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Sexuality, Poverty and Politics in Rwanda

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Abbreviations

AHB	Anti-Homosexuality Bill
AIMR	Association Ihorere Munyarwanda Rwanda
CBO	Community-Based Organisation
CSO	Civil Society Organisation
DFID	Department for International Development
DHS	Demographic Health Survey
EAC	East African Community
EDPRS	Economic Development and Poverty Reduction Strategy
EICV	Integrated Household Living Conditions Surveys (translated from French)
EU	European Union
FSW	female sex worker
GBV	gender-based violence
HDI	Health Development Initiative
HIV	Human Immunodeficiency Virus
HOCA	Horizon Community Association
HRAPF	Human Rights Awareness and Promotion Forum
HRW	Human Rights Watch
ICAP	International Centre for AIDS Care and Treatment Programmes
IDAHOT	International Day Against Homophobia and Transphobia
IGLHRC	International Gay and Lesbian Human Rights Commission
INGO	International Non-Governmental Organisation
LGBT	lesbian, gay, bisexual and transgender
LGBTI	lesbian, gay, bisexual, transgender and intersex
MDG	Millennium Development Goal
MSM	men who have sex with men
NGO	non-governmental organisation
NSP	National Strategic Plan
PRSP	Poverty Reduction Strategy Paper
PWD	people with disabilities
RPF	Rwandan Patriotic Front
Sida	Swedish International Development Agency
SOGIE	sexual orientation and gender identity and expression
SRHR	sexual and reproductive health and rights
UN	United Nations
UN-ECOSOC	United Nations Economic and Social Council
UNICEF	United Nations Children's Fund
USAID	United States Agency for International Development
VUP	Vision Umurenge Programme

Executive summary

Background

Recent legislative developments in Africa have focused international attention on the legal status of lesbian, gay, bisexual and transgender (LGBT) people in the continent. Attempts by various African governments to revise or introduce new legislation on same-sex sexual conduct and marriage, and the response of the international community, has sparked extensive coverage of the associated political, social and cultural controversies.

Away from the headlines are several African countries that have never criminalised same-sex sexual conduct and that are outliers to the apparent 'trend' of homophobia and of discriminatory legislation in the continent.¹ One of these is Rwanda. Compared with the situation in neighbouring countries, state-sponsored homophobia appears negligible in Rwanda, and violent attacks are minimal. Despite negative reports of Rwanda's human rights record in areas such as civil and political rights, when it comes to sexual orientation and gender identity, human rights observers consistently report that there is no need for concern.² In the international arena, Rwanda has emerged as an unlikely champion for LGBT rights, and domestically has designated sexual orientation as a 'private matter'.

This study explores Rwanda's *relatively* progressive position on LGBT-related issues and its implications for Rwandan civil society. It examines the strategies employed by national as well as international actors to advance LGBT rights and to address social and economic marginalisation. By selecting a country that is not known as one of the 'worst offenders' when it comes to LGBT rights, this study also seeks to challenge assumptions about the uniformity of the 'African experience' and to enhance understanding of the nuance and diversity that exists both within and between countries on the continent.

Rationale and focus

This study is part of a series of country case studies looking at the linkages between sexuality and poverty. Rwanda was selected for this study because of its regional distinctiveness in three key ways: the absence of discriminatory laws and policies on same-sex sexual conduct; its achievements in poverty reduction and economic growth; and its emphasis on national unity and inclusivity.

The study addresses the following three themes:

1. how stigma related to sexual orientation and gender identity contributes to the social and economic marginalisation of LGBT people in Rwanda;
2. the strategies employed by civil society organisations to address this kind of social and economic marginalisation;
3. the scope for joint working between civil society, development agencies and the Government of Rwanda to address such marginalisation.

¹ For example, see <http://news.nationalgeographic.com/news/2014/02/140228-uganda-anti-gay-law-smug-homophobia-africa-world/> and Downie (2014).

² The Department for International Development's (DFID's) human rights assessment in *Rwanda Operational Plan* (2013 update) and the US State Department's *Rwanda 2013 Human Rights Report* both report significant concern around civil and political rights but not in relation to LGBT rights. An EU 'non-paper' reported that LGBT organisations 'do not have any complaints'.

Methodology

This case study is a product of collaboration between IDS and the Centre for Human Rights Rwanda. The study was conducted in Rwanda during May and June 2014 in the capital city Kigali and the eastern border town of Rubavu. A multi-method approach was employed, combining informal consultations and semi-structured interviews with participant observation. In addition, data are drawn from a two-day capacity-building workshop that the authors designed and facilitated in consultation with local partners.

Findings

This study emphasises how efforts by actors working to advance LGBT rights are shaped not only by intense social stigma but also by the ‘unique’ political space created by the post-genocide environment and by the incentives and priorities of the ruling party, the Rwandan Patriotic Front, under the leadership of President Paul Kagame. It demonstrates that, although still nascent, civil society activism in this area has nonetheless made a number of significant advances and that these have been achieved through ‘insider’ knowledge of the opportunities and format of political and community-level engagement.

Recommendations

The study recommends that civil society organisations continue to expand their platform by engaging stakeholders working on politically ‘approved’ agendas and argues that international actors can play a key role in supporting these efforts if they are prepared to recognise the value of ‘insider’ knowledge and forgo their own visibility.

1. Recommendations for international allies in Rwanda
 - Consider framing LGBT issues in terms of inclusion and non-discrimination rather than individualised human rights and freedoms.
 - Recognise that the pace of change in relation to LGBT rights in Rwanda is likely to be slow and that change will be incremental.
 - Create opportunities to include marginalised voices within existing forums and policy spaces.
 - Develop capacity within donor organisations to recognise and address LGBT-related issues in priority areas such as health, education and social protection.
 - Coordinate efforts with other development partners and local allies.
2. Recommendations for Rwandan LGBT civil society groups
 - Prioritise basic data collection, analysis and dissemination: the paucity of data on LGBT populations in Rwanda is hampering local efforts to address discrimination and economic and social marginalisation.
 - Focus efforts on building the capacity of the Isange coalition to act as a national platform for coordinating advocacy efforts.
 - Develop an approach that emphasises the strengths of community-level organising, not the weaknesses.
 - Continue to expand networks to include women’s forums and non-governmental organisations (NGOs) working on men and masculinities and on sexual and reproductive health and rights.
 - Be clear about the priorities and agenda so that you can start to set the agenda rather than simply seeking funding.
 - Move from individualised activism to establishing organisational structures.
 - Avoid duplication of action by using the Isange coalition as a platform for division of labour and information-sharing.

1 Introduction

Recent legislative developments in Africa have focused international attention on the legal status of lesbian, gay, bisexual and transgender (LGBT) people in the continent. Attempts by various African governments to revise or introduce new legislation on same-sex sexual conduct and marriage, and the response of the international community, has sparked extensive coverage of the associated political, social and cultural controversies.

Away from the headlines, however, are several African countries that have never criminalised same-sex sexual conduct and that are outliers to the apparent ‘trend’ of homophobia and of discriminatory legislation in the continent.³ One of these is Rwanda. Relative to the situation in other countries in the region – notably Uganda, with which Rwanda shares a border – state-sponsored homophobia appears negligible in Rwanda, and violent attacks are minimal. Despite negative reports of Rwanda’s human rights record in areas such as civil and political rights, when it comes to sexual orientation and gender identity, human rights observers consistently report that there is no need for concern.⁴ In the international arena, Rwanda has emerged as an unlikely champion for LGBT rights, with its Deputy Representative to the United Nations making a compelling case for LGBT before the Security Council in 2013.⁵ In 2010, Rwanda was the only East African nation not to oppose a Resolution of the United Nations Economic and Social Council (UN-ECOSOC) to grant consultative status to the non-governmental organisation (NGO), International Gay and Lesbian Human Rights Commission (IGLHRC). Domestically, sexual orientation has been designated a ‘private matter’ and senior politicians have consistently deflected attempts to be drawn on the issue. When asked about Rwanda’s position on homosexuality, at a meeting in London in 2009, President Paul Kagame responded:

On the issue of homosexuals... We have laws already in place that cater for existence and co-existence of different categories and create harmony in society and, I think it looks like we are headed towards leaving it like that, rather than heightening tensions and bringing out unnecessary conflicts and debates that will not help the rebuilding of our country.⁶

Similarly, in 2009, responding to a question about homosexuality at a press conference in Kigali, the president of the Rwandan Senate urged caution: ‘If you want peace, leave those matters. Ask other questions’.⁷

What explains this *relatively* progressive position and what are its implications for Rwandan civil society groups working on LGBT-related issues? Given the public and transnational nature of the debate in and about neighbouring countries, why is Rwanda conspicuously silent on the issue – i.e. actively avoiding the issue when other countries appear to have deliberately chosen to play it up? Evidence suggests that Rwanda’s silence is not an indication of a supportive sociocultural environment for LGBT rights. Homophobia and transphobia remain real within Rwandan society, as is the perception that homosexuality is a corrupting ‘Western’ import and not a Rwandan concern. Furthermore, the Rwandan government’s position on LGBT rights also seems at odds with its stance and record on

³ For example, see <http://news.nationalgeographic.com/news/2014/02/140228-uganda-anti-gay-law-smug-homophobia-africa-world> and Downie (2014).

⁴ The Department for International Development’s (DFID’s) human rights assessment in *Rwanda Operational Plan* (2013 update) and the US State Department’s *Rwanda 2013 Human Rights Report* both report significant concern around civil and political rights but not in relation to LGBT rights. An EU ‘non-paper’ reported that LGBT organisations ‘do not have any complaints’.

⁵ See https://docs.google.com/file/d/0B51ajopQOq_Va0k0OEZOZTFyZk0/edit?pli=1.

⁶ Comments of the President on the ‘Private Equity in Africa’ summit, held in London in November 2009. Source: www.paulkagame.com/blog6.php.

⁷ Interview with Edmund Kagire, journalist at *The East African*, a regional newspaper.

various other areas of human rights which have been held up for particular criticism by international human rights advocacy groups.

This study explores Rwanda's strategic silence around LGBT rights and how this has shaped opportunities for civil society engagement on this agenda. It focuses on the strategies employed by national as well as international actors to work within the formal and informal perimeters for what is deemed acceptable in relation to advancing LGBT rights, but also their efforts to test and, where possible, expand these perimeters.

It emphasises how such efforts are shaped not only by intense social stigma but also by the 'unique' political space created by the post-genocide environment and by the incentives and priorities of the ruling party, the Rwandan Patriotic Front, under the leadership of President Paul Kagame (Beswick 2010). It demonstrates that, although still nascent, civil society activism in this area has nonetheless made a number of significant advances and that these have been achieved through 'insider' knowledge of the opportunities and format of political and community-level engagement. It recommends that civil society organisations (CSOs) continue to expand their platform by engaging stakeholders working on politically 'approved' agendas and argues that international actors can play a key role in supporting these efforts if they are prepared to recognise the value of 'insider' knowledge and forgo their own visibility.

1.1 Rationale and focus

This study is part of a series of country case studies conducted under the Sexuality, Poverty and Law Programme at the Institute of Development Studies. The series seeks to build a stronger evidence base on the links between sexuality and poverty, to inform policy and programming and to address social and economic marginalisation. Rwanda was selected for this study because of its regional distinctiveness in three key ways: the absence of discriminatory laws and policies on same-sex sexual conduct; its achievements in poverty reduction and economic growth; and its emphasis on national unity and inclusivity. As highlighted above, when it comes to LGBT rights in Africa, international attention has tended to focus on criminalisation and a handful of the 'worst offender' countries. This has meant that the conditions for LGBT people in countries where the situation is less bad, or where laws and policies are not discriminatory or are not enforced, remain little understood. The present study seeks to address this imbalance and in so doing to challenge assumptions about the uniformity of the 'African experience' and to enhance understanding of the nuance and diversity that exists both within and between countries on the continent. We also hope to offer contextually grounded insights for addressing the social and economic marginalisation of LGBT people in Rwanda and elsewhere.

The methodology outlined below was designed to gather evidence on the following three areas:

1. how stigma related to sexual orientation and gender identity contributes to the social and economic marginalisation of LGBT people in Rwanda;
2. the strategies employed by civil society organisations to address this kind of social and economic marginalisation;
3. the scope for joint working between civil society, development agencies and the Government of Rwanda to address such marginalisation.

In doing so, this study addresses the following overarching question:

What is the most appropriate form of action to safeguard the broadly inclusive legal and policy framework in Rwanda and to advance existing advocacy efforts to address social stigma and economic marginalisation on the basis of sexual orientation and gender identity?

Report format: Section 2 outlines the methodological approach taken for this study, the ethical considerations that arose and the safeguards that were put in place to address them. Section 3 gives the contextual background to the study with a general overview of Rwanda's situation with regard to poverty reduction and other development indicators; the existing evidence on the links between poverty and sexuality; the legal and policy context in relation to sexual orientation and gender identity; and the role of civil society. Section 4 presents the key findings, broadly grouped under seven thematic areas: the role of the Rwandan government; the impact of social stigma; the evolution of civil society advocacy; strategies adopted by CSOs; engagement of international actors; the rights agenda; and the scope for joint working. The final sections contain concluding comments followed by a summary of recommendations.

2 Methodology

This case study is a product of collaboration between an IDS researcher based in the expatriate community in Kigali and a Rwandan consultant and co-founder of the Centre for Human Rights Rwanda. Both authors were living and working in Kigali, affording unique access to both local civil society networks and expatriate staff based in donor agencies, embassies and international non-governmental organisations (INGOs). The study was conducted in Rwanda during May and June 2014 in the capital city Kigali and the eastern border town of Rubavu, where CSOs focusing on LGBT-related issues are based. To enable the flexibility to capitalise on existing networks and to respond to developments and opportunities as they arose, a multi-method approach was adopted. This approach combined informal consultations and semi-structured interviews with participant observation. In addition, a two-day capacity-building workshop was designed and facilitated by the authors, in response to consultations that took place in the planning phase. Each of these areas is outlined in detail below.

2.1 Informal discussions

During the course of the study, more than 40 informal discussions were held with members of Rwandan CSOs and expatriate staff working in embassies, donor agencies and as national consultants. With regard to the CSOs, there were informal discussions held with members of eight community-based organisations that described themselves as working on issues concerning people who were lesbian, gay, bisexual, transgender and intersex/men who have sex with men (LGBTI/MSM). Seven of these organisations are based in Kigali and one in Rubavu. Of the eight community-based organisations, two work exclusively with MSM; one with sex workers and LGBT/MSM; one with MSM and women; one with LGBT Christians; one with youth; and one with women, including LBT women. The main areas of activity across the organisations were: advocacy; HIV and sexual reproductive health and rights (SRHR) education and support; peer mentoring; business skills, entrepreneurship and livelihoods; community dialogue including dialogue with faith leaders; training and sensitisation. No examples were given of advocacy work around intersex rights, but some organisation leaders maintained that they provided informal support to intersex members in the community. Informal discussions also took place with staff members of Rwandan NGOs working on areas such as the empowerment of women and girls; gender-based violence (GBV); and men and masculinities. A Rwandan journalist and a youth radio producer also contributed to the study on an informal basis. Members of the expatriate community with whom discussions were held included embassy staff with responsibility for human rights issues, staff of the UK's Department for International Development's (DFID's) Rwanda office responsible for human rights issues, and United Nations Children's Fund (UNICEF) staff. There were also discussions with members of the joint Nike Foundation/DFID initiative, Girl Hub Rwanda, and with national consultants.

All individuals were made aware of the nature and purpose of the study, but not all of the discussions took place as a response to a formal request for participation. Notes were taken for all discussions but where participation was not requested, comments are not directly referenced and the organisations and/or the individuals are kept anonymous.

A number of informal discussions during the course of the study raised important questions that are only touched upon in this report. Attendance at an event convened by a visiting American pastor working to advance acceptance of LGBTI persons within the Christian community in Rwanda raised the issue of LGBT members of faith communities, and the role of international alliances in brokering dialogues on this matter. Although the pastor and the Rwanda community-based organisation involved were keen for the issue to be explored in depth in this report, constraints on space mean that it has not been possible. Similarly, informal conversations with non-activist gay men from the Rwandan middle class raised

important questions about class and privilege and the relationship between economic status and the experience of social stigma and discrimination. As this study sought to understand community-level responses and advocacy efforts to address stigma related to sexual orientation or gender identity, these discussions are only touched upon in this report.

2.2 Participant observation

During the course of this study, the authors attended eight public events, both as guests and as active participants, which had LGBT or gender-related themes. These were among several scheduled events that were taking place anyway, in addition to the workshop organised as part of the study. The scheduled events included the forming of a new coalition of LGBT organisations; partnership developments with an American Christian fellowship; events to commemorate the International Day Against Homophobia and Transphobia (IDAHOT); the establishment of a new LBT women's organisation; a women and girls' empowerment celebration event; a GBV conference; and a strategic planning workshop. For each of the events that the authors attended, detailed notes were taken and debriefing sessions were held. Constraints on time meant that the authors were unable to participate in or observe events taking place in rural areas, a factor that further contributes to the urban bias both in the activities of CSOs and NGOs in Rwanda, and in the data collection and research conducted in this field more broadly.⁸

It is worth noting that the timing of the study meant it coincided with events such as the commemoration of IDAHOT and Pride Month, and LGBT issues were therefore receiving disproportionate media coverage and public attention during this period. While the methodology sought to capture a comprehensive snapshot of activities relating to LGBT advocacy in Rwanda, the period covered should not be regarded as representative of the norm in terms of volume of activities.

2.2.1 Capacity-building workshop

One of the main aims of this study was to provide an accurate picture of current strategies employed by CSOs working on LGBT-related issues in Rwanda. During the planning of this study, it became clear that one of the key challenges facing community-based organisations working on LGBT-related issues was their lack of organisational capacity. It was agreed, in consultation with organisation leaders, to hold a two-day capacity-building workshop to support members of the newly formed coalition called 'Isange' ('You are welcome') to identify collective goals and develop a mission statement. The workshop fulfilled two functions. First, it provided an opportunity for us to make a practical contribution to advancing the work of the coalition by contributing our skills and experience as trainers and facilitators. Second, it provided a more participatory context in which to gather data for the study that were grounded in the needs and experiences of civil society members.

Fourteen members from seven of the organisations attended the two-day capacity-building workshop in Kigali. The workshop was facilitated in English, French and Kinyarwanda and all discussions were written up in a workshop report, which was circulated to all participants. An additional one-day workshop was co-facilitated with the Dutch Embassy in partnership with a Ugandan consultant and focused on movement-building. Members of the diplomatic community in Kigali were invited to be present at both events, including a governance adviser from DFID and a political officer from the British High Commission. Several members of the Dutch Embassy were present during the third day. Preparatory and follow-up discussions were held with all expatriate staff who attended the workshops. Both the process of facilitating the workshop and the details outlined in the workshop report were a significant source of data for this study.

⁸ The isolation experienced by people living in rural areas who are LGBT or are marginalised because of their sexual and gender non-conformity was consistently raised as a problem, and an issue that warranted further attention.

2.3 Semi-structured interviews

Semi-structured interviews were carried out with leaders of two national NGOs that work directly with LGBTI associations and with the broader MSM community: the Health Development Initiative Rwanda (HDI) and Association Ihorere Munyarwanda Rwanda (AIMR). These organisations were selected for their historical ties to the LGBT community in Rwanda and their pioneering work with local advocates and the Government of Rwanda to keep LGBT issues on the government agenda. These sessions were recorded, and focused on the history of the organisations, their current projects and research, and their perspectives on the development of research and advocacy in the area of sexual orientation and gender identity in Rwanda. An interview was also conducted with the project coordinator of a national NGO focusing on youth empowerment who had recently introduced a new human rights programme for youth, with a component focusing on rights related to sexual orientation and gender identity, but the interview was not recorded.

Following the workshop, in-depth discussions were held with leaders of three of the organisations. These were selected because of their focus on livelihoods and their experience of working with community members to establish income-generating activities and to build economic self-sufficiency. In addition, informal discussions took place with members of all eight organisations at routine meetings and public events in Kigali over the period of study. As the eighth organisation, 'Rights for all Women Rwanda', was officially launched during the final weeks of the study, there was insufficient time to incorporate its work. This has led to a bias in this study towards organisations working with MSM, further contributing to the broader bias in research on LGBT advocacy on gay men and MSM.

2.4 Language

English is one of the official languages of Rwanda but is not widely spoken, with the majority of the population speaking Kinyarwanda and some French. Although there are a number of words in Kinyarwanda to describe sexual and gender identities and behaviour that sit outside of the heterosexual, cis-gender norm, they are all negative. For this reason, civil society organisations have adopted LGBT, or LGBTI,⁹ as a positive and affirming label to describe those who identify themselves as lesbian, gay, bisexual or transgender, and the label is also used by the community of people linked through informal networks across Rwanda. The English acronym MSM is commonly used in advocacy circles and health forums related to HIV, but is little known outside of these forums. An MSM mapping study highlighted the fact that many men who had sex with men were unsure how to identify themselves, with younger men tending to refer to themselves as 'gay', 'bisexual' or 'MSM'. This is an illustration both of the newness of the language of sexual identity categories in Rwanda, and of the concept of adopting a defined sexual identity based on your behaviour.

The limitations of using LGBT and MSM are well documented (for example, see Badgett *et al.* 2014; Bergenfield and Miller 2014; Gosine 2006). In Rwanda, LGBT is most commonly used when describing advocacy work that moves beyond HIV/AIDS prevention work; with this in mind, LGBT is used in this report to describe the community of people united by a sense of collective identity and purpose, and their allies. However, this approach is pragmatic and is adopted here with the recognition that it does not apply to all sections of the community, and is a strategic term adopted by organisations seeking to establish a more positive language for themselves and to engage with a wider community of national and international actors. Where organisations work explicitly with MSM, then MSM will be used in recognition that this refers to a broad category of males who identify themselves as gay, bisexual, heterosexual and of no sexual identity.

⁹ Although it is common to include the 'I' for intersex, issues relating to intersex persons were not raised during the course of the study, nor by members of the community in their work. While we recognise that some of the organisations may work with intersex persons, this work did not arise in our discussions and no reference was made to associated health or legal considerations. Therefore, we do not include 'I' in this report.

This report refers variously to civil society and civil society organisations. It uses the broad definition of civil society organisations adopted by the European Union (EU), which includes 'all forms of autonomous grouping or aggregation involving citizens, formal and informal (i.e. collective organised action) which bear a focus on social responsibility' (Costantini, Verdecchia and Rutayisire 2013: 7). The EU mapping of civil society in Rwanda identifies four levels of CSOs. This report is concerned mainly with the first two levels: community-based organisations (CBOs) and grassroots organisations; and NGOs. CBOs include multifarious groupings, mostly involved in providing 'benefits' to their members. The majority have formal membership structures, are locally registered and manage small budgets. Many lack basic capacity, including a proper office or equipment, and for this reason are generally not considered to be proper 'actors'. None of the eight LGBT advocacy organisations identified in this study is currently registered as an NGO.¹⁰ However, three have registered at district level – the first step towards obtaining legal status – while the rest have initiated their registration process. They will therefore be collectively referred to as community-based organisations (CBOs), or LGBT advocacy organisations, as part of Rwandan civil society.

The second level, NGOs, are legally recognised entities which must abide by the formal registration processes, as set out in Annexe 1. Although the 'autonomy' outlined as a key characteristic of CSOs (Costantini *et al.* 2013: 13) is highly contested, and the subject of ongoing debate in Rwanda, these categories are used here for consistency and clarity.

The third level of CSOs as identified in the mapping report, refers to the aggregation of CSOs focusing on a particular sector (Costantini *et al.* 2013: 14). In April 2014, Isange, a coalition of seven LGBT organisations, was launched. The coalition had been three years in the making and was designed to increase the strength and advocacy capabilities of the growing number of small organisations that were being set up in Rwanda. The forming of the coalition has been seen as an indication of the positive developments taking place in civil society advocacy and as providing a much-needed opportunity to work towards a more coordinated approach.

¹⁰ Certification is not automatic and can be legally denied on the following grounds: (1) non-fulfilment of the registration requirements prescribed by law; (2) convincing evidence that the organisation intends to jeopardise security, public order, health, morals or human rights. The law provides for an option to file a case challenging the decision of refusal to grant legal personality to a competent court (Intermediate Court). Although the provision for jeopardising 'morals' could be used to refuse the applications of LGBT organisations, this was not seen as a key barrier. In fact, the National Strategic Plan (NSP) on HIV/AIDS expressly encourages support for organisations protecting and promoting LGBT rights.

3 Rwanda in context

In order to offer contextually grounded insights for addressing the social and economic marginalisation of LGBT people in Rwanda, the following section gives an overview of: Rwanda's current programme of economic development, including key poverty and other development indicators; the existing data on poverty as they relate to sexual orientation and gender identity and expression (SOGIE); the relevant legal and policy context; and civil society.

3.1 From nation-building to economic development

In the 20 years since the genocide, the Rwandan government has moved from an emphasis on reconstruction, state-building and delivery of basic services to focusing on economic transformation and growth (DFID 2013a: 4). In 2000, the government adopted an ambitious plan for economic development and self-reliance, 'Vision 2020', which sets out the long-term development goal of transforming Rwanda from an agricultural economy into a knowledge-based, middle-income country by 2020 (Republic of Rwanda, Ministry of Finance and Economic Planning 2000). Vision 2020 and the Poverty Reduction Strategy Papers (PRSPs) through which it is implemented (namely PRSP-1 and the Economic Development and Poverty Reduction Strategy, EDPRS-1 and -2) are the framing documents behind the public discourse of development in Rwanda. They provide the framework not only for measuring performance against targets but also for determining nationhood and belonging. The government promotes Vision 2020 and EDPRS as a collective project, based on reconciliation and the unity of the Rwandan people. It presents them as a project in which all Rwandans have an investment and from which *all* Rwandans should benefit. For Rwanda, a post-conflict country, this has been a powerful strategy in driving its economic growth and ensuring social stability (Clark 2014).

Built into the project's implementation is the recognition that the benefits of progress are not felt equally across all sections of society. Social protection programmes under Vision 2020, for example, the Vision Umurenge Programme (VUP), recognise the need for targeted interventions to combat the adverse effects of social stigma on groups such as orphans, disabled people and those living with HIV (Ruberangeyo, Ayebare and Laminne de Bex 2011). In 2013, non-discrimination on the basis of sexual orientation was recognised for the first time in relation to access to health care (EDPRS-2).¹¹

3.2 Poverty in Rwanda

The level and pattern of poverty in Rwanda is a story of both significant achievement and significant challenges. Data from the three Integrated Household Living Conditions Surveys (EICV) conducted between 2001 and 2011 show a decrease in the proportion of people living below the poverty line from 56.7 per cent in 2005/06 to 44.9 per cent in 2010/11, and for those living in extreme poverty the proportion fell from 36 per cent to 24 per cent in the same period (National Institute of Statistics of Rwanda 2012). Data from the Demographic Health Survey (DHS) 2010 show that Rwanda is on track to achieve a number of its Millennium Development Goals (MDGs), including those for child mortality and universal primary education. The survey also identifies significant progress in maternal health, maternal mortality, vaccination rates and malaria prevalence. Rwanda exceeded its own target of 95 per cent for primary enrolment in 2012 as part of the success of the national programme of free basic education (the 9 Year Basic Education Programme).¹² Rwanda's widely lauded

¹¹ Although the acknowledgement refers only to a section on health in the context of HIV, it is seen as a huge achievement by those working in sexual rights advocacy.

¹² This programme won the Commonwealth Education Good Practice Award in 2012.

health insurance system, Mutuelle de Santé, is reported to be used by 90 per cent of the population.¹³

Alongside this progress, Rwanda continues to face a number of challenges. Although the reduction in poverty levels has been significant, the country continues to experience chronic levels of poverty and high levels of inequality (DFID 2012). Rwanda remains heavily dependent on agriculture and poverty is largely concentrated in the rural areas, with poverty levels highest among households relying on income from farming and on wages from agricultural work (73 per cent of all households) (National Institute of Statistics of Rwanda 2012). This situation is aggravated by the fact that Rwanda is the most densely populated country in Africa and there are significant pressures on land and productivity (Republic of Rwanda, Ministry of Finance and Economic Planning 2013). Other social indicators highlight the chronic rates of child malnutrition and stunting for children under two (47 per cent), and while educational enrolment and completion has increased, the quality of delivery remains problematic (DFID 2013a).

3.3 Poverty and sexuality

The growing literature on the relationship between sexuality and poverty (Jolly 2000, 2006, 2010; Oosterhoff *et al.* 2013; Hawkins *et al.* 2013) has sought to expose the links between sexuality and physical, social and economic wellbeing, as well as the failure of development actors to recognise and act on those links in their policy and programming. In Rwanda, the links between sexual orientation and gender identity and poverty are difficult to determine and almost entirely undocumented. Government data collection systems and analysis are widely acknowledged to be good but there are currently no indicators or forms of disaggregation which identify sexual orientation or gender identity used in government-led data collection processes. Since 2009, men who have sex with men (MSM) have been recognised as a 'key population' for the purposes of HIV prevention, treatment and care (Rwanda Biomedical Centre 2013; National AIDS Control Commission 2009). However, owing to a number of factors, including the social stigma attached to same-sex sexual conduct, the corresponding data collection mechanisms have still not been established.¹⁴

Insofar as data do exist, the rapid mapping of 100 MSM in Kigali by the former Aids Control Commission in 2009 indicated high levels of sex work and transactional sex; increased risk of verbal and physical abuse; and a lack of family support (Binagwaho *et al.* 2009). A pilot MSM health-care project carried out by the International Centre for AIDS Care and Treatment Programmes (ICAP) found only 5 per cent of MSM made use of¹⁵ the government health-care scheme Mutuelle de Santé (Rwanda Biomedical Centre 2014: 25), indicating widespread marginalisation of MSM from health-care services (Republic of Rwanda, Ministry of Finance and Economic Planning 2013). There is a notable absence of data on lesbians, female-to-male transgender and bisexual women, with the exception of a qualitative study carried out by Naome Ruzindana in 2010 on behalf of the Horizon Community Association (HOCA). The study illustrates the particular areas of vulnerability experienced by those who identify as LBT, including: dropping out of school due to parents' refusal to pay school fees; forced marriage to avoid bringing shame on the family; harassment from neighbours and landlords, including being evicted from homes; family estrangement or rejection; and the loss of support networks. Participants also emphasised their lack of political voice; feeling 'ignored' or rejected by the government; and the need for more effective mobilisation and engagement.

There is some indication that data collection in this area is likely to improve. The ROADS II programme funded by UNAIDS through the non-profit human development organisation FSI

¹³ Rwanda National Strategic Plan on HIV/AIDS 2013–19.

¹⁴ The *Rwanda Global AIDS Response Progress Report (GARPR) 2014* stated that there were 'no data available' for the MSM indicators.

¹⁵ Compared with 90 per cent for the population as a whole.

360 works with female sex workers (FSWs) and MSM. Implemented through the national NGO, Association Ihorere Munyarwanda Rwanda (AIMR), the programme is currently working with a cohort of 200 MSM and 800 FSWs across two provinces. In addition, a national MSM survey was planned for May 2014 by the Rwanda Biomedical Centre,¹⁶ with funding through the Health Development Initiative (HDI-Rwanda), to support the ongoing capacity building of LGBT associations including efforts to improve data collection and recording systems.¹⁷

3.4 Legal context

The gaps in data collection identified above are an indication of the relative invisibility of LGBT persons in public dialogues relating to poverty reduction and other priority areas of development in Rwanda. This lack of recognition of a distinct category of identity based on sexual orientation or gender identity is echoed in the policy and legal framework. While law prohibits same-sex or polygamous marriages,¹⁸ Rwandan legislation makes no specific reference to sexual orientation or gender identity in any area of law. From a criminal law perspective, this means that same-sex sexual conduct is permitted, as any action that is not expressly criminalised by the penal code is tacitly allowed. In 2009, a draft bill to criminalise homosexuality was initiated and discussed in parliamentary commissions as part of the revision of the penal code. This resulted in a sustained civil society campaign to oppose the bill, which was privately supported by a number of parliamentarians. Owing to the inflammatory nature of the issues, ministers were unwilling to speak out either for or against the bill, with the exception of the then Minister of Justice, Tharcisse Karugarama, who publicly stated its incompatibility with international law. Once the government's opposition to the bill was made public, it was abandoned. In addition, the crime of 'indecent exposure' contained in the previous penal code, which had been used as justification for harassing LGBT people, was removed.

The rights of LGBTI people are protected by a broad normative framework, as enshrined in the Rwandan Constitution, international conventions and treaties, and other human rights standards and instruments to which Rwanda is a party.

Nevertheless, there is no provision in the law explicitly prohibiting discrimination on the basis of sexual orientation or gender identity, and some have argued that this leaves LGBT persons effectively denied access to any legal recourse for discrimination they face.¹⁹ Legal practitioners, however, have pointed to the legal protections that exist for any form of discrimination. For example: 'There is not [sic] legal barrier to offer health services to same sex sexual activities in Rwanda, and any sort of discrimination is legally prohibited'.²⁰ So far, no case has been brought to court in Rwanda to test this provision.

Alongside the legislative framework, the National Strategic Plans (NSPs) on HIV and AIDS (2009–12 and 2013–18), launched by the Ministry of Health, identify MSM as 'key populations'. In the 2013–18 plan, this recognition is accompanied by, on the one hand, a commitment to targeted HIV prevention, care and fighting stigma and, on the other, social protection, advocacy and support to NGOs protecting and promoting their rights. The NSPs have been seen as a significant advance in efforts to secure recognition and rights for MSM and LGBT people in Rwanda by those working in this field.

¹⁶ At the time of writing, reports indicate that the start date for this study is now uncertain.

¹⁷ It is important to note that there was no indication that data collection systems were likely to expand to include any groups other than MSM and FSWs at this stage, and social stigma and lack of training among health-care workers remain a problem even in the context of HIV prevention and care within these groups.

¹⁸ Art. 169 of the First Book of the Civil Code. Marriage between one man and one woman carried out before the competent authority is the only marriage recognised by law.

¹⁹ Shadow Report Submitted to the UN Human Rights Committee by: Coalition of African Lesbians; Global Rights; Horizon Community Association; International Gay and Lesbian Human Rights Commission (IGLHRC) and the International Human Rights Clinic, Human Rights Program, Harvard Law School, March 2009.

²⁰ Rwanda National Strategic Plan on HIV/AIDS 2013–2019.

3.5 Policy context

Rwanda has a progressive policy framework, and over the past five years there have been significant efforts to revise, update and expand policy documents and strategic plans in response to improved data collection (in partnership with funding partners such as UNICEF and DFID).²¹ The language of policy and strategy documents is based on a core focus on inclusivity, recognising the need for 'inclusive' growth and development, involving 'all Rwandans'. Revised documents have emphasised the challenges presented by social stigma and the patriarchal social structures that normalise gender inequality.²² In line with Rwanda's commitment to inclusive development, stigma and social exclusion are central concepts across the policy framework. An example of the language used is: 'EDPRS-2 will focus on strategies that address the needs of all groups to realise rapid economic growth' (Republic of Rwanda, Ministry of Finance and Economic Planning 2013: 86). Great care is taken to ensure that specific groups are identified only where necessary. For example, people with disabilities were only recently recognised as a category of vulnerable persons, in response to the findings from a national survey. The section on disability and social inclusion in EDPRS-2 states:

Rwanda does not intend to leave any of its citizens behind in its development. As such, specific steps will be taken to ensure that people with disabilities (PWDs) and other disadvantaged groups are able to contribute actively to the country's development and to benefit from it.

(p.88)

Rwanda has been recognised as a leader in its commitment to gender equality and tackling GBV (Carlson and Randall 2013) and holds the highest position for the promotion of gender quality in the world (Republic of Rwanda, Ministry of Finance and Economic Planning 2013: 85). Gender equality is one of the cross-cutting issues in Vision 2020. However, while gender dialogues have included discussion of both women and men, there is still no recognition of the experiences of LGBT people, nor of the specific vulnerability to GBV that they face (Sonke Gender Justice Network 2013; Carlson and Randall 2013).

3.6 Civil society

Rwandan civil society is widely reported to be weak. Human rights assessments point to 'constraints' in political space (Foreign & Commonwealth Office 2013; UN Human Rights Council 2014b) with little meaningful engagement in policy discourse or political debate (Costantini *et al.* 2013; World Bank quoted in Beswick 2010; DFID 2013b). In addition, there is limited space for civil society organisations to adopt advocacy positions that are critical of the Government of Rwanda (Gready 2010). A report by the United Nations indicates that many civil society actors, and some government officials, perceive the role of NGOs to be one of delivering government policies (UN Human Rights Council 2014a), and opportunities for civil society to inform policymaking in Rwanda have been described as 'ad hoc' and 'personalised' (Gready 2010).

The weak role of civil society is contested and some reports suggest that the true nature of constraints are difficult for outsiders to fully understand (Beswick 2010; Gatete 2014). However, there is general consensus that although it is weak, there are a large number of civil society organisations, the majority of which are focused on service delivery. The preferred culture of civil society engagement is one of dialogue and non-confrontation, an approach rooted in the 2003 Constitution and aimed at consolidating national cohesion following the genocide in 1994. The Constitution explicitly dictates that dialogue and

²¹ These include new policies on GBV (2011), Girls' Education (2008), Early Childhood Development Policy (2011), the National Action Plan to Eliminate Worst Forms of Child Labour (2013) and the Health Sector Strategic Plan HSSP-III (2013), as well as revised and updated Gender (2010) and Family (in process) policies.

²² The National Gender Policy (2010) describes gender inequalities as 'respected social normality'.

consensus take precedence over a more competitive political pluralism. Therefore, political debate and the creation of space for civil society engagement are acceptable only within certain parameters – most notably the legal framework that prohibits genocide ideology.

According to a number of sources, the key to effective civil society engagement and participation in Rwanda is the avoidance of politically sensitive issues and adherence to the government's clearly defined development priorities as outlined in EDPRS-2. Within this framework there is some scope to develop the work of civil society beyond its current focus on service delivery (Costantini *et al.* 2013; Beswick 2010; Gready 2010).

3.6.1 LGBT-related advocacy

Between 2009 and 2014, the number of community-based organisations (CBOs) focusing on LGBT advocacy increased from one to eight. Before the establishment of the coalition Isange in 2014, the activities of the different groups were relatively uncoordinated, even though the members and leaders were well connected. Membership of groups range between 30 and 100, with variation in both the structure and the level of formality of membership processes. In June 2014 a new organisation, Rights for All Women Rwanda, was formed with the express aim of addressing the needs of lesbian, bisexual and transgender women within a broader human rights framework. The organisation was formed partly in response to the recognition within the CBOs and the coalition of the low levels of female leadership in the existing organisations.

4 Key findings

This section summarises the key findings from the study based on the methodology outlined in Section 2. The findings address the key questions and thematic areas set out in the introduction and are grouped under the following seven headings: 4.1 Rwanda's strategic silence: national, regional and international factors; 4.2 'We don't discriminate': the invisible reality of social and economic marginalisation; 4.3 The evolution of a community response: 'starting from zero'; 4.4 Strategies for managing risk: the importance of 'insider' knowledge; 4.5 'We welcome their support but not their presence': the double-edged sword of international engagement; 4.6 Looking beyond civil and political rights; 4.7 Joint working: maximising opportunities, managing risk.

4.1 Rwanda's strategic silence: national, regional and international factors

This section summarises the national, regional and international factors that were identified as shaping Rwanda's silence on LGBT rights. These factors were identified during discussions with members of Rwandan civil society and international actors based in Kigali. The summaries outline the plurality of reasons given for Rwanda's decision neither to support the LGBT rights agenda locally, nor to follow its regional neighbours and come out against it.

4.1.1 National factors

Rwanda's centralised political system, in contrast to that of its neighbours, means that President Kagame is in little need of a short-term political boost. A powerful leader with landslide victories, he has proved himself able to drive forward political agendas without the support of other party leaders, and/or public opinion. This would put him in a powerful position to support the LGBT rights agenda at home should he choose to do so, but a number of significant political reasons were put forward for why he would not.

First, the ruling party, the Rwandan Patriotic Front (RPF), has consistently maintained a pragmatic approach to public debate around identity. While it is well known that ethnic identity is not discussed publicly in Rwanda – 'we are all Rwandans' – some suggested that this strategy was also extended to any discussion seeking to identify and target particular groups within the population. For example, feedback from a UNICEF staff member working alongside the government indicated that, in relation to the government's participatory model of eligibility for social protection, the government has proved unwilling to target social benefits on any grounds other than poverty, specifically giving the case of children or the elderly as an example. Therefore it is very unlikely that the government would adopt an agenda such as that concerning the social and economic marginalisation of LGBT people, which so directly contradicts its political line on identity in other areas of policy.

Second, many pointed out that the government does not need the 'headache' that a domestic debate around LGBT rights would bring. Given Rwandan society's strong religious base, and the government's significant dependence on faith-based organisations for the delivery of public services, it was felt that taking up an agenda as controversial as LGBT rights would, for some, look deliberately antagonistic.

4.1.2 Regional factors

As one of the newest and arguably more zealous members of the East African Community (EAC), Rwanda is vulnerable to regional pressures. It was pointed out that its socioeconomic achievements have been widely recognised and broadly appreciated by other members. But its status as a post-conflict, post-genocide country, frequently criticised for its lack of civil and

political rights, means that it is not well positioned to advocate for human rights to its larger neighbours and EAC founding members: Kenya, Tanzania and Uganda. So although Rwanda is willing to champion LGBT rights at an international level, it cannot afford to do the same with its regional partners. Domestically, entrenched social stigma attached to any discussion about sex and about same-sex conduct in particular, make it unlikely that Rwandan politicians would choose to publicise Rwanda's more 'enlightened' position on LGBT rights, or take credit for being the only nation in the EAC not to criminalise homosexuality.

4.1.3 International factors

In the international arena, Rwanda is well known for speaking out about matters it considers of national importance; particularly when they relate to national security. For a number of informants this was the major reason for Rwanda's silence on LGBT rights. As the agenda poses no threat to national security, and does not contradict or interfere with Rwanda's project of economic development, it was seen to be of little or no importance to the government.

In terms of the international agenda on LGBT rights, it was pointed out that Rwanda remains highly dependent on foreign aid and cannot afford to take action that could jeopardise its relationship with the international community unnecessarily.²³ Coming out in support of the Anti-Homosexuality Bill in Uganda, for example, would expose Rwanda to further criticism of its record on human rights, something that it can little afford to do.

In addition, while Rwanda's aid dependency is not unusual in the region, the modality of aid delivery certainly is. Unlike the case of its regional neighbours, 65 per cent of the total aid money that Rwanda receives from the UK, its second-largest bilateral donor, is in the form of budget support, whereby aid money is transferred un-earmarked into the recipient government's budget(s).²⁴ Budget support represents the strongest vote of confidence in a government's ability to account for that money and deliver development results. Most significantly for Rwanda, it enables governments to determine their own spending priorities; an opportunity rarely granted within development partnerships and something that has been instrumental in enabling the government to drive forward its development agenda.

Perhaps more controversially, Rwanda's silence was described as convenient for both donors and the government. Negative human rights reporting on Rwanda has been an aggravating factor for development partners keen to champion Rwanda's development achievements. Although LGBT rights are not a priority for donors, being able to offer a 'good news story' amid the story of slow, stagnant or negative progress in terms of other indicators of human rights (DFID 2013a), could be seen as convenient for both sides.

4.1.4 Strategic silence and LGBT advocacy

Taken together, the reasons outlined here indicate that the Rwandan government's silence on LGBT rights is not accidental, but strategic. They suggest that the government has been silent not because it holds particular opinions and beliefs about sexual orientation and gender identity, but because it has calculated that it is politically expedient to do so. Privately, assurances have been given that there are no plans to criminalise homosexuality,²⁵ but also that there are no plans to engage with the agenda either. As outlined in the introduction to this report, this puts Rwanda in an unusual position politically in relation to its regional neighbours. From the perspective of civil society advocacy on LGBT rights, it raises the question: if the government is not the problem for LGBT advocacy in Rwanda, then what is?

²³ In 2012, foreign aid funded 38 per cent of the country's expenditure (Department for International Development 2013a).

²⁴ House of Commons Select Committees: International Development Committee, www.publications.parliament.uk/pa/cm201213/cmselect/cmintdev/726/72605.htm (accessed 21 April 2015).

²⁵ For example, see US Department of State, Bureau of Democracy, Human Rights and Labor (2013).

The main challenge identified by civil society groups and NGOs working to advance sexual rights was not the government and its law enforcement agents, nor the legal or policy framework, but the experience of social stigma within their communities. While donors and foreign embassies have tended to approach LGBT rights in terms of the role of the state in either sanctioning or sponsoring discrimination and persecution, this was not how the issues were raised by local actors. The key challenge identified by organisation leaders was overcoming the social taboos and lack of understanding surrounding sexuality, and sexual orientation and gender identity in particular. Stigma was rarely described in terms of physical attack or threats to personal security or movement (although examples of both were given), but in terms of an ever-present, often unspoken, judgement. This judgement was commonly associated with feelings of shame, fear of difference, or fear that your family would be identified as different and become the object of ridicule. In the following sections, empirical data are drawn on to explore how the 'unique' political environment in Rwanda, combined with widespread stigma and discrimination related to sexual orientation and gender identity and expression (SOGIE), has had an impact on the lives of LGBT Rwandans, and shaped the civil society response.

4.2 'We don't discriminate': the invisible reality of social and economic marginalisation

Article 11 of the Rwandan Constitution states that 'any [...] form of discrimination is prohibited and punishable by law'.²⁶ Publicly this is the line used, and 'we don't discriminate' is a common response to the suggestion that particular groups are denied equal access to basic services or are actively discriminated against in areas such as housing, employment or education. However, information gathered for this study revealed multiple levels of discrimination with direct effects on the wellbeing and livelihoods of LGBT people. These findings are summarised in this section in relation to education and training; employment; housing; and health care.

In discussions with organisation leaders and staff at NGOs working with the LGBT community, a number of key ways in which stigma had a direct impact on the lives of LGBT people were identified. One of the most important areas was **education and training**. Illiteracy was identified as a major problem within the community, with a high proportion of students dropping out, being expelled from or forced to leave education. Examples were given of routine bullying by other pupils, which was condoned and, in some cases, replicated by teachers. Some could remember incidents in school where pupils were publicly identified and expelled for same-sex conduct. Family pressure to study certain subjects or to train in certain fields was also identified as a factor, where the desire to follow a career that did not conform to strict gender norms was considered suspect and unlikely to receive financial support. Although the education system in Rwanda is technically free ('9 Years Free Basic Education'), a number of payments for uniforms and basic equipment are compulsory, as well as the unofficial 'prime' payments demanded by teachers to supplement meagre salaries. The non-payment or transfer of school fees to other family members was used as a punishment for children who did not conform to family expectations or whose behaviour was seen to bring shame on the family. It is unclear from this evidence whether girls and boys were treated differently in this respect.

Access to **employment** was also identified as a key area of discrimination. Although the official unemployment rate is low, the statistics suggest that there is significant under-employment, and there is fierce competition for jobs.²⁷ Organisation leaders described the importance of hiding one's sexual orientation in order to secure and maintain employment. For professionals, revealing your sexual orientation could also directly affect your

²⁶ <http://rwandahope.com/constitution.pdf>.

²⁷ <http://indicators.statistics.gov.rw>.

opportunities for career progression. As already noted, all forms of discrimination are prohibited under Rwandan law.²⁸ However, attitudes of managers and those responsible for recruitment remain hostile. It was widely accepted, for example, that senior government officials and politicians who were known to be gay could not reveal their sexual identity. In rural areas individuals were overlooked for casual labour or were unable to obtain resources to start small income-generating activities.

Transgender persons were identified as a particularly vulnerable group, owing to the visibility of their gender non-conformity. One organisation leader described sex work or transactional sex as the only option for visibly transgender men and women, who experienced overt discrimination by employers. This was explained in terms of a lack of understanding on the part of the employer but also of a fear of repercussions from other managers, staff or local officials.

This combination of a lack of basic understanding, and a fear of the judgement of others, was also given as a reason for the difficulty many experienced in securing **housing**. Eviction was cited as a big problem for same-sex couples or transgender individuals, where landlords were fearful of complaints or gossip from neighbours. As a result it was very common for those who had secured accommodation to provide temporary shelter to others in the community.

Accessing **health care** was identified as a problem, with few facilities offering appropriate services. While the HIV policy protects LGBT people from discrimination in accessing health services, many raised the problem of a lack of training and capacity of health-care workers, including community-based health-care workers and poor levels of health-care provision, especially in rural areas.

Central to all areas of discrimination was the issue of shame. Shame was identified as the most significant factor contributing to social and economic exclusion. Examples were given of men and women who identified themselves as, or were assumed to be, gay, lesbian or transgender, being rejected or ostracised by their families as a consequence of their non-conformity. Some were forced to marry to avoid bringing further shame on the family. Many could name children in their communities who had been removed from school to avoid bringing further shame on the family. One organisation worked directly with men who had had sex with men while incarcerated, who risked being rejected by their wives and communities on their release, even where their conduct was considered by them to be an isolated incident.

4.3 The evolution of a community response: ‘starting from zero’

The field of sexual rights advocacy in Rwanda has so far been small-scale and low-key, with the notable exception of the ‘Civil society coalition on health-related rights’ – a coalition formed in 2009 with the express aim of fighting the draft bill criminalising same-sex conduct in the penal code. This coalition was formed of LGBT organisations, groups representing HIV-positive women, and sex workers’ organisations, and was exceptional in its approach:

It was challenging to get all groups, namely sex workers, people living with HIV/AIDS and LGBTI behind one cause. Each group member feared that associating themselves with other, equally marginalised people would exacerbate their vulnerability.

(Dr Kagaba Aflodis, Executive Director of HDI-Rwanda)

²⁸ Art. 11 of the Rwandan Constitution.

The coalition met strong resistance and opposition from a number of human rights NGOs, while it received massive support from the AIDS Control Commission and the Ministry of Health.
(Mwananawe Aimable, National Coordinator of AIMR)

As the Executive Director of a national NGO described, community-level responses to the effects of social stigma are relatively new, and so they are 'starting from zero'. While wealthier and more socially privileged LGBT Rwandans cited little need for political activism, all of the community-based organisations interviewed for this study were formed in response to their own experiences of stigma and discrimination, and the need to address its impact in the community at large. Although many leaders are well educated, some with university degrees and experience of working for NGOs and international organisations, many lack the expertise, management skills and language necessary to develop the work of their organisations. This has a significant impact on their ability to access funding. In practice, the limited resources and capacity of new organisations means they are predominantly focused on addressing the basic needs and concerns of the community. For some, this comes down to providing shelter and food, with one project director having five members sleeping on his office floor at the time of our meeting. All projects had provided informal and formal 'safe houses' for individuals who had been 'chased' from their families and communities, or were fleeing persecution in neighbouring countries. Many activities were carried out from people's homes or, in some cases, from shared office space. Such spaces were fully utilised, as the director of a large NGO who shares office space with smaller organisations noted: 'If you come here in the week you will see this room full of people, just hanging out trying to get things done'.

The emphasis on meeting the basic needs of the community means that resources and time are continuously being stretched. While this basic support is vital, it puts pressure on organisations whose capacity is already limited and it reduces the amount of time and resources available to develop the organisations. In addition, some members face significant personal difficulties of their own, including eviction from property, lack of access to health care, and isolation from their families. The lack of support from senior levels was also cited as a problem, with better-educated and skilled people known within the community to be gay or lesbian preferring to keep their sexuality private.

In recognition of their early stages of development, the organisations did not describe their current activities as a 'movement'. As part of the three-day workshop, participants from the seven CSOs identified 'being treated equally, like all other Rwandans' as the key change they hoped a future movement could achieve. In contrast to the movement in Uganda which was formed to fight the Anti-Homosexuality Bill (AHB), organisation leaders expressed their aspirations to change mindsets within their own communities, with very little reference to government officials or law enforcement agents. The vision for Isange, as outlined in the workshop report, included being aligned with the priorities of the Government of Rwanda, and to contribute to the EDPRS-2, while addressing stigma through community-level sensitisation and education. In contrast to the intense solidarity of the movement in Uganda against the government, as outlined by Adrian Jjuko,²⁹ founding member and Executive Director of Human Rights Awareness and Promotion Forum (HRAPF-Uganda), leaders of Rwandan organisations wanted to be recognised for their ability to contribute to the broader national project of poverty reduction and economic development.³⁰

While disagreements and disputes were evident within and between groups, there was much evidence of mutual support between leaders and the community more broadly. Leaders suggested that the MSM network, for example, was well connected across the country,

²⁹Adrian Jjuko was the consultant commissioned by the Dutch Embassy to deliver a one-day capacity-building workshop focusing on practical skills for movement-building.

³⁰ Workshop report.

something that had enabled them to facilitate the recent *Groupe de Parole* (talking group) meetings funded by the EU. One leader even expressed outrage that the postponement of a national MSM study by the Rwanda Biomedical Centre had been made on the basis that it would not be possible to get a sample of 500 MSM to take part. Exasperated, he insisted, 'I have more than 200 just on this phone and I could get them all here tomorrow morning!'

4.3.1 HIV and AIDS as an entry point

Many of the CBOs were formed by individuals who had worked in the HIV sector. Through regular contact with service users, these individuals had become aware of the need for projects that moved beyond health. The Executive Secretary of the CBO My Rights, for example, was employed by UNAIDS as a consultant on the MSM mapping exercise. The information gathered in the small-scale study (sample of 100 MSM in Kigali), enabled the AIDS Control Commission to acquire some knowledge of the experiences of urban MSM, and a small grant was later secured from the Global Fund. Through being one of the principal interviewers, the Executive Secretary of My Rights realised that there were numerous issues faced by this population that were not being addressed through the focus on MSM as a category of 'most at-risk populations' for the purposes of HIV programmes:

We were talking to these men each day and I realised that there were so many more things, not just about HIV but about how they live their lives, housing, health care, that were just not being addressed.
(Executive Secretary, My Rights)

Involvement in the HIV sector had also contributed much-needed skills and training. Many of the CBO leaders had been employed on foreign-funded HIV programmes where they received specialist training as peer educators, facilitators or project managers. These skills were fully visible in the CBOs they went on to form and whose shape and direction were very often determined by the skills present within their members.

4.3.2 Moving beyond health: developing economic opportunities

A common feature of many of the organisations was their desire to provide economic opportunities for their members and the communities they served. In most cases this was for men who were isolated from their families and communities because of their sexual or gender non-conformity. A number of the organisations had been able to access small grants to carry out specific projects, including running businesses which members could participate in, or distributing resources for individuals to run their own small businesses. My Rights, for example, formed in 2009 by members of the first LGBT advocacy organisation, Horizon Community Association (HOCA), was created to try to address the poverty within the LGBT community. One of their projects involves training members in weaving products out of banana fibre, which can then be sold to local and international markets. This activity is small-scale and the profits are minimal. The organisation plans to expand the model to provide additional forms of training and to move into events services, including decoration and catering. The model is based on the idea of making a positive contribution: 'It must be about what you can do, not because of who you are. We want to be known for running a good business, not just because we are gay' (Executive Secretary, My Rights).

Safe Friendly Society was set up to create and promote employment and income-generating activities for MSM. This includes a pig-rearing project, where members who are identified as vulnerable are given a sow to rear, use its manure as fertiliser and, once it has given birth, eventually pass on piglets to another vulnerable male. This project was inspired by the government's One Cow Per Poor Family programme which uses the same principle, but whose selection criteria for 'family' does not include two persons of the same sex living together.

There were a number of reasons given by Safe Friendly Society for focusing on income-generating activities. One of the primary factors was poverty and the difficulty in accessing employment experienced by MSM as a result of social stigma. Safe Friendly Society recognised that generating their own income was likely not only to reduce poverty, but also to improve the men's social circumstances: 'Families are respected when individuals bring in money and, by having an income, you have status and respect from your family and community' (Executive Secretary, Safe Friendly Society).

This is supported by a national ideology which promotes self-sufficiency.³¹ In contrast, a project designed and funded by Oxfam to set up and run a local snack bar was based on the same model of providing income-generating opportunities to marginalised MSM. This project, however, failed after five months and had to be shut down. The failure was attributed to insufficient levels of community consultation, where the business model required a level of experience and business knowledge that did not exist within the target group. In comparison, a project described by the Executive Secretary of Safe Friendly Society as 'life-changing' was built from demand within the community to increase internet skills. The project was designed to help MSM to access information about a range of subjects and to be better connected with other MSM in Rwanda and abroad. This project was seen to be a success as it provided a number of individuals with the skills to launch their own business ideas, to understand more about their own health needs and to feel supported.

4.4 Strategies for managing risk: the importance of 'insider' knowledge

The nature of stigma and discrimination faced by LGBT people in Rwanda is deeply embedded in cultural, historical and geographical factors which shape attitudes and behaviour not only towards sexuality but also towards difference. Knowledge of the local social and political environment directly shapes how issues concerning sexual orientation and gender identity are raised – and with whom. This section uses four examples drawn from interviews with NGO and CBO leaders, of strategies employed by CSOs to manage the risks associated with LGBT advocacy in Rwanda. The first looks at engagement with local leaders; the second at relations with the Christian church; the third at the importance of language when it comes to talking about sex and sexuality; and the fourth at navigating the line between being politically savvy and becoming politicised.

4.4.1 Engaging with local leaders

As a small, densely populated country, Rwandans tend to live in close proximity to their neighbours. The government policy of decentralisation means that the population is organised into small administrative units called *umudugudu*. These are run by elected officials who are responsible to local communities and play a significant role in the management of local resources and decision-making. They operate alongside the *abunzi* (community judges), mirroring classical judicial systems. Local leaders also play an important role in extrajudicial arbitration and the resolution of local disputes, as well as the enforcement of court and *abunzi* decisions.

The involvement of local leaders was identified by all CBO and NGO leaders as essential to any initiative. Local leaders were seen as playing a central role in tackling discriminatory practices at a local level and offering protection to people in their communities. However, it was noted that too many local leaders are still unaware that homosexuality is not illegal in Rwanda and that discrimination in the provision of health care and other services on any grounds is illegal. Rwanda's neutral legal position on homosexuality, and the constitutionally enshrined discourse of tolerance and non-discrimination was therefore seen to be a useful

³¹ Vision 2020 and EDPRS-2.

entry point for addressing social stigma and discrimination on the basis of sexual orientation and gender identity.

An example of this was given by one CBO leader in relation to the case of a young man in a rural area whose family had confessed his homosexuality to a local leader. The young man had then been paraded through the village so that everyone was aware that he was gay. This ritualised humiliation was understood by the local leader to be an acceptable response and an appropriate deterrent to others in the community. A local member of one of the LGBT organisations then contacted a leader in Kigali who was called to come and speak with the local official about the incident. On arrival, it became clear that the official thought that homosexuality was illegal and that his actions were therefore appropriate. The response of the CBO leader was to have a private discussion with the local leader in which he outlined the government's official position on homosexuality, thereby discouraging the leader from engaging in any further action that did not conform with the government's official position.

As a result of such examples, CBO and NGO leaders have sought to engage local officials in all aspects of their work. As they pointed out, this can be a delicate and time-consuming process that may involve ongoing dialogues over an extended period. However, such engagement was seen to be essential if interventions were to be effective. Because of this, sensitisation of local officials to the law, and to their responsibility to uphold the law without exception, was seen as a top priority.

4.4.2 Working with faith leaders

According to the 2002 census, 5 per cent of the population are Muslim, with 94 per cent made up of Christians from various denominations.³² The Christian churches remain strong and powerful lobbying groups in Rwanda, with significant political influence. However, unlike in neighbouring Uganda, church leaders refrain from taking public positions on any issue, sustaining their significant political influence through low-key lobbying in informal circuits. This was given as a reason for the reluctance of church leaders to contribute to debates on the criminalisation of homosexuality in 2009, and for the absence of evangelists such as Scot Lively, whose public, 'sensationalist' tactics have been well received in Uganda.

The support and engagement of religious leaders from all faith groups was seen by CBO leaders to be vital to addressing stigma and changing attitudes in the longer term. It was widely reported among Rwandans from all backgrounds that church ministers frequently express homophobic views to their congregations during services. For CBO leaders, this was seen to be one of the major factors contributing to the widespread homophobia expressed at a community level. In recognition of the influence of the Christian churches, a number of CBOs had developed good relationships with church leaders, including pastors and bishops, as well as with Imams. Other Sheep Rwanda, for example, a gay Christian organisation working in Rwanda and eastern Democratic Republic of Congo, had sustained a low-key dialogue with religious leaders in the Christian church over a number of years. This approach was beginning to have an impact, with some sections of the church now willing to engage on the issue of homosexuality under the umbrella of inclusion. For this study, the authors attended a workshop for 40 pastors from around Rwanda, where it was evident that there was an openness to engaging with different interpretations of the Bible, and of understanding some of the more basic questions about how to identify and work with LGBT members of the congregation. These discussions were clearly in their early stages. However, the willingness of senior religious leaders and pastors from across the region to explore the issue of homosexuality through inclusion was both surprising and significant.

³² Namely: 57 per cent Roman Catholic, 26 per cent mainstream denomination Protestants, 11 per cent Seventh-day Adventists, as well as 1 per cent 'other', including Jehovah's Witnesses, evangelical Protestants and indigenous religious practitioners and Baha'i.

As described in relation to local leaders, the key strategy employed by CBO leaders was one of discreet, low-key engagement. The importance of maintaining this approach was illustrated to Other Sheep Rwanda when its members collaborated with an American pastor to host an event bringing together Christian churches. The pastor had shown interest in supporting the work of the Rwandan Christian churches in becoming more inclusive and more accepting of homosexuality; he had pledged the support of his fellowship in America and had developed good relationships with other CBO leaders in the community.

The event, which convened pastors from across the country, raised the public profile of this work significantly. The scale of the event, and the presence of a foreign pastor, attracted media attention. A local newspaper from Rubvu published an article which deplored the role of 'outsiders' in bringing unwanted 'foreign' practices to Rwanda. This exposed church leaders to unwanted public attention and the leader of Other Sheep, with legal assistance, was required to placate the local mayor, who was concerned that negative attention was being brought to his town. In addition, the leader was also questioned by community police officers about any ties he had with 'LGBTI recruiters', his Western associates and the nature of his activities. No arrests were made, and the lawyer described this process as routine. The role of community policing in relation to sexual orientation or gender identity was described as reactive, with no known cases of officers proactively investigating any individuals on this basis, but rather responding to issues raised by members of the community. While the incident was smoothed over, the furore that surrounded it was a wake-up call to CBO leaders and the American pastor, and they agreed to scale back their activities to the more discreet approach that was previously favoured.

4.4.3 The importance of language

It was acknowledged by CBO leaders that the significant stigma attached to a wide range of behaviours and practices associated with sexuality in Rwanda make any work in sexual rights advocacy challenging. This includes work around teenage motherhood, abortion, childlessness, sex work, being a victim of sexual abuse or defilement or having such a person in your family. Sex itself was described as 'taboo' and rarely spoken about in the open. This was seen to present a significant challenge to health-care workers and those working in sexual and reproductive health and rights (SRHR):

Rwandans are not comfortable discussing sex. However, as health professionals we are required to speak about it, especially now that the new Strategic Plan on HIV/AIDS has pledged for comprehensive sexuality education in secondary schools.
(Dr Kagaba Aflodis, Director HDI-Rwanda)

It was clear from the interviews that exactly *how* to go about talking about sex and sexuality, and in what contexts, required a nuanced understanding not only of the language, but also of the meanings attached to language in different contexts. Examples were given of occasions where well-intentioned and often very senior members of the international community had raised issues of sex or sexuality in what they considered to be appropriate language – only to have the conversation immediately shut down. While it was apparent to other Rwandans that they had made a social *faux pas*, this could easily be construed by someone who did not recognise their error as an unwillingness to engage with the issues.

Such taboos around sex were seen to represent an obstacle to advancing LGBT advocacy in Rwanda, but not as prohibitive. Although organisation leaders had no expectation, or even desire, to push the question of same-sex marriage, for example, they saw plenty of options for raising other issues related to the experiences of LGBT people within existing forums. What they had all developed, whatever support needs their organisation aimed to address, was a sound knowledge of the type of coded language necessary to talk about – or rather, to *allude* to – sexuality in different contexts. In the workshop, leaders described how they had learnt to adapt their language, using certain words in their mission statements, others in their

conversations with donors, and an entirely different language in their interactions with members of the community.

4.4.4 Avoiding becoming politicised

From discussions with a range of stakeholders it became clear that to be effective in Rwanda, you had to know where the line was between being politically savvy and becoming politicised. This meant knowing how and in what circumstances to engage with political actors and which forms of political engagement were acceptable. Misunderstanding or overstepping that line was seen as counterproductive for your cause, and also as potentially dangerous. In practice, as stated repeatedly by CBO and NGO leaders, this meant understanding that things have to be done quietly and in ‘the right way’. As described above, this included maintaining low-key dialogues with local officials and community leaders, and raising the issues in the appropriate forums. CBO leaders described how they maintained informal networks across the country through their mobile phones, and some used the ‘focal point’ approach common to advocacy on the delivery of public services, to feed back local information and to act as local arbiters. Staying out of the public eye was seen as a necessary strategy and was credited with securing not just official recognition of MSM as a ‘key population’, with a budget attached, but also of getting the attention of other sections of government:

They [in government] have started to understand it. We are slowly expanding our alliance base. First it was only in the Ministry of Health and now we even have parliamentarians who understand these issues and attend our events.
(Mwananawe Aimable, National Coordinator of AIMR)

For some international actors and observers, however, this low-key approach has been seen as a limitation rather than a strength. In discussions with embassy and donor staff it was evident that there were a group of individuals with a distinct feeling of goodwill towards the LGBT community and a commitment to supporting their work. Many of the same individuals also expressed privately that they felt frustration with the lack of capacity among civil society and the failure of CSOs to grasp the opportunities that were open to them. One of the ways that international actors have sought to support local advocacy efforts is through public events that champion the cause. In contrast to the efforts of Rwandan CBOs and NGOs to downplay their activities and their achievements, such events have brought advocacy efforts to the wider public. In some cases, such efforts have been welcomed by CBOs but in others the more celebratory approach adopted by international actors has been seen as detrimental to their efforts to expand the space for engagement.

This can be illustrated through an event that was organised by a European cultural institute in Kigali to mark the International Day Against Homophobia and Transphobia in May 2014. The event was entitled ‘Towards Tolerance for All’ and the flyer for the event highlighted Rwanda’s constitutional guarantee of minority rights. It also stated that Rwanda was ‘a model state for tolerance vis-à-vis citizens with alternative orientations’ and that, in comparison with neighbouring countries, Rwanda could be considered ‘a hub of human rights’ on this issue. It was evident from the flyer that the promoter of the event chose to take Rwanda’s neutral legal position on sexual orientation, and its progressive constitution, as a cause for celebration, appealing to Rwanda’s national discourse of tolerance and unity. What the promoter does not take into account, however, is that there is little to suggest that this is an interpretation of the national discourse that the government is keen to promote. The invitation to the event was circulated widely within diplomatic, official and cultural circles and provoked a very negative response from senior figures in government. Privately, some officials were furious and put pressure on the mayor of Kigali to shut the event down on the grounds that it was ‘promoting homosexuality’. The event, in the end, was held as planned and as a consequence of the uproar, was very well attended, but not without controversy. For example, organisations that had been consulted about the event, some of which were asked

to give ‘testimonies’ to the audience, were unhappy with the way that they were presented as victims. Some organisation leaders felt that the negative press around the event had been unhelpful and that the organisers of the event had failed to recognise the implications of publicising the event in this way.

What this example illustrates is the difficulty of knowing where the line is between being politically engaged and becoming politicised. As pointed out in a number of interviews, this requires an in-depth understanding of the power dynamics at play in any given situation. This can make the difference between, on the one hand, gently pushing at the line and expanding the dialogue and, on the other, stepping over the line, and shutting it down. While it may be easy to grasp the key benchmarks – any mention of ethnicity is risky, anything which damages the country’s image will not garner support – gauging the political temperature in other areas is much more difficult. As described by one NGO leader, even those who are experienced in this field are constantly testing the water: ‘You never know what is going to happen’.

4.5 ‘We welcome their support but not their presence’: the double-edged sword of international engagement

This section looks in more depth at international efforts to complement the work of Rwandan civil society and highlights some of the reasons why the engagement of international actors is both important and problematic. In particular it highlights how the visibility of international staff can jeopardise local efforts to ‘own’ the LGBT agenda, and how, despite good will from international allies, current funding and reporting requirements act as a disincentive for a more coordinated, bottom-up approach.

4.5.1 Whose agenda? The issue of visibility

The response of international staff based in country offices in Rwanda has been primarily one of ongoing monitoring and quiet engagement. Efforts have been made by some diplomatic missions and donor agencies to develop relationships with CBO leaders, and some embassies have provided direct funding for events, such as those to mark the International Day Against Homophobia and Transphobia (IDAHOT) and for capacity-building activities. Small grants have been awarded by multilateral agencies including the EU, the Swedish Agency for International Development (Sida) and US Agency for International Development (USAID) for locally administered projects. Diplomatic staff continue to raise the issues with senior government officials in private and to monitor the security situation of LGBT citizens and the work of law enforcement agents.

The support of the international community and the availability of grants to develop LGBT advocacy work were welcomed by all members of CSOs. However, the visible involvement of *muzungus*³³ in efforts to support LGBT advocacy was regarded as problematic. In some circumstances their physical presence and participation was seen to have a negative impact on efforts to sensitise the wider community to LGBT issues. It was perceived by some Rwandans as ‘outside interference’ and allowed those who were not supportive to dismiss the work of local actors. As described by the Executive Secretary of My Rights:

They [Rwandans] need to see, ‘you are Rwandese, like me’. See that our lives are normal, that we are just like them. If you have a muzungu in the room they will see the muzungu and think, you have brought money.

The visibility of foreigners was also seen as jeopardising efforts to make LGBT rights visible in the national discourse of unity and tolerance. At an event organised by HDI-Rwanda to

³³ Term commonly used to refer to foreigners, generally of European descent, but can also denote wealth and is not always connected to skin colour.

mark the IDAHOT, a member of parliament who attended in a non-official capacity gave an impassioned speech about humanity and equality. He said that given its historical background, Rwanda knew better than to criminalise people because they were 'different'. He went on to caution the INGOs and members of the donor and diplomatic community present about the need to find 'Rwandan solutions to Rwandan problems'. The implication was that if the international community were serious about addressing social stigma and discrimination in Rwanda they needed to first give Rwandans space to recognise the problem as their own.

4.5.2 Different concepts of rights

One of the ways in which 'Rwandan solutions' were conceptualised by organisation leaders was through the Nguni Bantu concept of *ubuntu* – officially translated as 'we are people through other people'. *Ubuntu* encapsulates a notion of togetherness, tolerance and love, which recognises the suffering of others and the responsibility of the community to respond. From this foundation, the best way to advance LGBT rights is to focus on the commonality of people's suffering rather than the specificity. In the workshop, organisation leaders stated repeatedly that what they wanted for their members was to be part of Rwandan society, to contribute to their communities and to be able to carry on their lives like any other Rwandan. They were fighting not for their right to express their individuality but for their right to be free from the stigma that separated them from their families and communities. In contrast, international allies were seen to value a rights discourse which emphasised individual rights and freedom of expression; a perspective that was seen to jar with the broader concept of *ubuntu*.

The issue of rights and human rights discourse was also raised in relation to the role of Human Rights Watch (HRW) in Rwanda and its historically antagonistic relationship with the Rwandan government. HRW's reporting on Rwanda has been consistently negative, maintaining that Rwanda is a closed state led by an authoritarian regime (Human Rights Watch 2014). HRW reports have been strongly criticised and publicly denounced by the Government of Rwanda and others.^{34,35} One of the effects of the public nature of this antagonism has been that discussions about human rights have become synonymous with HRW. This in turn has had a negative impact on the ability of the few organisations in Rwanda addressing human rights to carry out their work. Talking about LGBT rights as human rights has not proved productive, therefore, and is avoided by local organisations wherever possible.

4.5.3 Lack of funding opportunities

It was clear from discussions about funding structures and the limited capacity of CSOs that direct funding for projects and activities is minimal. There was discussion, at the time of writing, of setting up a Civil Society Challenge Fund to which all major donors would contribute, to provide a more flexible fund, which could be accessed by smaller organisations. However, organisations would still be required to be formally registered and there were mixed feelings about the potential of this fund to support the kind of small-scale, community-level work they were doing. Therefore, contact between donor agencies, embassies and local organisations is likely to remain consultative. While this has the potential to provide a platform for donor agencies to get a more in-depth understanding of issues in the community, much of this engagement appears to be led by other priorities. Agendas were often set by donors themselves and meetings were held in English in high security offices. This top-down approach led to a number of overlapping interventions. Organisations described being invited to multiple meetings where they were required to feed

³⁴ See Ministry of Justice assessment published in the *New Times*, www.minijust.gov.rw/fileadmin/Documents/MoJ_Document/HRW_-_Assessment.pdf and HRW response www.hrw.org/news/2014/06/02/human-rights-watch-s-work-rwanda.

³⁵ See blog by Johnson (2013).

back on the 'situation' for LGBT people in Rwanda – sometimes at a number of different venues in the same week. In the case of some NGOs, including AIMR, they described not being invited to relevant discussions at all. While the need for evidence for purposes of reporting and, in some cases, maintaining public relations was recognised, there was some scepticism about how this approach could advance the cause in the long term. It was suggested that a platform for a more structured and collaborative relationship, in which all parties recognised the value of information-sharing, would be beneficial for all concerned.

A key issue identified in stakeholder interviews was that of priority and how different and competing priorities get translated into actions on the ground. While the priority of LGBT/SOGIE rights in development has been elevated at an international level, this is not always reflected in the priorities of country offices. As one senior embassy official stated, given the incidents of torture and extrajudicial killings they were dealing with in Rwanda, LGBT rights were simply not a priority. This may be the case, but staff are still required to account for their efforts in this area, or may be under pressure to do so when it comes to official visits or annual reporting. Within existing reporting structures, LGBT rights are treated as a discrete and unified issue – separate from the 'bigger' concerns of poverty reduction and economic development – that can be summarised in terms of LGBT people's capacity to exercise their civil liberties. This can lead to a flurry of activity in response to reporting deadlines or to questions from central offices, with very little activity or continuity at other times.

One illustration of how these different agendas play out in practice can be seen in relation to an event organised by one of the larger embassies to mark Pride month. The embassy worked with local artists to develop a graffiti wall within its grounds with an LGBT theme. The graffiti wall was described as a celebratory public event to highlight the fact that LGBT rights were human rights. Coverage in the national press accused the embassy of 'using aid to infect Rwandan society with poisonous mores'. Whether or not the event was designed by the artist community itself, holding it in the embassy grounds and using embassy funds to finance the project, fed into the wider perception that LGBT rights are a foreign concern. This was in part related to the link with human rights more broadly, but also, given Rwanda's pristine, litter-free streets and small, little-known and highly conformist art scene, graffiti art is a distinctly un-Rwandan form of artistic expression. By choosing this format, the embassy was inadvertently setting it up as a 'foreign' activity and further distancing the relevance of the issues that local organisations work hard to raise with the communities and stakeholders. In addition, by visibly associating foreign money with LGBT issues, it was further fuelling the perception that sexual orientation is a foreign issue that is being imported into Rwanda.

4.6 Looking beyond civil and political rights

When external actors look for indicators of progress in advancing the human rights of LGBT people, they tend to focus on evidence of a particular kind of political mobilisation. From this perspective, activity and progress in Rwanda appear minimal. However, during the course of this study, it became clear that there were a growing number of spaces where issues of sexual orientation and gender identity were being discussed that were not part of the conversations taking place around LGBT rights in the context of human rights assessments. In light of the constraints highlighted in the previous section, it is suggested that these areas are given greater consideration, as they provide important indicators of how the issues are evolving in society at large and may present opportunities for supporting advocacy efforts outside of the usual channels. The following section outlines two of the areas that were addressed during this study: civil society consultations, and radio shows.

4.6.1 Civil society consultation

During the course of this study, a draft of the revised Family Policy was under review in parliament. The revised policy had been drafted in 2013 with extensive multi-stakeholder

consultation with CSOs, including the main women's organisations and faith-based organisations. A copy of the draft was obtained for this study, and the consultant employed by UNICEF to draft the study took part in an interview about the consultation process.

The revision of the policy was largely driven by the Ministry for Gender and Family Promotion (MIGEPROF) in partnership with UNICEF. The consultant reflected that at no point during the process was the issue of same-sex families, or the implications of same-sex partnerships for families, raised by UNICEF, even in private. At an early consultation meeting, a Rwandan official raised the question of what to do about homosexuality, to which a senior public official responded that the administration was not ready to deal with this issue and that it would not be in the policy. The issue was raised unprompted again by civil society representatives during the second public consultation, organised specifically for faith-based groups. The language used in the draft policy document to describe families provoked questions about exactly which kind of families it was for, and in particular, whether it could include 'gay families', and whether 'inclusion, tolerance and non-discrimination' could be used by the LGBT community to demand their rights. This prompted some participants to call for a definition of the family that ensured that gay families were excluded from the policy, which led to a complex discussion and some revisions to the draft to accommodate these concerns.³⁶

Although the debate revealed significant hostility towards the idea of gay families, and outright rejection of the idea that same-sex couples could constitute a family in the Rwandan context, there was also recognition that open discrimination against gay people was unacceptable. It was noted by the consultant that it was not only the idea of gay families that had raised concerns; the inclusion of positive fatherhood and the challenging of patriarchal gender roles was also fiercely contested by some.

4.6.2 The radio

On the whole, CBO leaders working on LGBT advocacy were reluctant to engage with the media. This was attributed to negative experiences in the past, where leaders had taken part in radio talk shows or had given newspaper interviews only to be met with ignorance and hostility. However, some persisted, with the leader of Other Sheep Rwanda appearing on a radio phone-in to answer callers' questions about homosexuality and the Bible. He insisted that while many of the callers were hostile, it was nonetheless important to maintain a dialogue with the public.

The 'Ni Nyampinga' ('the girl who is beautiful inside and out and who makes good decisions') brand platform is one of the flagship projects of Girl Hub Rwanda – a partnership between DFID and the Nike Foundation to empower Rwanda's adolescent girls to 'fulfil their potential'.³⁷ Ni Nyampinga operates through a quarterly magazine and a weekly radio show, 'created for girls by girls'. The editor of the magazine confirmed that sexual orientation was something that came up frequently in the 'agony aunt' facility run by the magazine. It was not possible to get confirmation as to whether any of these questions had appeared in print, but it was confirmed that concerns about same-sex desire were common in the regular SMS and written responses they received from girls and young women. The producer of the Ni Nyampinga radio show also confirmed that sexual orientation was very much a live issue for Rwandan youth and was now being raised more openly in response to recent developments in Uganda. The production team had considered covering the issues on a number of occasions and had timetabled a show looking at sexual orientation in 2012. This had had to be cancelled however, as they had not been able to find any young person willing to speak

³⁶ As faith groups are largely responsible for implementation of family services, the ministry had stated that their buy-in was essential. In the draft, the definition of the family as based on conjugal union was expanded to one that recognises the diversity of family forms in Rwanda – in particular, the high numbers of female-headed (27 per cent) and child-headed (over 100,000) households, both mainly as a consequence of the genocide.

³⁷ <http://girlhub.girleffect.org/rwanda/>.

on air about their experiences. She hoped that in time they would be able to incorporate the issues into their youth programmes, and suggested raising sexual orientation as a factor in young women's experiences of violence in their forthcoming season.

What is significant in both of these examples is that the issues were raised by Rwandans in public platforms, rather than by international organisations which are commonly assumed to be driving this agenda. On the contrary, in the case of the Family Policy consultation, it was the representatives of faith-based organisations who raised the issue of same-sex families as an important element of the discussion. In the case of Ni Nyampinga, it was adolescent girls who chose to use this organisation as a platform to voice their concerns. For a society where sexual orientation is generally considered to be 'too sensitive' to discuss in public and where civil society efforts are considered to be limited, this was an important finding.

4.7 Joint working: maximising opportunities, managing risk

One of the aims of this study was to assess the scope for joint working between civil society, development agencies and the Government of Rwanda. Building on the findings in previous sections, this final section draws on empirical data to identify the challenges and opportunities for advancing the efforts of CSOs and others, while managing the risks to members of the community.

4.7.1 Expanding the network of allies

The continued private commitment from senior levels of government not to criminalise homosexuality is widely seen as tacit permission to continue to raise issues related to sexual orientation and gender identity within sanctioned spaces. All organisation leaders seemed confident that the government was not yet ready for a more public engagement over the issues and that non-confrontational, modest and culturally sensitive forms of public activity would continue to be tolerated. This is particularly the case in relation to health, where the support and willingness of the Ministry of Health (MINSANTE) – and, in particular, of the Minister of Health, Dr Agnes Binagwaho – was seen as providing much-needed legitimacy. This presents an opportunity to expand the network of allies within Rwandan civil society.

During the course of the study, a number of opportunities to engage a wider range of stakeholders in LGBT advocacy efforts were identified. For example, in the capacity-building workshop, organisation leaders expressed a desire to work with other government ministries, particularly the Ministry of Education, in order to share their knowledge and experience. In a conference on gender, a number of delegates from national women's forums expressed interest in talking further about the issues. However, without formal registration and legal recognition, existing organisations will continue to be excluded from formal consultation processes. In addition, as identified by one NGO director, active CBOs lack a spokesperson with the skills and the connections to engage with the government. While many have proved capable of managing small grants and delivering local projects, there was, as yet, no one who could take on a more official role to advocate at higher levels. It was hoped that it is only a matter of time before such a figure surfaced, but until then, engagement at a more senior level was regarded as unlikely.

4.7.2 Mirroring the low-key approach

The model of quiet engagement employed by some donors was seen to provide vital opportunities for community-level, collaborative work that did not require extensive reporting. Significantly, it was also valued for the invisibility of the donor, which was seen to provide greater credibility to activities. One example given was that of the *Groupe de Paroles*, or talking groups, funded by the EU. This small grant was being used by some of the larger organisations to facilitate monthly discussion sessions across the country to address issues relevant to the LGBT community, using their existing networks. These sessions mostly took place outside of Kigali and groups were able to provide travel expenses to people living in

rural areas so they could attend the meetings. While expenses had to be accounted for, there was no directive on what issues had to be discussed or to report on the impact of such events. These groups were viewed as fitting well alongside other models of community-led organising in Rwanda and it was reported that individuals would travel long distances to take part. Another example was given of an anonymous donation by the US Embassy which had enabled a local organisation to organise a highly controversial event in a neighbouring country. Part of the event's success was put down to the perception that it was locally driven and not funded by 'Western' aid.

This kind of approach provides an opportunity for donors and other funding bodies to engage with local organisations in a way that is more responsive to local need. Adopting a model built on a less visible approach could also help to advance LGBT-related advocacy efforts in the long term. However, it would require the embassy staff and donor agencies to forgo their own visibility, which has implications for their reporting and wider public relations efforts.

4.7.3 Coordinating efforts

Many of the challenges identified by stakeholders related to information-sharing and the need to coordinate efforts across different sectors. It was recognised in a number of discussions that there was no forum through which to share knowledge and information and that information-sharing was *ad hoc* and based on existing networks. As the work of national NGOs and CBOs continues to expand, and the donor agencies are increasingly obliged to address inclusion issues related to sexual orientation and gender identity in their policy and programming, this is an ideal opportunity to establish a nationally facilitated LGBT/SOGIE forum. Such a forum would enable information to be shared with all stakeholders and facilitate a more consultative and strategic approach to interventions and advocacy efforts in the future.

5 Conclusion

This study set out to understand Rwanda's conspicuous silence around LGBT rights and to explore how civil society engagement on LGBT-related issues has been shaped by the 'unique' political space created by the current government. Empirical evidence gathered for this study was used to argue that Rwanda's silence is strategic rather than accidental, and is directly linked to its historical trajectory as well as the political ambitions of the current government. Evidence presented in the report indicates that, despite an inclusive policy framework and the absence of discriminatory laws, social stigma and shame related to sexual orientation and gender identity contribute to the social and economic marginalisation of LGBT people on multiple levels. It was argued that, beyond HIV, this marginalisation remains largely invisible as it sits outside of the officially recognised categories of vulnerability. This has restricted the capacity of civil society actors to engage across different policy spaces, and has acted as a disincentive for other sections of civil society to recognise the relevance of the issues for their own work.

However, it has also meant that LGBT advocacy efforts have enjoyed a relatively safe political space in which to establish and grow; empirical evidence was used to show that in a short space of time, there has been modest, but nevertheless significant, growth in the capacity of local actors to address the needs of LGBT people in Rwanda and to sensitise the wider population to the effects of social stigma and discrimination. It was also evident that these efforts were not always well coordinated and that there was no clearly defined strategy for taking the work forward. With only one government department willing to engage with the LGBT rights agenda – and even then only under the umbrella of HIV prevention – opening out the political space for LGBT advocacy remains a challenge. Donor agencies and embassies have increased their engagement with CSOs, and these efforts are welcomed by civil society. However, there is also a lack of effective coordination between the different agencies, and of real consultation with civil society. International efforts to advance this agenda remain focused on civil and political rights, with little attention paid to broader human rights issues and their relevance to core donor concerns such as social protection, education and sexual and reproductive health. As the work of civil society starts to build on the headway made through work on HIV to address the wider impact of social stigma in areas such as education, training and employment, there is a clear need to look beyond the conventional domains of health and civil and political rights if these efforts are to be strengthened and supported in the longer term.

The following recommendations are addressed to donors and embassies based in Rwanda and to Rwandan LGBT civil society groups. To ensure practical relevance, the recommendations speak to the study's overarching question by identifying possible courses of action for reinforcing existing advocacy efforts to address social stigma and economic marginalisation based on sexual orientation and gender identity.

6 Recommendations

6.1 Recommendations for donors and embassies in Rwanda

Move away from framing LGBT issues overwhelmingly in terms of individualised human rights and freedoms. Government officials are unlikely to engage with issues relating to the economic and social marginalisation of LGBT populations in Rwanda when couched in terms of individual human rights and freedoms and when divorced from other Government of Rwanda priority areas. More promising entry points for addressing the economic and social marginalisation of LGBT persons include:

- raising LGBT marginalisation as an issue of discrimination and social exclusion, during policy consultation processes;
- using the commitments to social inclusion in EDPRS-2 to address the problem of social stigma within the family and community and its impact on participation;
- addressing work-based discrimination in terms of the exclusion of LGBT persons from opportunities for economic empowerment and self-sufficiency, including dignity and self-worth (*agaciro*);
- linking the LGBT agenda to the government's commitment to making progress on adolescent SRHR; the empowerment of women and girls; social protection; addressing gender-based violence (including work on men and masculinities).

Recognise that the pace of change in relation to LGBT rights in Rwanda is likely to be slow, and that change will be incremental. Lasting change is primarily locally driven. This is a slow process that requires persistence and patience and it can be set back by ill-conceived interventions by outsiders. The international community should therefore avoid conspicuous public recognition of, or congratulatory comments on, Rwanda's legal and policy framework in relation to LGBT rights, and avoid any approach that could be perceived as positioning LGBT rights as a 'special', or particularly Western, concern.

Create opportunities to include marginalised voices. Owing to the burdensome nature of Rwanda's official registration to become an NGO and given the limited capacity of many of the civil society organisations, LGBT issues and concerns are frequently excluded from formal consultation processes and meetings involving civil society. Donors and funders could facilitate their inclusion by adding organisations to mailing lists and including LGBT organisation leaders in relevant forums and consultations. This would also support the capacity building of smaller organisations.

Develop capacity within donor organisations. Ensure that Rwandan staff based in embassies/country offices are included in discussions about LGBT issues and that all staff have the opportunity to express their views. Consider providing locally facilitated training to strengthen knowledge and understanding among both Rwandan and expatriate staff of the relevance of LGBT issues to wider development priorities.

Coordinate efforts. Current efforts to support the work of LGBT civil society are disjointed. This can have, and has had, a negative effect on local advocacy efforts and jeopardised the progress that has been made. Coordination between donors/embassies is especially important, given the risk of uncoordinated events tying up scarce local capacity among local LGBT activists. Consider, for example, supporting or facilitating an LGBT forum to bring together a range of stakeholders and where local activities and developments could be shared. Such a forum would also ensure that advocacy efforts were planned in a more consultative way and that, wherever possible, organisations could be supported to facilitate activities themselves.

Support improved data collection and analysis on LGBTI populations in Rwanda. This needs to be at a local and national level. For example, use the LGBT forum suggested above or another consultative forum to assess how best to support further data collection among CBOs, but also, how to lobby for better data collection at a national level.

Consider opportunities for discreet or anonymous funding. Give greater consideration to funding for locally organised events that are not based around a public celebration of identity and for supporting the efforts of larger NGOs with a good track record of working with LGBT populations and civil society groups.

6.2 Recommendations for Rwandan LGBT civil society groups

Prioritise basic data collection, analysis and dissemination. The paucity of data on LGBT populations in Rwanda is hampering local efforts to address discrimination and economic and social marginalisation.

Focus efforts on building and strengthening Isange. Continue to build the capacity of Isange to respond in a coordinated and consistent way to national issues and to advocate on national platforms.

Build on strengths rather than identifying weaknesses. Portraying members of the community or organisations themselves as victims (or heroes) is unhelpful. Funders will judge organisations by what they are able to do with limited resources, not by what they are unable to do.

Continue to expand networks. Consider starting a dialogue with women's forums in Rwanda; link up with adolescent sexual and reproductive health work and with NGOs working on issues concerning men and masculinities; reach out to INGOs that could benefit from your knowledge and experience.

Move from individualised activism to establishing organisational structures. In order to grow as credible organisations that initiate dialogue with the government, there is a need to go through a more structured process of organisational development and to prioritise compliance with all the necessary administrative requirements.

Avoid duplication of action. Use the Isange coalition as a platform for establishing a division of labour and methods for information-sharing based on the experience and expertise of each organisation.

Set the agenda rather than simply seeking funding. Be clear with donors/funders/allies about your own priorities and agendas. Try to encourage them to work with the areas that you regard as important, and agree within your own organisation how you would like to be supported. Be aware that this is unlikely to be through the provision of direct grants, so consider what other forms of input can help you to develop your capacity and visibility.

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