow-up Email, Horizon Community Association, March 3, 2009.

<sup>22</sup> ICCPR General Comment No. 20, 10 Apr. 1992, at paras. 1 and 5.

<sup>23</sup> *Estrella v. Uruguay*, Communication No. 74/1980 (17 July 1980), U.N. Doc. Supp. No. 40 (A/38/40) (1983), at 150, paras. 1(6) and 8(3).

to psychological torture. Again, this highlights the need to further investigate potential violations of Article 7. It is clear that LGBT individuals suffer real mental and psychological harm, whereby it is common for them to be verbally attacked and abused by family members, friends, and even strangers. The state should more fully investigate and report on the treatment of LGBT individuals by state officials while the individuals are held in custody.

### **Article 9 (Right to Liberty and Security of Person)**

Article 9 of the ICCPR protects against arbitrary arrests and detentions and provides that “everyone has the right to liberty and security of person.”<sup>24</sup> Particularly relevant are the stipulations under Article 9 that “[n]o one shall be deprived of his liberty except on such grounds and in accordance with such procedure as established by law,”<sup>25</sup> that “[a]nyone arrested or detained on a criminal charge shall be brought promptly before a judge...and shall be entitled to trial within reasonable time or release.”<sup>26</sup>

Several reported cases illustrate the scope of violations under Article 9. In October 2007, the Kigali police arbitrarily arrested Patrick Ngoga, a member of HOCA, for allegedly being a homosexual, despite the fact that there was and there currently is no law in Rwanda penalizing homosexuality. Mr. Ngoga was unlawfully held in Kwa-Kabuga Police Post in Gikondo for several days and denied access to a lawyer.<sup>27</sup>

Another member of HOCA, Mbarute Jasonde, was arrested by Kigali police and detained for three months on inexistent charges of homosexuality. His name, address,

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<sup>24</sup> ICCPR, *supra* note 3, at Article 9, para. 1.

<sup>25</sup> *Id.*

<sup>26</sup> *Id.* at para. 3.

<sup>27</sup> Ruzindana Statement, *supra* note 15.

and picture were broadcast on TV, in newspapers and over the radio. Jasonde continues to face harassment and threats from people within his community.<sup>28</sup>

Two women en route to a leadership institute organized by the Coalition of African Lesbians were detained at the Kigali International Airport and then held in cells for two and a half weeks without any charges. Their passports are still being held by migration officers.<sup>29</sup>

In November 2006, the Human Rights Committee noted with concern that “[a]ccording to several reports, the authorities in Kigali are arresting hundreds of persons among the most vulnerable sections of the population (street children, beggars, sex workers) for “vagrancy”, keeping them in jail without any charge and submitting them to detention conditions that do not conform to articles 9 and 10 of the Covenant.”<sup>30</sup> Because reports show that some portion of the LGBT population in Rwanda falls into a class of vulnerable persons (especially with reference to sex work)<sup>31</sup> reportedly subjected to arbitrary detention, we reiterate the need for Rwanda to respond to the Committee’s inquiry.

### **Article 22 (Freedom of Association)**

Article 22 guarantees the right to freedom of association and only allows restrictions of the right to freedom of association where prescribed by law and as are necessary “in a democratic society in the interests of national security or public safety,

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<sup>28</sup> *Id.*

<sup>29</sup> *Id.*

<sup>30</sup> List of Issues, *supra* note 4, at para. 12.

<sup>31</sup> Richard Ammon, *Gay Rwanda*, Global Gayz, at <http://www.globalgayz.com/g-rwanda.html> (July 2005).

public order, the protection of health or morals or the protection of the rights or freedoms of others.”<sup>32</sup>

### Restrictions on Freedom of Association through Legislation

In 2006, the Special Representative of the UN Secretary-General on Human Rights Defenders noted with concern that a 2004 draft bill would require international nongovernmental organizations (INGOs) to register every year with local administrative departments, and would allow Rwandan authorities, “when necessary,” to investigate and audit the organization’s activities.<sup>33</sup> Such laws not only burden the operation of civil society in general, but are widely viewed as a means to discriminatorily target “undesirable” organizations. It is highly likely that this law could be used to place a particular burden on an INGO actively working for LGBT rights.

The draft provision to the Penal Code, Article 191, would criminalize the encouragement or sensitization of others to same-sex sexual conduct. In targeting LGBT activists, the law would also effectively outlaw any organizational activity and thus impede Article 22’s guarantee of freedom of association.

### The Effects of Intolerance and Stigmatization on Freedom of Association

There are very few civil society organizations working on LGBT issues in Rwanda. Societal intolerance discourages individuals from openly acknowledging their

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<sup>32</sup> ICCPR, *supra* note 3, at Article 22, paras. 1 and 2.

<sup>33</sup> *Id.* See also List of issues, *supra* note 4 at para. 16. (Requesting that Rwanda “please provide information on the progress made on the 2004 draft bill on the regulation of the activities of international non-governmental organizations working in the country, and indicate how its provisions comply with article 22 of the Covenant. Please comment on reports that lawyers are unable to work in non-governmental organizations.”)

sexual orientation or gender identity and also discourages LGBT organizations from forming. The few LGBT organizations that do exist in the country report being forced to carry out their activities in private for fear of abuse and harassment.<sup>34</sup> Environmental factors and the lack of legal protection effectively restrict the right of LGBT groups to freely associate.

### **Article 19 (Freedom of Expression) and Article 21 (Freedom of Peaceful Assembly)**

While Article 19 protects the “freedom to seek, receive and impart information and ideas of all kinds,”<sup>35</sup> the proposed draft provision to the Penal Code, Article 191, would criminalize the act of encouraging or sensitizing people to homosexual practice or conduct. Although there are some exceptions recognized under the ICCPR, they must be by law and as necessary “for the respect of rights or reputations of others,” for “national security,” “public order,” or “public health or morals.” The proposed provision does not provide for lawful infringement of Article 19 freedom of expression rights, and the enforcement of this provision would not be necessary for any public interest concern.

Article 21 of the ICCPR guarantees the “right to peaceful assembly,” only qualified by those restrictions under law and as necessary in “the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.”<sup>36</sup> Again, the right to peaceful assembly would be violated by the draft provision Article 191, which would criminalize the peaceful assembly of individual citizens if it served to “encourage” or “sensitize” people

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<sup>34</sup> Joyce Mulama, *Longue lutte pour une justice pour les homosexuels*, Forum Social Mondial, at <http://ipsinternational.org/fr/note.asp?idnews=3469> (Jan. 24, 2007).

<sup>35</sup> ICCPR, *supra* note 3, at Article 19, para. 2.

<sup>36</sup> *Id.* at Article 21.

to same-sex sexual conduct or relations. Such a clear and flagrant violation of the protections guaranteed under the ICCPR are not justified under the law or by any necessary rationale of public interest.

### **Article 23 (Right to Family Life)**

Marriage and children are given fundamental importance in Rwandan society. However, due to severe stigmatization and hostility, LGBT persons in Rwanda have difficulty even cohabiting as partners. Without supportive environments, many LGBT persons struggle to stay in or to maintain long-term monogamous relationships.<sup>37</sup> Furthermore, the fear of being discovered and rejected by their families and society leads many LGBT individuals to enter into unfulfilling heterosexual relationships.<sup>38</sup>

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<sup>37</sup> Ammon, *supra* note 30.

<sup>38</sup> Jean-Luc, *Rwandan Gay and Lesbian People are Short-Changed due to a Repressive Environment*, The Mask, at <http://www.mask.org.za/article.php?cat=&id=467> (June 27, 2005).

## CONCLUDING NOTES

In violation of ICCPR Articles 2(1), 7, 9, 19, 21, 22, 23 and 26, the practices and policies herein described deprive Rwanda's lesbian, gay, bisexual, and transgendered citizens of a range of rights, including the right to be free from discrimination based on their sexual orientation or status; the right to be free from cruel and degrading treatment or punishment; the right to liberty and security of their person; the right to associate freely; and the right to freedom of expression; the right to peaceful assembly.

The Rwandan government continues its refusal to enact legislation protecting the rights of LGBT individuals, or to amend or repeal offending policies and legislation in violation of the Covenant. This, along with the recent indications that the government is likely to take steps that further disenfranchise and violate the rights of LGBT individuals, indicates a clear and continuing refusal of the Rwandan government to fulfill its obligations under the ICCPR.

In particular, the most recent draft Penal Code included provisional Article 191, which would criminalize the act of "encourag[ing]" or "sensitiz[ing]" people to same-sex sexual relations or practice. If this provision is enacted into law, it would violate a number of protected rights under the ICCPR and would potentially criminalize a wide range of activity that could loosely be defined as "encouragement" or "sensitization."

## RECOMMENDATIONS

### **The Rwandan Government should:**

1. Drop Article 191 in the proposed Draft Penal Code criminalizing the encouragement and sensitization of people to same-sex sexual conduct.
2. Enact legislation to outlaw discrimination based on sexual orientation and gender identity.
3. Adopt legislation to counteract hate crimes and other violence against LGBT persons and to provide them with legal redress in the case of discrimination or abuse, even (and particularly) when committed by state actors.
4. Investigate and prosecute officers responsible for the 2007 arbitrary detentions of Patrick Ngoga and Mbarute Jasonde.
5. Amend the 2004 draft bill to eliminate the requirement of INGOs to register with local authorities and to reduce the power of the government to “investigate” activities.
6. Provide equality and human rights training for teachers and staff in schools, governmental officials at all levels, and law enforcement officers.
7. Conduct community outreach workshops to address longstanding and prevailing social and cultural beliefs and attitudes towards LGBT persons.

## PROPOSED QUESTIONS FOR THE GOVERNMENT OF RWANDA

1. Why has the government proposed to amend the Rwandan penal code to criminalize anyone who encourages or sensitizes people to homosexual conduct in violation of Rwanda’s obligations under the Covenant? What does the government intend to do to drop the discriminatory provision from the draft code?
2. What measures are being taken to address the specific instances of abuse and the violations described in this report as well as the general measures being taken to fight stigma and *de facto* discrimination against LGBT individuals?
3. What steps are being taken to ensure equal access for LGBT persons to HIV/AIDS awareness, testing, and treatment programs, and to accurately educate Rwandan citizens about the sexual transmission of HIV/AIDS?