

WE EXIST

Mapping LGBTQ Organizing in West Africa

Final report by Mariam Armisen



TABLE OF CONTENTS

5	1. INTRODUCTION
5	1.1. THE NEED FOR LGBTQ-LED FUNDING IN WEST AFRICA
6	1.2. THE RESEARCH PROCESS
6	1.3. LIMITATIONS
8	2. SETTING THE CONTEXT
8	2.1 LEGAL ENVIRONMENT
9	2.2. A BRIEF HISTORY OF QUEER ORGANIZING
9	2.2.1 From Social Gathering to Activism
10	2.2.2 Identity-Based Organizing and the Prioritization of Issues
10	2.2.3. Current Types of Activism and Organizing
11	2.2.4. Collaboration and Networking
12	3. THE STATE OF THE MOVEMENT – MAPPING LGBTQ AND MSM ORGANIZING IN WEST AFRICA
12	3.1. LOCATION
12	3.2. ISSUES, PRIORITIES AND RESPONSES
13	3.2.1. Issues Facing LGBTQ Communities and Individuals
14	3.2.2. Strategies and Responses
16	3.3. GAPS
17	3.3.1. Understanding Transgender Identity and Supporting the Rights and Leadership of Trans* People
17	3.3.2. Youth Leadership and Inclusion of Youth Issues
17	3.3.3. Sexual and Reproductive Health of Queer Women
18	3.3.4. Same-sex Partner Violence
18	3.3.5. Reconciling Faith, Religion, and Homosexuality
18	3.3.6. Economic Empowerment
19	3.4. WORKING CONDITIONS OF LGBTQ AND MSM GROUPS AND ORGANIZATIONS
19	3.4.1 External Challenges
19	3.4.2 Internal Challenges
21	3.5. ACHIEVEMENTS
23	4. SOURCE OF SUPPORT – MAPPING TECHNICAL SUPPORT PROVIDERS AND FUNDERS
25	5. SOURCES OF MONEY – FUNDING CHALLENGES
27	6. EXPECTATIONS AND RECOMMENDATIONS FOR AN LGBTQ-LED FUND
27	TECHNICAL SUPPORT PROVIDERS, LOCAL FUNDERS AND ALLY ORGANIZATIONS MADE RECOMMENDATIONS IN THREE CATEGORIES:
28	INTERNATIONAL FUNDERS RECOMMENDED THAT THE FUND:
29	7. APPENDIX

ACKNOWLEDGMENTS

The following consultants contributed data to this report: Awa Fall Diop, Caroline Bowah, Françoise Mukuku, Ngozi Nwosu Juba, and Simon Kaboré. Félix Zerbo, James Unegbu, and Mme Mariam Sanogo transcribed fieldwork interviews. Mariam Armisen wrote the final report with extensive input from Andrea Lynch. Drafts were reviewed by Caroline Kouassiama, Sarah Gunther, and Wanja Muguongo, and edited by John McAllister. Mariam Armisen provided all photos and this document was designed by Makewell. We are grateful to all who participated.

Our deepest gratitude goes to all the LGBTQ activists and community members, local partners, and other key allies who took time from their important work to meet with the consultants during the country visits.

Thank you to all the international funders who took the time to respond to the online survey.

This work has been made possible with the support and involvement of the following funders: Anonymous; American Jewish World Service; Astraea Lesbian Foundation for Justice; Foundation for a Just Society; Ford Foundation; and, the East African Sexual Health and Rights Initiative (UHAI-EASHRI) and, Open Society Foundation.



ACRONYMS

AFRICASO	African Council of AIDS Service Organizations
AMShER	African Men for Sexual Health and Rights
AWID	Association for Women's Rights in Development
CAL	Coalition of African Lesbians
CBOs	Community-based organizations
CCM	Country Coordinating Mechanism
CHR	Centre for the Right to Health
CSDR	Coalition for the Defense of Sexual Rights
FHI 360	Family Health International
FLAI	Francophone LGBTQ Advocates Initiatives
GALAG	Ghana Gay and Lesbian Association
HAI	Heartland Alliance International
ICARH	International Centre for Advocacy and Rights to Health
INCREASE	International Centre for Reproductive Health and Sexual Rights
LEDAP	Nigerian Legal Defence and Assistance Project
LGBTQ	Lesbian, gay, bisexual, transgender, queer
LIPRIDE	Liberian Initiative for the Promotion of Rights, Identity, Diversity and Equality
LLACI	Lesbian Life Association of Côte d'Ivoire
MSM	Men who have sex with men
OSIWA	Open Society Initiative for West Africa
PSI	Population Services International
QAYN	Queer African Youth Network
SSMPA	Same Sex Marriage Prohibition Act
UNAIDS	United Nations Programme on HIV/AIDS
UNDP	United Nations Development Programme
TIERs	Initiative for Equal Rights
WHER	Women's Health and Equal Rights

TERMINOLOGY

Throughout this report, the reader will encounter the terms “MSM,” “LGBTQ,” and “gay men.” This variety of terminology is based on the history of organizing in West Africa, the diversity of how people identify, and the complexity of differentiating the personal politics of a respondent from how organizations describe their work. Some organizations will situate their work within the HIV/AIDS sector targeting MSM populations but further along in the discussion will share their aspiration to be an LGBTQ organization, and sometimes a respondent will identify as a gay man who works for an MSM organization. This MSM/LGBTQ ambivalence clearly needs further unpacking, but doing so is beyond the scope of this report.

EXECUTIVE SUMMARY

Across West Africa, lesbian, gay, bisexual, transgender, and queer (LGBTQ) people live in an increasingly hostile environment, and a recent surge in homophobic laws, violence, and arrests have focused new attention on the struggles of LGBTQ people in the region. Historically, gay men and other men who have sex with men (MSM) have been the focus of philanthropic attention (particularly in response to the HIV/AIDS pandemic), which has kept issues facing lesbians, bisexual women, trans* people, and other queer-identified and gender-nonconforming West Africans at the margins. In recent years, however, more broadly-based LGBTQ organizations are emerging, including many led by queer-identified or gender-nonconforming women. These organizations contend with multiple, overlapping challenges in establishing and sustaining their work – particularly in Francophone countries, where civil society infrastructure is comparatively weak.

In response to these challenges – and with donor interest in indigenous LGBTQ activism growing – a group of funders and activists¹ came together in 2013 to propose a bilingual fund managed and led by West African LGBTQ activists. As a first step, they commissioned a scan of LGBTQ organizing in the region. The research was conducted by six consultants, reaching a total of 50 groups and organizations and 180 activists from nine West African countries (Benin, Burkina Faso, Côte d'Ivoire, Ghana, Liberia, Mali, Nigeria, Senegal, and Togo). *We Exist: Mapping LGBTQ Organizing in West Africa* presents the scan's findings in five sections:

- **Setting the Context** summarizes the legal environment for LGBTQ persons, analyzes key legal and policy trends, provides a brief history of queer identity and organizing in West Africa, and gives an overview of current major categories of activism and organizing, including key features of the regional organizing culture.

- **The State of the Movement – Mapping LGBTQ and MSM Organizing in West Africa** summarizes geographic trends in LGBTQ organizing, key issues facing LGBTQ communities and individuals, common strategies and responses employed by LGBTQ and MSM organizations and activists, current gaps and unexplored issues in the organizing landscape, and describes the working conditions of LGBTQ and MSM groups and organizations. This section concludes with a summary of the emerging movement's achievements to date, as articulated by research participants.
- **Sources of Support – Mapping Technical Support Providers and Funders and Sources of Money – Funding Challenges** provide a glimpse of the wider context for LGBTQ and MSM organizations seeking funding and international partnerships in the region. This section shares basic information about the major international organizations active in the region that are concerned with LGBTQ and MSM rights and health, and shares some of the challenges West African LGBTQ and MSM organizations face in efforts to secure funding for their work.
- **Finally, Expectations and Recommendations for an LGBTQ-led Fund** compiles advice and recommendations from activists, organizations, and funders, intended to inform the Fund's approach, priorities, and governance.

As an overview of LGBTQ organizing, this report is not intended to be comprehensive. Rather, it gives a general picture of the LGBTQ movement in a large and varied region, centering the diverse perspectives and experiences of activists and organizations on the ground.



1. INTRODUCTION

1.1. THE NEED FOR LGBTQ-LED FUNDING IN WEST AFRICA

Across West Africa, lesbian, gay, bisexual, transgender, and queer (LGBTQ) people live in an increasingly hostile environment. Developments such as Nigeria's Same-Sex Marriage (Prohibition) Act (SSMPA), a similar new law in Gambia, campaigns for equivalent laws in Burkina Faso and other countries, and a wave of violence and arrests in Gambia, Nigeria, and Senegal have focused new attention on the struggles of LGBTQ people in the region.

Arguably, however, gay men and other men who have sex with men (MSM) remain the focus of attention. In West Africa, as elsewhere, the HIV/AIDS pandemic opened some of the first spaces for LGBTQ activism. The resulting focus on the MSM segment of the LGBTQ population shaped the emerging LGBTQ movement and narrowed access to funding and technical support. LGBTQ rights in West Africa are still addressed mainly through this public health lens, and the issues facing lesbians, bisexual women, trans* people,² and other queer-identified and gender-nonconforming West Africans remain marginalized.

However, a shift in approach is now emerging. Activists and funders have begun to acknowledge:

- The limitations of the public health lens for addressing sexual rights
- The dangers of stigmatizing the MSM community through association with HIV/AIDS
- The need to give equal priority to other LGBTQ communities, particularly queer-identified women and gender-nonconforming people.

New, more broadly-based LGBTQ organizations are emerging, including many led by queer-identified or gender-nonconforming women. However, they struggle to sustain themselves or grow, faced by:

- Lack of physical and political space in which to connect, share ideas and experiences, build alliances, and organize safely
- Laws that make legal registration and open LGBTQ activism difficult or impossible

- Homophobic and transphobic discrimination that restricts educational, training, and employment opportunities
- Lack of sensitivity to the priorities and experiences of queer-identified women and gender-nonconforming people within MSM/HIV organizations
- Reluctance within MSM/HIV organizations – driven in part by funders’ restrictions – to embrace a broader LGBTQ rights agenda
- Few leadership opportunities and little decision-making power for queer-identified women and gender-nonconforming people within MSM/HIV organizations
- Lack of funding to address power imbalances within the LGBTQ movement
- Reluctance within civil society and social movements to integrate the concerns of LGBTQ people into broader human rights, women’s rights, and youth rights agendas
- Few bilingual or Francophone spaces where French-speaking activists can fully engage and connect across borders
- Limited access to funding as a result of language barriers, particularly in Francophone countries
- Limited access to regional and international spaces where emerging activists can connect with potential donors and allies.

Finally, a weak civil society infrastructure, especially in Francophone countries, discourages funders and has made donor engagement and organizing around LGBTQ rights uncoordinated, uneven, and linguistically divided.

In response to these challenges – and with donor interest in indigenous LGBTQ activism growing – a group of funders and activists³ came together in 2013 to propose a bilingual fund managed and led by West African LGBTQ activists. This would fill a glaring gap in the funding landscape, help emerging LGBTQ leaders build a more effective, inclusive movement, and serve as an activist-owned platform for social change. It would provide international donors with an accountable mechanism to ensure that funds reach the grassroots and that local strategies are shared and regional strategies developed collectively.

The fund would provide emerging leaders with crucial capacity-building and networking support, along with safe spaces for mutual learning and dialogue and opportunities to develop leadership skills. To address previous marginalization, it would also prioritize support for lesbian and bisexual women, trans* and other queer-identified and gender-nonconforming people, and Francophones.

1.2. THE RESEARCH PROCESS

To determine the initial structure and priorities of the fund, an overview of the LGBTQ movement in West Africa was needed. Activists, funders, technical support providers, and allies came together in an exploratory and participatory research process. Qualitative research tools were developed, then tested and finalized with a group of participants in Senegal, and six consultants did the fieldwork, five working in teams and a sixth alone. The first team, Awa Fall Diop and Françoise Mukuku, covered Benin, Côte d’Ivoire, Ghana, Mali, and Senegal. In Burkina Faso and Togo, the research coordinator, Mariam Armisen, worked with Simon Kaboré, and in Nigeria, she worked with Ngozi Nwosu Juba. Caroline Bowah worked alone in Liberia. A brain trust made up of the group proposing the fund acted as a sounding board and provided feedback and editing support to the coordinator.

The report was drafted by the coordinator based on her fieldwork, drawing from the report on their fieldwork by Diop and Mukuku and on a summary of Bowah’s key findings from Liberia. It is a first attempt to provide an overview of LGBTQ organizing in West Africa in general and in the nine countries surveyed in particular. As such, it is not comprehensive but paints a general picture of the past and current issues driving LGBTQ organizing in the region and the achievements to date in relation to the main challenges.

1.3. LIMITATIONS

As an overview of LGBTQ organizing, this report is not intended to be comprehensive. It gives a general picture of the LGBTQ movement in the region but has some limitations. Time constraints and the distances between cities made traveling to semi-rural and rural areas difficult; this report does not include first-hand data from MSM and LGBTQ organizing in these areas. Informants were identified mainly from the consultants’ networks and those of activists, so people outside these networks were not reached. Relying on activists for contacts had limitations. Inter-personal and movement politics sometimes constrained the information-sharing. Using several consultants with different ways of working increased the unevenness of data collection, and there was limited data from several countries. Unless otherwise noted, all quotations are from interviews with activists, mainly from Burkina Faso, Nigeria, Senegal, and Togo.

The study reached a total of 50 groups and organizations and 180 individual activists, including 10 who were not affiliated with any organization. The work of mapping other MSM and LGBTQ organizations was difficult. In some countries, it was impossible (even according to activists themselves) to verify the number of

active groups. For example, in Nigeria, numerous new groups have emerged since the passing of the SSMPA, preventing any accurate estimate of the total number of groups operating in the country.

The findings in this report are presented in five sections:

- Setting the Context
- The State of the Movement – Mapping LGBTQ and MSM Organizing in West Africa
- Sources of Support – Mapping Technical Support Providers and Funders
- Sources of Money – Funding Challenges
- Expectations and Recommendations for an LGBTQ-led fund.

This report is an abridged version of a longer report, which is available upon request.



2. SETTING THE CONTEXT

2.1 LEGAL ENVIRONMENT

The notion that executions for offences such as homosexuality and lesbianism are ... excessive is judgmental rather than objective. What may be seen by some as [a] disproportional penalty in such serious offences and odious conduct may be seen by others as appropriate and just punishment.

– Joseph Ayalogu, Nigerian ambassador to the United Nations, September 19, 2006

West Africa is a vast and diverse region, and the laws affecting LGBTQ persons vary from country to country. However, they can be put into four broad categories:

- Explicit criminalization, usually under colonial “anti-sodomy” laws
- Implicit criminalization under vague statutes outlawing “indecent” or “unnatural” acts

- Legal vacuum, where the law neither criminalizes same-sex sexual practices nor protects the rights of LGBTQ persons
- Legal protection with explicit recognition of the rights of same-sex loving persons (in the single case of Cape Verde).

There has recently been an increase in state-sponsored homophobia in West Africa. In January 2014, the Same-Sex Marriage (Prohibition) Act (SSMPA) became law in Nigeria. It includes life imprisonment for some homosexual acts and even makes LGBTQ organizing illegal:

A person who registers, operates or participates in gay clubs, societies and organizations, or directly or indirectly makes public show of [a] same sex amorous relationship in Nigeria commits an offence and is liable on conviction to a term of 10 years imprisonment.”⁴

The SSMPA reinforces legislation already in place at state level. All southern Nigerian states penalize homosexuality with up to 14

years imprisonment. In the northern states that use Shari'a law, the maximum sentence for Muslims (and anyone else who has agreed to be subject to Shari'a)⁵ is death by stoning. Gambia also toughened its existing laws in 2014 by introducing a life sentence for the ill-defined offense of "aggravated homosexuality."⁶ In February 2015 in Burkina Faso (which had been a legal vacuum), a new law was proposed to criminalize homosexuality as "bestiality."⁷

Table 1 in the Appendix gives an overview of LGBTQ legal contexts across the region. As the table shows, several countries in the region do not explicitly criminalize homosexuality, but only Cape Verde guarantees the rights of LGBTQ persons. Thus, except in Cape Verde, the highest level of protection in the region is a legal vacuum in which same-sex practices are not illegal, but there are no laws protecting LGBTQ people either.

Very few countries in West Africa explicitly criminalize female same-sex sexual practices or mention transgender people except Mauritania, where "homosexual acts by two women" attract a penalty of three months to two years imprisonment and a fine equivalent to US\$17–\$207,⁸ and northern Nigeria, where Section 405 of the Penal Code Federal Provisions Act (Northern States) states that "a male person who dresses or is attired in the fashion of a woman in a public place or who practices sodomy as a means of livelihood or as a profession is a 'vagabond' liable to a maximum of one year in prison, a fine, or both."⁹

In West Africa, as in other parts of the continent, patriarchy is deeply rooted. Within this system, gender is conceived in strictly binary terms, and female sexuality is valued only as a means of procreation. Female same-sex sexuality is not seen as a threat; it is not considered sex properly speaking and is thought to be easily suppressed by early and/or forced marriage or by rape. Women are regarded as family property and become their husband's property after marriage. A woman's status depends on her marital status and her ability to bear children. An unmarried woman is severely stigmatized; she is considered to have failed as a woman.

The age of consent is used in several Francophone countries to further regulate same-sex sexuality. In Benin, for example, the age of consent for heterosexual relations is 15, but for homosexual relations, 21. The Beninese criminal code states that "any person who commits an indecent or unnatural act with a person of the same sex aged below 21 will be punished with a prison sentence of six months to three years and a fine of 20,000 to 50,000 francs CFA."¹⁰ In Côte d'Ivoire, the legal age of heterosexual consent is 15 years but 18 for homosexual relations.

Even if the anti-homosexuality laws described above and in **Table 1** are rarely implemented, their mere existence is like a sword over LGBTQ persons' heads, ready to drop at any moment. Even in countries where there are no explicit laws against homosexuality, a general sense of social and cultural condemnation leads LGBTQ people to self-police.

2.2. A BRIEF HISTORY OF QUEER ORGANIZING

2.2.1 From Social Gathering to Activism

Long before the emergence of the contemporary LGBTQ movement, organizing was happening among same-sex loving people and gender nonconformists in West Africa in the form of social gatherings.

In Burkina Faso, Côte d'Ivoire, Mali, Northern Nigeria, and Senegal, we know from the existence of indigenous (and sometimes pejorative) terms for people who did not fall into the gender binary system (*goorjigéen*,¹¹ *tchié të mouso të*,¹² *'yan daudu*¹³) that such people were visible and tolerated in their communities. Senegalese writer Ken Bugul, for example, notes that *goorjigéen* were "part of ... daily life" when she was growing up:

I remember that they used to wear a small dress, wore some makeup, and would even go to the market to run some errands. Each year [they] would organise one of the biggest parties in all Guinguinéo ... Neighbours who had space in their rooms and in their houses [would] host the goorjigéen coming from other places in Senegal. Everyone would go and see how they danced because they were good dancers.¹⁴

The *goorjigéen* and *tchié të mouso të* created strong communities with their own support systems, gathering places, and hierarchies. Tontines were a popular way of sharing resources, and when a *goorjigéen* or *tchié të mouso të* had a funeral, wedding, or other life event, the others would come together in support and solidarity, often wearing a special uniform created for the occasion. *Woubi chéri* (1998), a Franco-Ivorian documentary film about the first transvestite and transgender organization in Côte d'Ivoire, offers a compelling portrait of life in these communities. Lesbians had fewer opportunities to organize due to their social restrictions as women, but they often organized small gatherings among married women who sought female lovers, using the cover of their heterosexual identities to meet others. The *goorjigéen* or *tchié të mouso të* often acted as go-betweens and as entertainers at these events.

Although such gatherings had no explicit political agenda, they were political by nature. Marginalized people act politically whenever they create spaces in which to express themselves, feel free, and define their own communities. This heritage of social gatherings supported the later emergence of explicit LGBTQ activism and communities. As Dorothy Aken'Ova, founder and director of the International Centre for Reproductive Health and Sexual Rights (INCREASE) in Minna, Nigeria, told us, "the start for Nigeria's, let's say, entry into body politics and activism, was actually built of all sort[s] of fragmented, semi-organized social groups." Similarly, in Togo, the *Club des Sept Jours* (Club of Seven Days), the first MSM-led association in the country, was started by a group of friends "who came together because they had the same problems [and] the same needs" (Christian, program officer, *Club des Sept Jours*).

In the late 1990s and early 2000s, the need to address HIV/AIDS among MSM opened some of the first *formal* organizing spaces for gay and gender-nonconforming men in West Africa. Across a diversity of contexts, organizing around HIV/AIDS followed a common pattern:

- Introduction of the term MSM¹⁵ to justify programs within mainstream NGOs promoting sexual health services for same-sex loving men
- Outreach and mobilization in public spaces
- Organization of social events to create safe spaces and build community
- Emergence of HIV-prevention peer educators as MSM community leaders
- Training of MSM leaders within mainstream NGOs
- MSM leaders evolving into activists
- MSM leaders breaking away from mainstream NGOs to form their own organizations.

By the mid-to-late 2000s, many MSM leaders had begun to form their own organizations, sometimes supported by the mainstream NGOs where they had developed as activists. The new organizations still focused on services to MSM populations but often served also as intermediaries between mainstream NGOs and the public health sector. This gave MSM leaders access to international platforms and training opportunities, and some international NGOs supported emerging MSM-led groups with funding and technical support. As a result:

The MSM have had more exposure in terms of recognition, in terms of supportive structures for systems, you know. That is why the MSM groups seem to be more advanced in terms of being more

organized, in terms of leadership, in terms of coordination [compared to] ... lesbian groups or trans groups or other vulnerable groups.

– Country Director, Heartland Alliance International, Nigeria

2.2.2 Identity-Based Organizing and the Prioritization of Issues

To begin with, MSM-led groups were somewhat inclusive of the broader LGBTQ community. Lesbians and queer women were often invited to events promoting HIV testing, for example. But with HIV/AIDS prevention for MSM as the main focus, and funders increasingly pushing MSM-only programs, other sexual minorities were marginalized. Lesbians, bisexuals, and trans* people were typically relegated to the role of peer educators for MSM, while their own needs went unaddressed. The focus on HIV/AIDS and MSM needs, together with the lack of strong gender consciousness among many MSM leaders, ensured the marginalization of lesbians, bisexuals, and trans* people. According to AkenOva:

Even the women's health funding that was on maternal health and child health experienced some headache because people were working on HIV. And [organizations received funding to work on] HIV in such an isolated manner – not considering the human rights implications, not considering the context of vulnerability...

Over the past five years, however, this trend has begun to shift due to:

- The emergence of a new form of stigmatization of the MSM community, as their identity became linked to HIV/AIDS
- Growing interest among funders in sexual rights
- Growing awareness of the limitations of the public health approach for addressing sexual rights
- Growing concern over the marginalization of queer-identified women, gender-nonconforming people, and trans* people.

Together these factors are driving MSM-led organizations to broaden their perspective. Meanwhile, queer-identified women and gender-nonconforming people are building their own organizations, and here and there, trans* activists are laying the groundwork for a nascent trans* movement.

2.2.3. Current Types of Activism and Organizing

We identified four categories of individuals engaged in LGBTQ activism of one sort or another:

- People conscious that their human rights are being violated but who are engaged only in personal resistance
- People who have overcome internalized stigma and are engaged in some form of organizing
- People who have joined organizations based on an ideological commitment with a political agenda for social change
- People of high social status who are invisible to LGBTQ communities but contribute in their own way to supporting LGBTQ and MSM-led initiatives.

Existing organizations fall into six broad categories:

- Social networks that organize events in safe spaces for members to network and enjoy social life. Members tend to be similar in age and socioeconomic background.
- Informal groups that may have evolved from social networks but have begun to develop political agendas.
- Community-based associations that have evolved or split off from informal groups or other organizations. These associations have by-laws and are either legally registered, have applied for registration, or have plans to do so. Most are still run by volunteers. Some have access to seed funding, but most work in an ad hoc manner in response to emerging issues and by tapping into private financial support within their communities. Sometimes, more established organizations help with training, networking, and mentoring. Many associations and organizations in this category are lesbian-led. Some are MSM and gay-led; very few are trans*-led.
- Mid-size organizations run by one to three paid staff as well as volunteers. They might have an office, receive some regular funding, and operate a limited number of programs. Most LGBTQ and MSM groups and organizations in West Africa are in this category.
- “Mainstream” organizations, usually MSM- or gay-led, that have existed for several years and are well-established. These have a full staff, comparatively well-equipped working environments, and the capacity to run multiple programs. They have invested in institutional capacity-building, achieved a certain level of financial stability and visibility and as a result, are often cited as examples of MSM or LGBTQ-led organizations. In West Africa, there are very few organizations that fall in this category, only about five in total from three countries (Côte d’Ivoire, Nigeria, and Togo).
- Networks and coalitions that either host a group of organizations or coordinate small grassroots groups. Networks and coalitions tend to have loose membership structures and operate either as stand-alone entities or as steering committees in established organizations. They are still very few in number but are emerging as a new form of collaboration in the region.

2.2.4. Collaboration and Networking

Throughout the region, activists described a climate of mistrust in which LGBTQ organizations are more likely to collaborate with ally organizations than with other LGBTQ groups. The few LGBTQ collaborations tend to be temporary responses to an urgent need rather than reflecting a commitment to working together. Knowledge and good practices are rarely shared; it is not uncommon for activists and organizations to be completely ignorant of other groups’ work, even in the same city.

Here and there, however, this culture is beginning to change, brought on, in some cases, by shifts in funders’ practices. For example, the new funding model of the Global Fund to Fight AIDS, Tuberculosis and Malaria requires the participation of most-at-risk populations, including MSM, in the Country Coordinating Mechanism (CCM), necessitating coordination among MSM-led organizations. In Togo, funders such as the United Nations Development Programme (UNDP) and Family Health International (FHI 360) are providing technical support to enable local organizations to engage more effectively with the CCM, and the three MSM and gay-led organizations in Togo have now formed a coalition, developed a shared strategic plan, and work from the same office space and community center. LGBTQ organizations have also found ways to collaborate in Liberia and Nigeria. Sixteen organizations in Liberia belong to the Liberian Initiative for the Promotion of Rights, Identity, Diversity and Equality national coordinating network (LIPRIDE). In Nigeria, the Coalition for the Defense of Sexual Rights (CSDR) was formed in 2006 to mount a coordinated response to the first version of the SSMPA,¹⁶ and in 2014, in response to the passage of the SSMPA (2011), the Solidarity Alliance emerged. Ironically, members of both coalitions told us that differences over strategy have prevented them from collaborating with each other.

At the regional and international level, almost all organizations belong to a coalition or a network, but those led by MSM and gay men tend to be the most connected. In Francophone countries, several MSM- and gay-led organizations are members of AFRICAGAY and/or African Men for Sexual Health and Rights (AMShEr), while queer women-led groups and organizations are members of the Coalition of African Lesbians (CAL), Queer African Youth Network (QAYN), Association for Women’s Rights in Development (AWID), and other women’s rights networks and coalitions.

There is very little collaboration between Anglophone and Francophone countries. Three organizations, AMShEr, QAYN, and the Initiative for Equal Rights (TIERs), work across borders, but only AMShEr and QAYN work in both Anglophone and Francophone countries, while TIERs focuses on Anglophone countries.



3. THE STATE OF THE MOVEMENT – MAPPING LGBTQ AND MSM ORGANIZING IN WEST AFRICA

3.1. LOCATION

In West Africa, LGBTQ activism is confined mainly to the cities, where urban anonymity enables more personal freedom and LGBTQ individuals can be comparatively visible in public spaces such as certain restaurants and nightclubs. This makes community mobilization easier, especially during the early stages of organizing.

Several international research projects have recently studied the situation in semi-rural areas and confirmed the need to reach out to these communities. As a result, several MSM organizations and, increasingly, lesbian and queer women-led organizations are beginning to expand their activities beyond the cities. Almost all the groups and organizations interviewed for this research already do so or have plans to do so. However, they face the problem of how to provide services to smaller communities without outing LGBTQ people there. One way is to invite promising leaders to workshops and other events in the city. This develops their organizing skills and expands their networks without exposing them where they live.

For security reasons, the names of most groups and organizations will not be made public in this version of the report. Table 2 in the Appendix gives only the number of known groups and organizations in each country that participated in this research.

3.2. ISSUES, PRIORITIES AND RESPONSES

There are other issues beyond AIDS. I do not even like the term MSM, which gives the impression that all we do is have sex from morning to evening. We want to talk about our human rights. What should we do when we have been helping in the treatment of our partners in a hospital for months and then, one day, his family denies us the right to see him?

– Diadji, President, AIDS Senegal

The 50 LGBTQ and MSM groups and organizations that contributed to this research focus on various issues and use diverse strategies.

Some issues and strategies are common across the region. Others are unique to particular contexts or communities.

3.2.1. Issues Facing LGBTQ Communities and Individuals

Lack of Family Acceptance

Religious fundamentalism is on the rise in West Africa, fuelled by poverty and illiteracy. It promotes a redefinition of “African values” that is hostile to individual rights, usually beginning in the family with pressure to change or to marry, restriction of movement, or outright rejection and disownment. There are even reports of family-organized gang rape of girls and women believed to be lesbians. Family bullying and violence are usually the first homophobic experiences LGBTQ Africans face.

Homelessness

Widespread family rejection (especially of youth) is creating a need for emergency housing, but only Nigeria has a system in place. Three organizations there operate one safe house each, but the need is far greater, especially since the passage of the SSMPA. In other countries, organizations make ad hoc arrangements. At *Alternatives Burkina* in Bobo-Dioulasso, for example, we found one of the offices converted into a temporary bedroom for two young people who had been thrown out of their families. Sometimes, instead of emergency housing, activists collect donations to support homeless youth.

Low Self-Esteem

Low self-esteem and lack of self-acceptance caused by social stigma, religious homophobia, family pressures, lack of visible role models, and lack of information on sexuality make it difficult to promote safer sexual behaviors, fight discrimination and violence, and build solidarity. Even among LGBTQ people, discrimination against gender-nonconforming, trans*, and bisexual members is common.

Poverty

Poverty has a complex impact on LGBTQ communities. It makes people more vulnerable to homelessness and violence, makes it more difficult to express their sexuality safely, undermines their health, and compromises access to healthcare. Within the LGBTQ community, gender-nonconforming and trans* people face the worst poverty. As Eric, a trans activist with QAYN in Burkina Faso, pointed out:

Being transgender makes it difficult to access work in this society.... Already when you arrive to file your application, they will not see that you need to work, they will only be interested in your person and want to ask you questions. I'm not ready to tell my story to everyone."

Human Rights Violations

West Africa is experiencing a backlash against LGBTQ people. There is increasing risk of arrest, public humiliation, extortion, social isolation, and suicide. All 50 groups and organizations included in the research, as well as allies and country-based funders, identified human rights literacy and legal aid as pressing needs. Even in countries that do not criminalize homosexuality, many LGBTQ people believe they are “illegal” and do not know when their rights have been violated. Most victims avoid legal action, fearing the repercussions of being outed.

Safety and Security

Throughout the region, fear of violence is part of LGBTQ people's daily lives. Activists have the added burden of protecting not only themselves but also the communities they serve. In Nigeria, the passing of the SSMPA heightened these concerns. Recently, the Centre for the Right to Health, a mainstream public health NGO in Lagos, was served with an eviction notice by their landlord of many years simply due to the organization's work with MSM.

Gender and Safety

Gender complicates and magnifies safety and security issues, especially for queer and trans* women. In many West African societies, a woman is not supposed to live alone. Doing so compromises not only her own reputation but also that of her family. Unmarried women who live with their families are subject to constant scrutiny and violations of privacy. For trans* individuals, the simple act of walking down the street can be dangerous, and when they become victims of violence, seeking help from the police is usually futile:

You can't go out and say okay you are facing this thing without [the police] asking silly questions... You can't tell them you are a man; they will ask you, "you get this thing?" Before you know, they will want to rape you with their rods, or they will bring people to rape you"

– Emmanuella, trans activist, Nigeria).

Internet Safety

The Internet has become an invaluable tool for LGBTQ community-building and activism but comes with a whole new set of safety and security concerns for LGBTQ people. Many people lack basic digital security skills and expose themselves to harassment, blackmail, and violence through social networking and dating sites.

Discrimination in Healthcare

Even in countries where homosexuality is criminalized, the HIV pandemic has forced governments to address the sexual health

of MSM. But although all nine countries visited for this research have national policies or guidelines on HIV/AIDS prevention among MSM, implementation is uneven, and MSM continue to face subtle or overt discrimination in healthcare. The needs of lesbians, gender-nonconforming people, and trans* people remain largely unmet.

Homophobia in the Media

In many West African countries, the media use sensational reporting to reinforce myths about LGBTQ people, stir up moral panics around LGBTQ issues, and provide a platform for those in power to attack LGBTQ identities. Moderate or progressive voices are silenced or pushed to the margins. International media coverage, on the other hand, "tends to reinforce simplistic contrasts in highlighting cases of homophobia that occur in Africa, specifically the most sensational ones, while ignoring the considerable diversity of experience and the debates happening on the continent."¹⁷

3.2.2. Strategies and Responses

Leadership Development and Capacity-Building

There is a surge in LGBTQ organizing in the region, but the emerging leaders are mostly young and relatively inexperienced. They have passion but often lack the skills needed to move their initiatives beyond the initial stages, especially in places where no previous LGBTQ-led and/or MSM-led organizing has taken place. A handful of organizations have responded by:

- Identifying, grooming, and training potential leaders
- Mentoring groups to develop their organizing capacity
- Providing seed funding and/or facilitating groups' access to local funding
- Providing or facilitating access to organizing spaces
- Providing groups with basic work equipment
- Supporting groups' registration processes
- Providing seed funds for modest catalytic projects.

Rights Education

There is an urgent need to educate MSM and LGBTQ communities on the laws that affect their lives. Some organizations are now training paralegals in basic legal counseling for community members with legal problems and as first referral points if someone is arrested.

Documentation of Human Rights Violations

In most of the Francophone countries surveyed, activists have established *observatoires* (or are in the process of doing so). These are community-based watchdog groups that raise alerts and gather data on rights violations. Often, they have toll-free lines where they provide legal advice and referrals.

CASE STUDY

Joint Initiative to Collect Human Rights Violation Reports

In 2014, the Initiative for Equal Rights (TIERs) in Nigeria spearheaded a project in collaboration with six LGBTQ organizations across the country to document LGBTQ human rights violations. Data was collected from January through December 2014 in 14 states and the findings summarized in a collection of infographics for the African Commission on Human and People's Rights. The project will submit a full report to the Nigerian Human Rights Commission and at a symposium in December 2015. The infographics are available at: <http://www.theinitiativeforequalrights.org/infographics/>

Working with Religious and Traditional Leaders

Although several activists identified a need to initiate dialogue with religious and traditional leaders, very few organizations are doing this. In the few countries where such work is taking place, a funder or international organization has been the implementer. Examples include the work that Heartland Alliance for Human Needs and Human Rights is doing with Muslim leaders in northern Nigeria and the work that FHI 360, through their PACTE-VIH project, has begun with traditional leaders in Burkina Faso.

Working with Media

In all nine countries surveyed, MSM and LGBTQ groups and ally organizations are engaged in media education and training, but much more needs to be done to shift entrenched prejudices and habits of reporting.

CASE STUDY

Working with the Media in Togo

A coalition of MSM and LGBTQ groups and an ally organization, Espoir Vie Togo, held a series of training workshops with editors of the main media houses, resulting in a draft charter on how to cover LGBTQ issues responsibly. A workshop for journalists then validated and finalized the charter, which can now be used as a guide for writing about LGBTQ issues and as a way of holding the media accountable.

Working with Law Enforcement

Several groups and organizations have initiated formal or informal dialogues with law enforcement officials. A few have organized trainings to reduce the harassment of LGBTQ people and promote fair treatment of any who are arrested.

Working with Lawyers and Judges

In almost all the nine countries, activists expressed a need to build alliances with judges and lawyers. As one Nigerian lawyer explained:

I think there has always been a lacuna that the movement is not recognizing, and that is the legal space. From an insider point of view, there are tons and tons of LGBTQ lawyers – especially lesbians – in the government, but they have not been well engaged.

Nigeria is the only country where activists are actually working with lawyers and where there are lawyer networks supporting the LGBTQ movement. Lawyers Alert (a network of 20 lawyers that grew out of an initiative supported by UNAIDS), Lawyers for Equality (a network of 12 lawyers), and the Nigerian Legal Defence and Assistance Project (LEDAP), an ally NGO, have been actively supporting LGBTQ causes, especially since the passage of the SSMPA. Other organizations, such as INCREASE and TIERS, have trained lawyers on LGBTQ issues and sexuality.

Safe Houses

Several organizations and groups are scrambling to provide emergency shelter to people facing security threats or who have been chased from home by family members or landlords. Some are even using their own office space for temporary shelter, but Nigeria is the only country with stand-alone safe houses: House of Rainbow's in Ibadan, Queer Alliance's in Lagos, and another run by INCREASE in the north. Other organizations contribute to the logistical needs of these safe houses. For instance, TIERS provides funds to Queer Alliance and House of Rainbow to help cover food, transport, and other costs.

CASE STUDY

Queer Alliance's Safe House

Queer Alliance has been running a safe house for about four years in partnership with other LGBTQ groups and organizations in Nigeria. Applicants for shelter must prove they are in danger due to their sexual orientation

and/or gender identity. A committee supported by a referral network reviews applications, and if an application is approved, a one-month stay, renewable for up to three months, is provided. On rare occasions, a person will be sheltered for up to six months. In partnership with other organizations, Queer Alliance provides guests with food, transport, and other basic needs, and works to address their safety and security needs. It also helps guests find work and/or relocate to another city. A special allowance is available for medical needs.

Family Mediation

Although LGBTQ activists have so far done most of their legal and policy advocacy in international forums, they increasingly agree on the need to focus more on the communities where they live, starting with their own families:

It is time for us to do the grassroots work, to build the hearts and minds – if we empower community members, they can speak.... As we become more visible to the people we love, it's harder to hate us. It will be harder to listen when public officials come out and speak rubbish, because you know the one you have in your house is not like that.

– Otibho, Activist with Women's Health and Equal Rights – WHER, Nigeria

Some groups have begun to organize family support groups led by LGBTQ-accepting family members who are willing to educate and support other families.

Health Services

The long-term goal of several MSM-led and gay-led organizations is to run an independent clinic providing a range of health services. Several organizations have already turned part of their offices into testing and counseling facilities, but only one, the International Centre for Advocacy and Rights to Health (ICARH) in Abuja, has achieved the dream of operating its own clinic. Most organizations provide, at best, basic or supplementary health services such as psychosocial support, group discussions, and trainings of peer educators. When a community member faces a more serious healthcare need, organizations have to rely on referral networks.

Safety and Security Training

Throughout the region, groups and organizations are working to build awareness of safety and security and promote safer

practices among community members, staff, and volunteers. Increasingly, activists are accessing training from international organizations such as FrontLine Defenders. In some cases, activists themselves are leading these trainings. INCREASE in Northern Nigeria has provided several safety and security trainings for emerging activists, and also in Nigeria, WHER recently conducted an integrated digital security training for queer women.

Regional and International Advocacy

West African LGBTQ activists recently joined their counterparts from other regions in Africa in a coalition led by CAL and AMSHeR to advocate for the rights of LGBTQ Africans at the African Commission for People and Human's Rights. They have drafted or contributed to country shadow reports, lobbied members of the commission, and networked extensively with other LGBTQ activists and members of civil society.

Litigation and Decriminalization

Litigation strategies and decriminalization are not yet on the agenda in West African countries, except in Liberia, where several organizations have identified decriminalization as a priority, and Nigeria, where a strategic plan, developed by CDSR in response to the SSMPA, identifies strategic litigation as a priority.

3.3. GAPS

If the LGBTQ community does not understand us, who will?

– Eric, trans activist, QAYN, Burkina Faso

One of the most obvious gaps in emerging LGBTQ space in West Africa is the underrepresentation of queer women and trans* people in the leadership of the movement. Because the LGBTQ movement in West Africa got its original impetus through HIV/AIDS initiatives, LGBTQ organizations, especially more established ones, tend to be led by MSM and gay men.

MSM and LGBTQ organizing culture in West Africa also reflects the patriarchal culture of the wider society. Thus, undercurrents of sexism in queer organizing space are common. For example, it is not unusual – in fact, it is often expected – that, during meetings, women activists will be responsible for handling logistics (ensuring people are fed, taking notes, etc.):

It's in our culture for women to take the back seat. It is difficult for women, in a gathering with men who are throwing ideas across the room, who are arguing about something, for you to speak because 1) it was decided that your voice is not

heard or 2) your voice is heard but it will not make it to the communiqué at the end of the day.

– Akudo, activist, WHER, Nigeria

Few LGBTQ and MSM activists base their organizing on a critical analysis of gender and sexuality or even question their privilege as men in a system that has empowered them to be leaders and groomed women to be submissive.

Like most women around the world, queer women activists juggle multiple workloads. They have a job that pays the bills, keeps a roof over their heads, and sustains their families, they lead and sometimes contribute financially to their activist organizations, and at the end of the day, they return home to care for their families. One striking difference between organizations led by queer women and those led by gay men or MSM is that none of the founding members of queer women-led organizations are paid staff. Instead they are either full-time civil servants, staff of mainstream NGOs, businesspeople, or self-employed in addition to leading their organizations. As Otibho from WHER explained:

The fact you are working this job, that you are putting resources into the organization, is challenging, because you don't have enough time to dedicate to the organization, and you are stretched. It also affects the pace we can move [at].

Emerging trans* activists face their own challenges. In our research, we were often told that there are no visible trans* people in West Africa or that a sense of trans* identity has not yet developed in the region. Even though trans* community members are popular in social gatherings, there is a persistent reluctance to see their rights as a priority. Trans* women, in particular, are often conflated with sex workers, and the complexity of their identities and decisions goes unexplored. There is also widespread discrimination against “effeminate” men. They are seen as provocative or flamboyant and accused of giving LGBTQ people a bad name. A lot of gay men and MSM, including activists, go out of their way to avoid being seen with them in public.

Despite supposedly working to challenge dominant ideologies, the MSM and LGBTQ movements in West Africa have yet to engage in a thoroughgoing power analysis. With a handful of exceptions, gender justice, in particular, is simply not an issue in the queer movement in West Africa.

The research also pointed to other gaps, such as neglect of underage and older LGBTQ people's needs and lack of capacity

to respond to new needs and issues. The main gaps identified during this research are summarized individually in the sections below.

3.3.1. Understanding Transgender Identity and Supporting the Rights and Leadership of Trans* People

There is limited understanding of trans* identity both within the LGBTQ movement and in the wider LGBTQ community. In any case, most organizations lack the capacity to address key trans* needs such as:

- Training psychologists on trans* identity and issues
- Training doctors on the sexual health needs of trans* people
- Facilitating access to surgery for those who want to transition
- Advocating for the right to change gender and name on legal documents
- Advocating for the right to mobility and to access jobs, education, housing, and healthcare as a trans* person.

There is support for the emergence of trans* activism in only three of the nine countries surveyed. In Nigeria, Heartland Alliance International and INCREASE are grooming activists and supporting the emergence of trans*-led organizing spaces, and in Burkina Faso and Côte d'Ivoire, QAYN and *Alternatives Côte d'Ivoire* are mentoring a few trans* men activists. Nevertheless, there is an expectation that trans* issues will become more visible in time:

Transgender is an issue that is gaining importance because, often in these days, we see that the phenomenon has taken momentum. The “girls” – that’s what we call them – they no longer see the negative side of being visible, the violence that may arise from this.

– Aboubacar, *Alternatives Burkina*

3.3.2. Youth Leadership and Inclusion of Youth Issues

In West Africa, social taboos around the open discussion of sex combined with the influence of certain traditions and religious beliefs make it difficult to advocate for young people’s right to empowering, inclusive, comprehensive, and honest information on sexuality and reproductive health. The consequences are dangerous:

A lot of [LGBTQ] adolescents begin to realize and understand their sexuality and their sexual drives, and they are doing things – they are not being cautious.... Coming into the scene, meeting everyone, doing everything, endangering themselves.

– Williams Rashidi of Queer Alliance in Lagos, Nigeria

Some NGOs in the public health sector have gained access to MSM youth through their HIV/AIDS programming, but even this has been challenging. MSM identity is seen as temporary and “adopted” mainly for financial gain, especially in Francophone countries, and providing services to LGBTQ youth is seen as promoting this:

When you try to do outreach targeting youth of a certain age, the parents will suddenly think you’re about to introduce their children to impossible things. They forget that the child was already like this before you even reached out to them.

– Honoré from ALAVI, Burkina Faso

QAYN’s unpublished needs assessment (2011) of gay and MSM youth found that 99 percent of respondents had their first sexual activity by age 15 and that, besides safe-sex kits, their most pressing need was for psychosocial support to understand their sexual orientation and/or gender identity.

3.3.3. Sexual and Reproductive Health of Queer Women

A recent report by QAYN found that many myths and misconceptions concerning exposure to STIs and HIV persist among queer women. Sociocultural pressures force most queer women to have heterosexual relationships, and many have unwanted or planned pregnancies, yet very few see a gynecologist regularly.¹⁸ When she faces health issues related to her sexuality, a queer woman in West Africa usually pretends to be straight, so same-sex female couples rarely access services together. In order to avoid discrimination, queer women often rely on self-medication rather than consulting a professional. A few queer women-led groups and organizations are trying to address these issues. They offer peer education services to queer women, sometimes online, organize group discussions, and, in the case of Ladies’ Voice in Lomé, Togo, partner with an ally NGO to provide free services to their members.

3.3.4. Same-sex Partner Violence

Intimate partner violence is a major concern among LGBTQ communities. Queer women and trans communities are usually more willing to acknowledge this type of violence, but the secrecy surrounding most relationships means that victims cannot seek medical or police help. Emmanuella, a trans activist from Nigeria, explained:

You go to a security official and [if] they know you are living in a same-sex relationship, they don't even take it up. They may even arrest [you], and so you see, most times, partner abuse goes on.... If there were proper laws, an abused partner could walk up to security agencies to report the matter and not be afraid that they will be arrested, but because the country is the way it is, such violence is not being reported.

3.3.5. Reconciling Faith, Religion, and Homosexuality

Almost no work is being done to support LGBTQ people and MSM to reconcile their faith with their sexual orientations and gender identities. House of Rainbow in Nigeria is the only LGBTQ faith-based organization in the region. It works primarily in Anglophone countries but has plans to expand further in Africa, with additional focus on Francophone regions. There is no group or organization in the region that addresses the needs of LGBTQ and MSM Muslims.

3.3.6. Economic Empowerment

Everyone interviewed wanted to see programs to empower LGBTQ people economically. They told us about how poverty makes it even more difficult, especially for LGBTQ youth, queer women, and trans* people, to express their sexuality or enjoy their right to privacy. They also noted the various ways in which economic issues hamper the movement by creating class tensions within LGBTQ communities, which make it difficult to build solidarity or mobilize members. Organizations are also forced to use their resources to address the immediate needs of their members instead of pursuing more ambitious social and political change agendas.

3.4. WORKING CONDITIONS OF LGBTQ AND MSM GROUPS AND ORGANIZATIONS

The working conditions of LGBTQ and MSM groups and organizations are constrained by a variety of factors. Some are external and others internal.

3.4.1 External Challenges

Simply registering an LGBTQ organization in West Africa is a major challenge. Even in countries where same-sex practices are not criminalized, groups often fear applying for registration as an explicitly MSM or LGBTQ organization. Those that do so are often denied on vague “moral” grounds or simply ignored:

Only organizations whose missions include the prevention and treatment of HIV/AIDS for ‘vulnerable groups’ (MSM) are likely to be granted registration. In some cases, no explicit ground for refusal of recognition is specified, but in most cases, the notion of ‘respect for moral standards’ is used.¹⁹

One of the key considerations for registration is simply the name. Of the 50 organizations that participated in this research, only four state their LGBTQ identity in their name – Lesbian Life Association of Côte d’Ivoire (LLACI), Ghana Gay and Lesbian Association (GALAG), Queer Alliance Nigeria, and Queer African Youth Network (QAYN). Up to now, none of these organizations has obtained legal registration.

In Senegal, *Prudence* is the only MSM organization to have obtained registration with explicit language on sexual minorities in their by-laws. However, they are hesitant to renew their registration, fearing it could be rescinded when the documents are resubmitted. As one Senegalese activist explained: “Nowadays all civil servants are aware of the terms MSM and sexual minorities. We can no longer take advantage of their ignorance.”

Activists often use creative solutions in choosing a name. In Francophone countries, the most common names used by MSM and gay-led organizations are *Alternatives* (*Alternatives Burkina*, *Alternatives Côte d’Ivoire*) and *Arc-en-Ciel* (“rainbow”) (*Arc-en-Ciel+* in Côte d’Ivoire, *Afrique Arc-en-Ciel* in Togo, *Arc-en-Ciel* in Benin). INCREASE in Nigeria helps emerging groups strategize around their names and objectives and links groups with lawyers willing to help draft “safe” by-laws. But even when groups use “safe” language, their request will be scrutinized with extra zeal if they are suspected of being LGBTQ. Togo’s *Club des Sept Jours* waited

five years for registration and only succeeded with the support of FHI 360. Also in Togo, *Afrique Arc-en-Ciel*’s strategy was to use the country’s national strategic plan on HIV/AIDS to their advantage, since it at least recognizes MSM as a target group.

Although most LGBTQ funders understand the legal context in which groups operate, lack of legal status can be used to deny access to national decision-making spaces. In Francophone countries, the NGO sector operates on a rigid hierarchy governed by strict administrative protocols. Without legal status, the work of groups is not respected in its own right, and despite a visible record of successful activities, their legitimacy can continue to be challenged.

3.4.2 Internal Challenges

One of the biggest challenges facing all the organizations interviewed in this research is weak institutional capacity. A skeleton crew of staff and/or volunteers runs most groups and organizations, and even in those with funding to hire qualified staff, concerns about long-term financial stability make it difficult to recruit the right people. Several interrelated factors contribute to weak institutional capacity, as outlined below.

- **Governance:** In Anglophone countries, registered organizations are generally governed by boards of directors, but their role varies. In Nigeria, for example, where the culture of boards seems strongest, many of the more established organizations have boards made up of experienced directors with strong backgrounds in activism or academia, but in other countries, this is less common. Overall, few board members are actively engaged in their organizations, and although they commonly provide financial oversight, they rarely support fundraising.

In Francophone countries, most organizations have two or three governing bodies: a general assembly (*assemblée générale*), a board of directors, and/or an executive office. In most, the general assembly acts as the oversight mechanism, while the executive office is the implementing body. However, the members of the general assembly often lack know-how and tend to act only as a liaison between the executive and the community. In any case, the general assembly usually meets only once a year. Across the region, groups and organizations are keenly aware of the importance of an active, competent governing body, but recruiting one can be challenging. In Liberia, for example, activists have struggled to attract talented heterosexual board members. The fear of stigma associated with being an LGBTQ ally makes finding the right board members very difficult.

- **Staffing:** The number of paid staff varies based on the work of the organization. In general, MSM- and gay-led organizations working on HIV/AIDS prevention and services tend to have several paid staff, sometimes up to 16. Lesbian and queer women-led groups have the fewest. Out of the eight LBQ women-led groups and organizations interviewed, only two have any paid staff, two in WHER and four in QAYN.

MSM- and gay-led organizations are able to recruit the best-qualified staff. For most staff and volunteers, however, this is their first work experience. Even most directors normally learn everything as they go, including staff management, program development, fundraising, and evaluation. In some countries, the leaders have not had much schooling; they may be skilled community organizers, but they struggle with the more formal skills needed for some of their core tasks, especially writing.

In order for LGBTQ groups and organizations to develop institutional capacity, they need support for long-term growth, but funders typically support only organizations that have already shown they can manage large grants and projects. This situation can become a “catch-22,” with organizations lacking the capacity to secure the funds they require to build their capacity to secure funding. Even in established organizations, funding issues create an environment of insecurity, and staff often leave for more stable jobs with international organizations. As Aken’Ova from INCREASE, complained, “having invested so much in them, then they take up jobs with international organizations, and we have to start all over again. It has turned us into a kind of dwarf.” Moreover, the operating costs of most LGBTQ and MSM groups and organizations are typically tied to project implementation: when projects are completed, staff have to be laid off.

- **Volunteers:** Volunteers play critical roles, especially in the transition from informal group to formal organization. Sometimes they are the ones who lead projects, even for several years. QAYN’s digital magazine, *Q-zine*, for example, has been run by a group of volunteers since 2011. Organizations have learned to tap into community expertise and foster a talented volunteer base as a strategy for building capacity, and some, like QAYN, have been able to thrive because of the role volunteers have played. However, there is a need for balance to ensure organizational sustainability; the number of volunteers running an organization’s programs should not be higher than the number of paid staff.

- **Organizational Management:** Hardly any of the executive directors of the 50 groups and organizations surveyed for this research had a background in management. When activists evolve from community organizers to executive directors, they become responsible for managing staff and volunteers and usually have to juggle several roles: primary fundraiser, program director, office manager, finance director, and organizational spokesperson. Often they are responsible for everything from monitoring and evaluation to staff training and supervision. Because resources are scarce and funding requirements onerous, directors have to spend too much time writing proposals and reports, attending conferences, and meeting donors. Staff development and management take a back seat, and many young staff members are left to figure things out on their own.
- **Working Environment:** Only a handful of organizations have formal workspace. The rest rely on public spaces – restaurants, hotels, bars, or volunteers’ homes –and operate in ad hoc working spaces for an average of three years before getting a proper office. This undermines the work of nascent groups in at least two ways; it puts activists and communities in danger and makes it difficult for community members, allies, and even funders to take organizations seriously.

Operating from an office has its own challenges. Unstable funding or lack of finding for overhead costs can make regular rent payments difficult. An office also brings the need for furniture and equipment, yet most donors do not fund these types of expenses.

- **Lack of Fundraising Capacity and Strategy:** None of the groups and organizations interviewed for this research had a grant writer, development staff person, or even a fundraising strategy. The executive director is typically responsible for raising funds, which means that groups’ ability to mobilize resources depends largely on one person’s awareness of available funding streams and ability to write proposals.

All but a handful of the organizations that participated in this research were unable to estimate their general operating costs. Most operate from project to project, developing their activities in response to calls for proposals, rather than developing long-term programs guided by a strategic plan. Annual budgets and strategic plans are very rare, even when organizations are more than five years old.

In Francophone countries, organizations have little or no knowledge of international funders or of requirements for proposals. As Catherine Kyenret Angai, Democracy and

Accountability Program Coordinator at OSIWA's office in Abuja, Nigeria, told us:

We had some few proposals from people trying to do advocacy around these issues, and the basic capacity needs were that they really couldn't write a concept: what are the issues, what are your strategies trying to address the issues, just plain capacity like that.

Most LGBTQ and MSM groups and organizations operate from grant to grant, without the financial stability to develop their institutional capacity, grow as organizations, and implement programs that will have long-term impact.

- **Generational and Class Representation:** Generational and class issues in LGBTQ communities are intertwined; the older the people, the more they have to lose, and the more invisible they tend to become, even to other LGBTQ people. The movement is therefore led by relatively young individuals, which makes it challenging to reach out to older segments of the community. However, there are LGBTQ people in high-level positions who do not want to be visible but who contribute to the movement in ways that even well-connected activists may not be aware of. LGBTQ activists have yet to develop a way to tap into the potential offered by this segment of the population.
- **Developing Collectivized Membership:** A challenge that is not easily acknowledged by activists and organizations is the relative indifference of many community members to queer politics and movements. Low self-esteem, concerns about being exposed, generational differences, class tensions, concerns about socioeconomic status, lack of accountability, and a lack of alignment between personal needs and activists' agendas discourage or alienate many who should otherwise have a keen interest in the movement.

In countries such as Mali and Burkina Faso where community members do not feel threatened by an anti-homosexuality law, activists often struggle to mobilize their communities:

I would say the community understands, yes, but they do not see so much the need to be in organized space. That's what we are trying to make them understand; that the need is here. Here in Burkina Faso, there is no pressure on homosexuals. They do not see much use, since it

does not pursue them. We are trying to make them understand the need that is here, because we are already preparing for what might come in the future, because homosexuality, no country accepts easily. It takes struggles, we are preparing. This is the major difficulty.

– Ashley, QAYN, Burkina Faso

Some LGBTQ people fear that organizing will expose or endanger them, even though they often feel far from safe in their current environment.

There also seems to be a disconnect between rights-based organizing and the immediate needs of individuals struggling to survive economically. Their personal struggles sometimes do not allow them to make the connection between their material situation and human rights. In West Africa, particularly in Francophone countries, the role of civil society is increasingly perceived to be less a matter of shaping political responses to social issues than meeting basic social needs unaddressed by the state. LGBTQ community members are often reluctant to attend events or participate in projects without remuneration or other tangible benefit. In such contexts, only organizations led by MSM and gay men find it easy to demonstrate the value of their work, because they usually provide direct services related to HIV/AIDS prevention.

3.5. ACHIEVEMENTS

First of all, part of the achievement is that we have been able to make them believe that we do exist, because there is this denial, this state denial that there are no lesbians, there are no gay men, there are no bisexuals in Nigeria. We try to be visible as much as we can so that they can begin to also know that no, that is just fallacy.

– Thaddeus, Advocacy 4 Human Rights, Nigeria

The concept of “achievement” has largely been shaped by donors. Activists – especially those still emerging, whose language has not yet been molded by grant-writing and reporting – often understand and articulate their achievements differently from donors. For many, giving back to the community is their main goal, but they are often reluctant to frame this as an achievement. Even in well-established organizations, achievements can be hard to measure. As Olumide from TIERs in Nigeria explained, “I don't know how to speak about achievements, because for me, every day is an opportunity to achieve something new.”

When we asked activists to share their three biggest achievements, they responded in diverse ways. Some focused on programmatic and/or organizational achievements, others on community milestones, others on victories at the national, regional, or international level. The diversity of responses reflects the varied perspectives and stages of organizational development throughout the region.

At the community level, the achievements identified included:

- Planting the seed of hope that change is possible
- Mobilizing community members in a context where LGBTQ people are still largely underground
- Creating visibility, deepening a sense of community, and reducing isolation
- Providing social and political spaces where community members can gather safely
- Increasing awareness of sexuality, sexual health and rights, and gender identity
- Empowering community members to speak out and participate in decision-making spaces.

At the programmatic and organizational levels, the achievements included:

- Building political consciousness among LGBTQ and MSM people
- Building a movement
- Sustaining a decade of existence as LGBTQ and MSM organizations
- Building coalitions among LGBTQ and MSM activists and organizations
- Establishing and working from a physical office
- Creating safe meeting spaces (both physical and virtual), service centers, and increasingly, safe houses to provide space for social and political interaction and shelter in moments of crisis
- Operating MSM-led clinics and providing HIV and STI prevention services
- Influencing health policies to be inclusive of the needs of MSM
- Operating hotlines for provision of routine services as well as crisis management
- Building capacity to provide emergency financial support
- Supporting the emergence of community-based organizations
- Carrying out or participating in research and publishing to increase awareness of the lived realities of LGBTQ people.

At the national level, the achievements included:

- Increasing the visibility of LGBTQ identities and encouraging debates on sexuality in public spaces
- Engaging politically with government bodies
- Participating as LGBTQ and MSM members of civil society at decision-making tables
- Obtaining inclusion of MSM organizations in CCMs and other HIV/AIDS response platforms
- Developing media reporting charters with media practitioners.

At regional and international platforms, the main achievement cited was:

- Raising awareness of LGBTQ rights at the African Commission for Human and People's Rights and in UN platforms.

Measuring achievements depends on one's perspective. To funders, the achievements listed above might seem minor compared to the depth of needs waiting to be addressed. But for LGBTQ and MSM activists, who often operate in isolation and are sometimes unaware of the wider landscape, these achievements are enormous:

Ten years ago it was difficult for an MSM community member to seek treatment for an anal infection in a mainstream NGO. But today, with the work we have done, it is possible, because we have been pioneers. They now go for treatments because of the training we did in the community, which alleviated their fears.

– Christian, *Club des Sept Jours*, Togo



4. SOURCE OF SUPPORT – MAPPING TECHNICAL SUPPORT PROVIDERS AND FUNDERS

Mainstream NGOs working in the public health sector began to integrate direct services for gay and same-sex loving men into their HIV/AIDS programs ten or more years ago. To support initiatives targeting the community, they had to identify and train MSM leaders and, in this way, played a key role in the emergence of MSM activism in the region. A decade later, these mainstream NGOs are still the main partners of MSM and gay-led groups.

CASE STUDY

Centre for the Right to Health (CHR), Nigeria

The Centre for the Right to Health was founded in 1999 to advocate for people's right to healthcare, with an emphasis on vulnerable populations, and became operational in 2000 in Lagos. In 2007, CHR undertook preliminary research on MSM in Nigeria and began providing direct services to MSM communities in 17 Nigerian states. It fosters the emergence of community-

based organizations led by MSM and, in some cases, by lesbians. The organization begins by conducting a needs assessment in a new state with no previous MSM or gay-led groups. It then recruits and trains community members as peer educators, after which a cohort of peer educators will begin outreach work in their communities, including recruitment of new members. After the first cycle of six months, the new members are trained as peer educators and start their own outreach activities. The process continues until the peer educators are ready to form their own CBO. CHR then provides training, management assistance, and support for registration, proposal writing, advocacy work, and so on.

The African Council of AIDS Service Organizations (AFRICASO) and HUB-Alliance are among the few organizations that work on MSM and LGBTQ issues across borders. AFRICASO provides funding and technical support to MSM- and gay-led initiatives in

a number of Francophone African countries. In 2014, it partnered with AMSHeR to pilot a project (*Génération HSH sans SIDA*) to reduce the incidence of HIV infection and improve access to health services among MSM in Burundi, Cameroon, Côte d'Ivoire, Senegal, and Togo.²⁰

In Burkina Faso and Togo, FHI 360 is running a regional pilot project (*PACTE-VIH*) that funds direct services to MSM communities by mainstream NGOs while also funding and providing technical support to MSM-led organizations. One of the goals is to “identify and develop a model for the provision of HIV services that can be easily adapted and replicated across the region.”²¹

Heartland Alliance International (HAI) operates country-based offices in Côte d'Ivoire and Nigeria focused on capacity-building for CBOs led by MSM and/or sex workers. One of its key initiatives in Nigeria is a mentoring program that trains activists in financial management, report writing, resource mobilization, advocacy skills, and leadership. The program also introduces activists to stakeholders within the government and shows them how to cultivate relationships with allies. Over the years, HAI has incubated and, in some cases, directly supported several MSM and LGBTQ organizations in Nigeria, including TIERS, ICARH, and Male Health Initiative.

The main international organizations working with MSM and gay-led groups and organizations in more than one country are UNDP, UNAIDS, FHI 360, Heartland Alliance International, Futures Group, and Population Services International (PSI). UNDP and UNAIDS are the only two organizations active in all the countries surveyed for this research. In Anglophone countries, UNAIDS provides technical support and, very rarely, financial support to MSM- and gay-led groups. Togo is the only Francophone country of the nine countries surveyed where there is comparable support, in this case provided by UNDP. Throughout the region, UNAIDS lobbies for more inclusive health policies directly with governments.

Most technical and financial support for LGBTQ activism in West Africa goes to MSM-led or gay-led groups and organizations. HAI Nigeria and Heartland Alliance for Human Needs and Human Rights are exceptions; both support the wider LGBTQ movement. Heartland Alliance, jointly with AMSHeR and Francophone LGBTQ Advocates Initiatives (FLAI), is working to broaden the leadership of the LGBTQ movement in the region by training emerging activists in leadership skills and supporting organizations in capacity-building for rights-based work. Through FLAI, activists and organizations are trained in human rights documentation and shadow reporting and gain exposure to regional and international advocacy mechanisms and platforms.

CASE STUDY

UNAIDS in Nigeria

UNAIDS has supported the work of LGBTQ organizations in Nigeria in various ways. One has been to facilitate the emergence of *Lawyer Alert*, a network of about 22 volunteer lawyers who represent LGBTQ community members in courts, liaise with families, and document rights violations. The network also helps draft an annual report for submission to the Nigerian Human Rights Commission. The commission is required to report to the National Assembly, so this ensures that LGBTQ issues are at least heard by the government. After the passage of the SSMPA, UNAIDS also facilitated an emergency meeting of organizations from throughout the country. UNAIDS also lobbies to ensure the CCM allocates adequate funding for key populations in budget submissions to the Global Fund to Fight HIV/AIDS, Tuberculosis, and Malaria.



5. SOURCES OF MONEY – FUNDING CHALLENGES

LGBTQ and MSM groups and organizations face a host of funding challenges: language barriers, eligibility constraints, lack of internal fundraising capacity, funding priorities that do not address their communities' needs, and funders' often negative perceptions of the region. Increasingly, groups also compete for funding with international NGOs that develop projects, secure funding, and do most of the work themselves, but allocate a small portion of funding to local groups (primarily MSM-led) for modest, community-based activities. Local organizations often feel short-changed by this:

International organizations have become implementers of their own projects. They bring the money, they employ some staff, add some local mix, and then they go to the field and implement. We who have been on the ground for years and have experience and community roots are sidetracked.

Dorothy, from INCREASE, Nigeria

Indigenous organizations also contend with eligibility requirements that can be impossible for them to meet. Besides expensive audited financial reports, some funders require organizations to have a history of managing a certain level of funding:

This vicious circle should be broken, because organizations that have never received any funding cannot produce any audit report, thus cannot be funded.

Ndèye Kébé, Founder and President,
Sourire de femme, Dakar, Senegal

Most small or emerging organizations can only get limited seed funding under these conditions. Mainstream and international NGOs are often the only ones eligible for more substantial grants. Ironically, they then rely on local organizations to implement the projects they have proposed.

Almost all donors directly funding LGBTQ work are located outside the region. Urgent Action Fund-Africa was the only African fund directly supporting LGBTQ work in West Africa at the time of this research.

Grants to LGBTQ and MSM groups and organizations are typically restricted to particular projects, and the grant period is normally one year. These short grant periods do not allow for continuity in programming, particularly for advocacy work, which takes time to get results. One-off grants also hinder groups' ability to plan their work or cope with changes and setbacks in an unpredictable environment. Money for institutional development is particularly hard to get, even though funders have identified weak institutional capacity as one of the reasons why investments in the region are so limited.

In fact, funders often disempower organizations by, in effect, ignoring local know-how and dictating activities and timelines regardless of conditions on the ground. Most activists we interviewed complained about the lengthy negotiations required after submitting a budget, with funders discussing every single line item and the negotiation typically ending with all overhead expenses removed from the budget.

The view of most activists, especially Francophone activists who have received grants from both Anglophone and Francophone funders, is that Anglophone funders are more responsive to their needs and more flexible about budget reallocations, as well as more likely to disburse a grant all at once or in two installments. Francophone funders are said to disburse funds "by droplets," making smooth implementation difficult.

Although many donors prefer to work in English, some have worked hard to make information available in French. Nevertheless, some still require proposals to be submitted in English, which hinders Francophone groups' access to funding opportunities.



6. EXPECTATIONS AND RECOMMENDATIONS FOR AN LGBTQ-LED FUND

All the participants in this study were asked for their expectations and recommendations on how an LGBTQ-led fund should operate.

The suggestions from LGBTQ activists and organizations fell into four main categories:

1. Grant-making Approach

- Develop a well-rounded understanding of the movement and continuously “take the pulse” of what’s happening on the ground
- Invite concept notes first, then invite selected groups to submit full proposals
- Conduct follow-up interviews to ensure that organizations fully grasp the content of their proposals
- Keep application and reporting processes simple
- Conduct needs assessments of new organizations before starting a funding relationship
- Conduct regular site visits to see groups’ work at first hand and engage with staff and beneficiaries.

2. Priority Needs

- Create a platform where activists can meet, network, and strategize
- Support regional networking and alliance-building
- Fund holistic approaches to human rights with an emphasis on LGBTQ-led organizations
- Provide multi-year core support to enable groups and organizations to build institutional capacity, including advocacy and lobbying capacity, and develop and implement long-term strategies
- Support organizational development, including development, planning and management of projects, and resource mobilization
- Prioritize the capacity building of emerging groups, particularly lesbian and trans* groups
- Fund the most innovative and promising proposals
- Fund human rights programs
- Fund sexual and reproductive health and rights beyond HIV
- Fund economic empowerment programs

- Support groups and organizations to expand their programs in semi-urban areas
- Support safe houses
- Support community-based research
- Support advocacy through arts and culture.

3. Governance

- The fund should have a three-tier governance structure:
 - o A board of trustees/directors to set thematic focus areas and oversee resource mobilization
 - o A youth advisory committee to ensure the fund addresses youth issues
 - o A skilled, impartial community panel to review grants.
- All members of the board should be experienced, impartial, and credible, with demonstrated integrity.

Technical support providers, local funders and ally organizations made recommendations in three categories:

1. Mistakes to Avoid

- Fund strategic ally organizations, not just LGBTQ and MSM groups
- Avoid the HIV funding model, where there was a lot of money in the beginning that was practically given away
- Use a competitive funding process and insist on quality results
- Do not ignore local stakeholders, including local philanthropists. We have seen international funds come and dry up. If you don't want that to happen, it is important to find creative ways to engage local actors from the beginning.

2. Establishing the Fund

- Think carefully about the mechanisms and management of the fund and ensure they are transparent, accountable, and responsive
- Set up a mechanism that involves activists from different countries with a diversity of approaches
- Get experienced investment experts on the board to ensure funds are well managed and grow sustainably
- Include investors, judges, and representative of the police on the board.

3. Funding Priorities

- Promote collaborations and bridge gaps
- Be inclusive of all the needs of the LGBTQ population
- Prioritize strategic programs to develop and deepen LGBTQ activism
- Consider approaches that have potential for deep social change
- Fund programs that focus on changing the environment for LGBTQ people and that build activists' capacity to lead this type of work
- Invest in strengthening groups' organizational structures
- Provide funding to lesbian and trans* groups
- Support coordination of emerging groups
- Fund research on the lived realities of lesbians and trans* people
- Fund strategic litigation and lawyer networks.

International funders recommended that the fund:

- Engage with existing initiatives in the region in order to avoid potential conflicts
- Ensure Francophone countries and activists are equally represented and have equal access to funding, while not making any pre-determined decisions about whether the fund should be based in a Francophone country
- Identify a host country with enabling legal and fiscal conditions
- Find the right balance among community, staff, and funder priorities
- Ensure a careful navigation of multiple roles, including those of activists and grantmakers
- Secure a sustainable and diverse income for the fund
- Carefully manage the fund to avoid potential backlash in a region with sensationalized and homophobic media
- Support the protection and security of activists.

7. APPENDIX

TABLE 1. OVERVIEW OF THE LEGAL CONTEXT

COUNTRY	LEGAL ENVIRONMENT
BENIN	The penal code, amended 1949, states that “any person that commits an indecent or unnatural act with a person of the same sex aged 21 and below, will be punished with a prison sentence of six months to three years and a fine of 20,000 to 50,000 francs.” ²² An attempt in the National Assembly to amend the penal code in 2008 to remove the criminalization of homosexuality between consenting adults but maintain the age of consent at 21 for a person of the same sex (versus 15 for heterosexual sexual acts) was unsuccessful.
BURKINA FASO	No criminalization of homosexuality. Penalized only in cases of indecent assault, corruption of youth, or prostitution.
CÔTE D’IVOIRE	No criminalization of homosexuality, but under Article 360 of the penal code, certain practices, such as public indecent exposure, can be prosecuted.
CAPE VERDE	In 2004, Article 71 of the penal code criminalized homosexuality as a “vice against nature,” but a 2014 revision eliminated this and effectively legalized same-sex sexual practices. In 2008, Articles 45(2) and 406(3) of the labour code banned discrimination based on sexual orientation.

GAMBIA	Sections 144, 145, and 146 (2005) of the criminal code penalize “carnal knowledge against the order of nature” with up to 14 years of imprisonment. “Carnal knowledge of any person against the order of nature” includes (a) carnal knowledge of the person through the anus or the mouth ... (b) inserting any object or thing into the vulva or the anus of the person for the purpose of simulating sex; and (c) committing any other homosexual act...” In August 2014, another amendment introduced the concept of “aggravated homosexuality” for homosexual acts by “serial offenders” and gay or lesbian people living with HIV, punishable by life in prison.
GHANA	The penal code makes “unnatural carnal knowledge of ... another person of not less than sixteen years of age with the consent of that other person” a misdemeanor with a maximum three-year prison term. “Unnatural carnal knowledge” is defined as “sexual intercourse with a person in an unnatural manner” and requires “the least degree of penetration.”
GUINÉE BISSAU	No law.
GUINÉE CONAKRY	Article 325 of the penal code punishes homosexual acts with six months to three years imprisonment and a fine of GNF 100,000 –1,000,000 (about US\$14–\$143).
LIBERIA	Under Chapter 14 (Section 14.74) of the penal code: “A person who engages in deviate sexual intercourse under circumstance not stated in section 14.72 (relating to aggravated involuntary sodomy) or 14.73 (relating to involuntary sodomy) has committed a first degree misdemeanor.” Sexual intercourse “occurs upon penetration however slight”; ejaculation is not required. “Deviate sexual intercourse” means “sexual contact between human beings who are not husband and wife or living together as man and wife though not legally married, consisting of contact between the penis and the anus, the mouth and the penis or the mouth and vulva.” Sentences range from first-degree felony to first-degree misdemeanor.
MALI	No law.
MAURITANIA	Article 308 of the Mauritanian penal code punishes homosexual acts by Muslim men with death by stoning. Homosexual acts between two women are punished with three months to two years imprisonment and a fine equivalent to about US\$17–\$207.
NIGER	No law.
NIGERIA	The maximum punishment for same-sex sexual practices in the twelve northern states that use Shari’a law is death by stoning. Under the criminal code that applies to southern Nigeria sex acts between men carry a maximum penalty of 14 years imprisonment. The Same Sex Marriage Prohibition Act (January 2014) prohibits same-sex marriage and civil unions, which are punishable by 14 years in prison. Anyone who “administers, witnesses, abets or aids the solemnization of [a] same sex marriage or civil union” is liable to a 10-year prison term. The law also provides ten years in prison for “registration of gay clubs, societies and organizations, their sustenance, processions and meetings.”
SENEGAL	Article 319 (3) of the penal code (Law No. 66 of 12 February 1996) states that “any person that commits an indecent or unnatural act with a person of the same sex will be punished with a prison sentence of one to five years and a fine of 100,000 to 1,500,000 francs (around US\$2,000 to \$30,000). The maximum punishment applies if the act is committed with a person aged 21 or below.

SIERRA LEONE	Section 61 of the Offences against the Person Act (1891) states that “whosoever shall be convicted of the abominable Crime of Buggery, committed with Mankind or any Animal, shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or any Term not less than Ten Years.”
TOGO	Article 88 of the 2000 amendment of the penal code criminalizes homosexuality with one to three years imprisonment and a fine of 100,000–500,000 CFA (about US\$200–\$1,000).

TABLE 2. DISTRIBUTION OF PARTICIPATING MSM AND LGBTQ ORGANIZATIONS

COUNTRY	NUMBER OF ORGANIZATIONS	
	MSM OR GAY-LED	LBT-LED
BENIN		1
BURKINA FASO	2	1
CÔTE D’IVOIRE	4	1
GHANA	2	0
LIBERIA	3	1
MALI	0	0
NIGERIA	19²³	5²⁴
SENEGAL	16	1
TOGO	4	1

ENDNOTES

- ¹ American Jewish World Service, Astraea Lesbian Foundation for Justice, Foundation for a Just Society, UHAI-EASHRI (East Africa Sexual Health and Rights Initiative), and the Queer African Youth Network (QAYN).
- ² Trans* is used in this report to refer to anyone whose gender identity or expression differs from the gender assigned at birth. Some trans* people identify and present themselves as either a man or a woman; others identify with a non-binary gender category. Trans* people describe themselves using many different terms, some of which are specific to local cultures. Many global activists have started to use the abbreviation "trans*" with an asterisk, denoting a placeholder for the entire range of possible gender identities that fall under the broad definition of trans* - Global Action for Trans* Equality (GATE).
- ³ American Jewish World Service, Astraea Lesbian Foundation for Justice, Foundation for a Just Society, UHAI-EASHRI (East Africa Sexual Health and Rights Initiative), and the Queer African Youth Network (QAYN).
- ⁴ *Same-Sex Marriage (Prohibition) Act, 2013 – Explanatory Memorandum*. Retrieved from <http://www.refworld.org/pdfid/52f4d9cc4.pdf>
- ⁵ *LGBTQ rights in Northern Nigeria*. Retrieved from https://en.wikipedia.org/wiki/LGBTQ_rights_in_Northern_Nigeria
- ⁶ Amnesty International UK. *Gambia's latest anti-gay Bill*. Retrieved from <http://www.amnesty.org.uk/gambia-anti-gay-bill#.VfnHPM7Nx9s>
- ⁷ Queer African Youth Network (2015): *Do Not Wake Up a Sleeping Lion – Mapping the Legal Environment of LGBTQ Persons in Francophone West Africa*.
- ⁸ Library of Congress. *Laws on Homosexuality in African Nations*. Retrieved from <http://www.loc.gov/law/help/criminal-laws-on-homosexuality/african-nations-laws.php>
- ⁹ Ibid.
- ¹⁰ Queer African Youth Network (2015): *Do Not Wake Up a Sleeping Lion – Mapping the Legal Environment of LGBTQ Persons in Francophone West Africa*.
- ¹¹ *Goorjigéen* – A Wolof word used in Senegal and Gambia that means gay or feminine-looking man.
- ¹² *Tchié tè moussou tè* – Similar to *goorjigéen*, but a Bambara word used in Mali and Burkina Faso and other communities where Bambara and Dioula are spoken.
- ¹³ 'Yan Daudu – Hausa expression referring to gender-ambiguous men. On that subject, see Frank A. Salmone. "Hausa Concepts of Masculinity and the 'Yan Daudu.'" *Journal of Men, Masculinities and Spirituality* 1 (2007): 45-54. Retrieved from <http://www.jmmsweb.org/issues/volume1/number1/pp45-54>.
- ¹⁴ Ken Bugul. *Riwan ou le Chemin de sable*. Présence africaine, 2001.
- ¹⁵ Some sources trace the origin of the concept of MSM to the 1980s. See Tom Boellstorff. "But Do Not Identify as Gay: A Proleptic Genealogy of the MSM Category." *Cultural Anthropology* 26 (2011): 287–312.
- ¹⁶ Coalition for the Defense of Sexual Rights (CDSR). *One-year Strategic Framework Document*.
- ¹⁷ Author's translation of "...les reportages de la presse internationale et d'autres medias ont également tendance a renforcer ce contraste simpliste en soulignant les occurrences homophobes venant d'Afrique, tout spécialement les plus sensationnalistes – ignorant ainsi les différences considérable et les débats sur le continent" – P. Awondo, P. Geschiere et G. Reid. *Une Afrique homophobe? Sur quelques trajectoires de politisation de l'homosexualité: Cameroun, Ouganda, Sénégal et Afrique du Sud*.
- ¹⁸ QAYN. 2015. *Beyond Assumptions: Sexual Practices and Sexual and Reproductive Health Needs of Lesbians, Bisexual, Queer and Women who have Sex with Women (LBQWSW) in Francophone Sub-Saharan Africa*. Available at <http://www.qayn.org/research-publications/>
- ¹⁹ Queer African Youth Network (2015): *Do Not Wake Up a Sleeping Lion – Mapping the Legal Environment of LGBTQ Persons in Francophone West Africa*.
- ²⁰ Retrieved from AFRICASO's website on July 15th, 2015 at: http://www.africaso.net/index.php?option=com_content&view=article&id=1166:atelier-regional-de-demarrage-et-dorientation-du-projet-ghs&catid=69:initiative-5
- ²¹ Retrieved from FHI 360's website on July 15th at: <http://www.fhi360.org/news/new-hiv-project-targets-most-risk-west-africa>
- ²² All citations in this table are from Laws on Homosexuality in African Nations. Library of Congress: http://www.loc.gov/law/help/criminal-laws-on-homosexuality/african-nations-laws.php#_edn91
- ²³ This number varied based on activists' counts of MSM and LGBTQ groups current in Nigeria.
- ²⁴ Three groups are currently in the process of establishing themselves.

WE EXIST
Mapping LGBTQ
Organizing in
West Africa