



Transcript provided by the Kaiser Family Foundation<sup>1</sup>  
(Tip: Click on the binocular icon to search this document)

---

**Men Who have Sex with Men:  
Homophobia and HIV in Africa  
Kaiser Family Foundation  
July 21, 2010**

---

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

[START RECORDING]

**PAPA SALIF SOW:** -to this session. My name is Papa Salif Sow. I am an infected disease patient from the University of Dakar in Senegal. And I am happy to co-chair this session with Mr. Othman Mellouk from the Morocco Association, de Lutte Contre le Sida Maroc in Morocco. So this session will be focused on men having sex with men, the African experience, and I will give now the floor to my co-chair. So, we will have the three presentations and after the three presentations we will open questions and responses. So, Mellouk, you have the floor.

**OTHMAN MELLOUK:** Thank you very much. Good morning everybody. Our first speaker in this session is Gift Trapence. He is the director for Center for the Development of People (CEDEP) in Malawi, a non-governmental organization, working on sexual health and human rights of minority groups.

He is an HIV and human rights activist, especially on issues on sexual [inaudible] of arts degree and development studies. He has worked extensively on men having sex with men, sexual health and HIV prevention since 2005. He contributed to the [inaudible] of the first HIV sero prevalent study among the MSM community in Malawi and he was one of the principle investigators of this MSM study and he is one of the coauthors of the publication of this MSM study which was published in Plus One.

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

He is also one of the co-authors of a publication titled "Bisexual Concurrency, Bisexual Partnerships and HIV among South African Men who have Sex with Men." Trapence, you have the floor, and we ask all the speakers to seek on time because our session is very short and we would like to allow people from the audience to ask questions.

**GIFT TRAPENCE:** Good afternoon, beautiful faces. Thank you for your coming to this session. I think some of you, once you see my topic, you have already started thinking of individuals who are [inaudible] in Africa and the statements that our leaders in Africa make on sexual minorities.

My presentation will be based on the following, I'll look at the political support that is there in Africa, but as well by looking at Malawi as a country and the experiences that we have had when the two individuals were listed, sentencing to 14 years, but apart from this, I will also look at the state as far as homophobia and as well that I found it more interesting the blame game.

In all partitions [misspelled?], they always play this blame game as a political thing, but apart from that I will also look at the international conventions, not in details but just specifically looking at the HIV/AIDS policies that we have in Africa but as well in Malawi and look at that and compare with sodomy laws, but as well what I call the standard of

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

double dealing. I see a lot of double dealing in our countries, as HIV/AIDS programs targeting MSM are concerned.

Apart from that, I will also look at the governance issues. We have a lot of governance issues in our countries, in Africa, but as well looking at that tendency of hiding behind the LGBT issues, you know, as one way of covering up their governance issues, but as well I will just look a little bit on what we have done in addressing these challenges as an organization in Malawi.

When we talk about, I think, politicians, across Africa I don't think we have a political leader who has stood up for the rights of LGBT communities. We don't have a specific leader that we can show that this is the leader who is supporting MSM issues or LGBT issues.

Actually, politicians are there, we have very, very, very homophobic statements that come across Africa and even in particular Malawi we have had those statements when we had that case and very, very, very funny statements being delegated to the LGBT community and one like gay people are mentally challenged and their behavior is foolish and sodomy. Making that statement to a big, at a political rally, that is not even attached to MSM or LGBT issues.

But as well, what funny thing is that when you talk about opposition and ruling governments in Africa, you find there's a lot of it occurring between the governments, those

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

who are in [inaudible] as well those who are in opposition, but the only thing that these people agree on is on condemning the LGBT community. On that one, they agree. They do not even oppose, if you are in opposition, a Member of Parliament, you agree with the government on that one.

But as well, we also see how the media has sensationalized politician statements and also the politicians are taking advantage of that, making sure that their statements are outed to the media, and I think that maybe I want to look at is what I have already said about government homophobia, but as well the blame game.

We've had instances where the governments in Africa have certain to condemn, to close doors, working towards MSM issues or LGBT issues. We have had police arrests, specific statements coming in the media where police are threatened to have a list of gay people and also government coming up with a [inaudible] statement, writing all the homophobia statements.

But the most interesting thing is the blame game that I was talking about, saying that this is the western agenda. Donors are driving aid, so it puts the donors to a far corner on how they can support LGBT issues in Africa because these governments actually say it is because of you, you are [inaudible] to support this. This is a western agenda. So, that is the issue of an African idealism, being played to the donors as well.

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

But as well, what we saw the issue of politicians being very homophobic is because we have a lot of governance issues in Africa, and in particular Malawi. So, politicians when they have these issues, they will go on to buy sympathy from the society, because they know the society are opposing the issues, so if they come and often through the media condemning LGBT community, they build attention of the whole society to the LGBT community instead of dwelling on the real issues happening in our countries in terms of corruption, in terms of rape cases, in terms of deforming [misspelled?] cases, even some of changing strange [misspelled?] views, I mean bringing same views in our parliaments, so this is one way of trying to make their governments, getting that power, actually to continue their power behind LGBT issues.

But as well, the other thing that I wanted to talk about is that we have these HIV/AIDS policies in our strategic plans where MSMs are included, where LGBT communities are included as one of the target groups, but what is happening is that the same government that includes the MSM communities in these strategic plans, HIV strategic plans, also the ones who are coming in the [inaudible] condemning, how are you going to balance the two if you are including the MSM, at the same time you are bashing them, driving them further on the ground, under the ground? And how do we explain this double dealing? Maybe

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

one way is the strategy of sourcing the Global Fund money. We don't know.

How have we addressed the issues as of now in Malawi, have formed a [inaudible] group who would want to involve everyone, whether it is opposing it or not, actually to come as a group and to champion the issues, actually to engage the government and [inaudible] different key players because the [inaudible 00:10:44] in Malawi, if you talk about MSM issues, is a religious leader, so would want, actually to form that technical [misspelled?] group, which is already there as I am talking now, actually to check on these issues in a holistic way involving everyone, so this is the approach that we are taking in Malawi.

I guess talking in terms of challenges, I think what we saw is that there is lack of support from the NGOs, even human rights' organizations have been condemned, but as well [inaudible] the government for convicting those people who were arrested. One wonders whether these are really human rights organizations. One wonders when an HIV organization also is attacking also another organization that is also addressing the same problem, one wonders what these organizations are really HIV/AIDS organizations.

And my conclusion is that I think politicians should be taken to task, you know, aspects of good governance including

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

respect for human rights and they should not be hiding behind the LGBT issues. Thank you very much. [Applause]

**OTHMAN MELLOUK:** Thank you very much. And your country, Malawi, has some very sad events happen this year and it is not the unique case in Africa and thanks to remind us with this issue of double dealing which is not unique to Malawi.

But, it is present all over Africa, all over regions like Middle East and also Africa where the issue of homosexuality is still a hot issue, and to remind us how politicians use homosexuality for populist reasons and to avoid to, and to distract from discussing the real government issues and the real accountability issues and the negative role that the media is playing actually in our continent and all the stories that we had during the last year, the majority of them have been started in the media.

So, the co-chair will introduce the next speaker.

**PAPA SALIF SOW:** Thank you very much, Othman. It is my pleasure now to introduce the next speaker, who is Joel Nana, Joel is leading African LGBT human rights advocate and HIV/AIDS activist, another carrier of the human right advocate have spanned numerous African countries including Nigeria, Senegal and South Africa in addition to his native Cameroon. He is currently the executive director of the African Men for Sexual Health and Rights and today Joel Nana will talk about the

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.



barriers for fighting for sexual freedoms in Africa. Joel, you have the floor.

**JOEL NANA:** Thank you. It is funny that we are talking about homophobia in Africa and less than 5-percent of the participants in these sessions are Africans. I think it clearly speaks to the issue that we are here to talk about today.

I was asked to talk about the barriers to accessing services and specifically the legal barriers, but the legal barriers for me is too narrow, so I look at the legal barriers within the framework of access to justice, because accessing HIV prevention, treatment and care services does not only resume to condom and lubricant, it also resumes to the realization of all the human rights that have been guaranteed.

So, that is the title of my session. While we have said that in this conference over and over again, we have eight countries out of 53 still criminalizing consensual same sex practices between adults and there is an increasing number of countries trying to either introduce such law in the books or reinforce the penalties.

We had the example of Uganda. I am sure that you have all heard of that. And, the provisions on the penal code are increasingly being used. The argument before was that the provisions were in the penal code but people were not getting

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

arrested but as we are following the news there are many and more people getting arrested every day.

And, the most important even is that when these people are arrested, there is no one to defend them. Those lawyers, those people who are trained to defend everyone, they defend murderers, they defend rapists, but when it is time to defend people who have been accused of engaging into same sex activities, there is no one to defend them.

So, my presentation will resume around three main points, or three main words, I will focus on the what, what is access to justice? Why am I focusing on that? Because meeting specific human rights requirements for full access to HIV services including non-discrimination, equal protection of the law, the freedom from arrest and detention, are important.

I will focus on why, why do we talk about access to justice? Because I think accessing justice is a right to which every individual is entitled, regardless of his or her sexual orientation or behavior, for those who do not identify as gay or lesbian, and gender identity or just expression, and after dealing on that, I will propose some solutions or some ideas as to how, how do we work to realize access to justice, and this because I think that we are addressing all those human rights violations, and addressing the legal impediments to enhance access to services.

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

What is access to justice? Accessing and enjoying the full protection of the law without any legal or any other restriction is important. We have been seeing in the news, people get arrested because they are still thought or even said to have engaged into same sex activities, at least not just the law in countries where same sex activities are criminalized, we have countries where it is not criminalized, people use different other sorts of provision in the law, it might be loss of morality, it might be loss on decency, on behavior in public, all those provisions in the law are often used to criminalize people on the basis of their real or presumed sexual orientation.

Access to justice is also important because enjoying access to health services and specifically HIV services without any direct or indirect legal impediment is essential. There are various provisions, for example in Nigeria, Northern Nigeria there are people who were arrested for vagrancy and that was because they couldn't be jailed for same sex practices because of the attention that the issues would have gotten in that part of the country. They used vagrancy to sentence those people.

And, access to legal representation, and I will emphasize on that again. In most countries where people get arrested, there is no lawyer willing to defend these people, and while even lawyers take on these cases I have seen in

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

Cameroon, when a lawyer took on the cases, members of the legal fraternity tried to sue her for taking on these cases. That's how serious the common agreement among lawyers not to defend these populations is.

And why is access to justice important for MSM persons? Because there is a state obligation, a legal obligation by all African government, to ensure that everyone to have access to justice, to ensure that no one is arrested and thrown in jail unlawfully. There is, because human rights are interdependent and are interrelated, you cannot pretend to want to realize the right to the highest attainable standard of health if you do not secure the protection and the security of the person.

And, because we only do access services because we feel free to do so. I will not go and try to access HIV services in a space where I think that when I get out of there I will be arrested and thrown in jail.

And just two examples to illustrate that point, the first one is Alim Mongoche and the Cameroon 11. Alim Mongoche was a designer. He was arrested with 10 other persons in a bar in Cameroon on a Sunday afternoon, because people said that that bar is a place where gay men do meet. Alim Mongoche was thrown in jail with those people. He spent a year and 12 days in jail. The organizations in Cameroon, the lawyers in Cameroon, attempted everything they could to secure Alim's release, but it was unsuccessful. The first three months, Alim

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

Mongoche started being sick. He couldn't even sit. Alim Mongoche could not walk, but we tried to get a medical doctor to get him to jail and try to provide him with the services he needed. But, the prison authority refused that.

One of the inmates would carry Alim on his back to take Alim to court, virtually every second week because he had to appear in court. They would carry him. He would not be able to walk. And, after a few months, he had his test and I guess the jail authority found that he was HIV positive, they never gave him the result. They kept the result until they saw that his situation was almost desperate so they released Alim and the other men and Alim died eight days after.

That was a situation where only allegations, people's thought or ideas, just because of the way Alim appeared, he got arrested and thrown in jail and stopped from accessing life saving services. Had he not been arrested, he could have been here with us today.

And the second example is the case of Senegal. I think we all heard about what happened to Senegal. We heard about the story of the men who got arrested and thrown in jail and sentenced to eight years in jail because they were said to be a gay organization. They were sentenced for engaging in acts against the order of the nature and criminal association. Somehow, Senegalese authority got to formulate that, meaning

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

people associate in the gay organizations provide services to men who have sex with men are conducting a criminal act.

And today, Senegal, you can barely see organizations providing services to men who have sex with men and I am talking about MSM led organizations. All of them are afraid, many Senegalese MSM have left the country, their neighboring countries, some of them have applied to asylum in Europe and this put a stop to some of the services that people were accessing already, so that was the second example to elaborate my point.

And how do we improve these services? Most of us, and I am talking about most of the Africans who work on the continent here, we work with mainstream organizations, MSM organizations, even though mainstream organizations who are able to provide some of these MSM services to MSM organizations. I think it is our responsibility to work at empowering MSM communities because they do exist in all these countries and there are groups in many of them, and even government to advocate for the removal of all legal restrictions to accessing HIV services.

And Gift touched on that a bit about the problem between the Minister of Justice and the Minister of Health. We see that in Senegal also where the Minister of Health says it is fine, we will address HIV in your communities, but the Minister of Justice arrests them and throw them in jail.

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

I think that the strategy has to go beyond just the Minister of Justice, beyond just the Minister of Health, the Minister of Justice and the Minister of Interior have to be involved. And, sensitize law clinics. Law clinics in our countries, in our university are the place where most lawyers in our countries get out from.

I think if we do not start working from that level, we might be missing the point. It is important to make sure that we remind them all the time that human rights discrimination includes the non-discriminatory provision includes the non-discrimination on the basis of sexual orientation and/or gender identity.

And there is also the need to implement strategies aiming at sensitizing public on laws and access to justice because inasmuch as we will be talking about this, most men who have sex with men in the countries they leave do not know what their rights are, and when I was growing in Cameroon, I did not know that it was illegal to be gay, and I just got to hear about some of my friends that got arrested to understand that it was actually legal, so that speaks much about the knowledge of the law and human rights.

And there is also the need to reinforce links and this is more important for MSM organizations because in most countries where we work, we do work in isolation. I am not saying that we are not trying. We are trying but we should try

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

harder at making links with MSM and human rights organizations, and also to human rights and HIV organizations, it is important to include men who have sex with men, let organizations into your programming. And that was the conclusion and I am giving additional resources for those people who need. Thank you.

[Applause]

**PAPA SALIF SOW:** Thank you. Thank you very much, Nana, for this wonderful talk on the African experience on handling MSM according to the different countries. Now I give the floor to my co-chair to introduce our last speaker.

**OTHMAN MELLOUK:** Kapya Kaoma is an Anglican Priest from Zambia and who is now in United States of America. He is a researcher and he undertook the research that he is going to present to us on behalf of Political Research Associates, which is a progressive think tank devoted to supporting movements that are building more and just, more just and exclusive democratic society. He is going to expose movements in institutions and ideologies that undermine human rights with the focus on the U.S. political rights. His presentation is titled "Globalizing the Culture Wars, U.S. Conservative, African Churches, and Homophobia." You have the floor, Kapya.

**KAPYA KAOMA:** Good afternoon. My name is Kapya Kaoma and I am a priest in the Anglican Church, Our Saving Lady [Inaudible] Episcopal Church in Massachusetts, and I work with the organization called Political Research Associates. And

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.



what I deal with mainly is to start the right, the Christian right and their influence in Africa. My research took me to different countries like Nigeria, Kenya and Uganda. What I was interested in is to find out how much influence is coming from the Christian right and ending up in Africa and how the African Christians themselves were also affecting the political dialogue in the U.S.

I happened to attend a conference which was organized by the Christian right in collaboration with another group called the Family Life Network in Uganda. This group is totally based in Uganda, but all the speakers at this conference came from the United States of America. According to what they say, they are to teach Africans about the gay agenda, and what the organizers of the seminar called it, expose the homosexual agenda in Africa. The speakers were Scott Lively from Abiding Truth Ministries in the U.S., Don Smia [misspelled?] from HDS [misspelled?] International, and Caleb [misspelled?] were among those speakers who spoke from the International Healing Foundation. It's interesting because Caleb comes from a group which claims that homosexuals can be healed, and he went to Africa to tell them how he, himself, was healed.

Some in Africa asked why American Christian hostiles were going to Africa, people like the one respected minister, Pastor Rick Warren of Saddleback Baptist Church in California

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

is well respected because of his purpose-driven projects. He has peace plans across Africa. He is a friend of the leadership in Uganda, for instance Poco Hagami [misspelled?] is his best friend and I don't know what they talk about, but. I don't understand it, how a pastor can defend a dictator, but anyway, let's leave it there.

So you have him going to Africa and telling African Christians that homosexuality is not a human rights issue. If you are going to Africa you find out that nearly every church you go to, every Pentecostal Christian church you go to, and every evangelical church, even the Anglican Church of Nigeria, Anglican Church of Kenya, and Anglican Church of Uganda, you are going to find that the book, *Purpose Driven Life*, was started as part of their causes. They start in churches. This is the leader now who now goes to Africa and tells Africans that homosexuality is not a human rights issue.

Now what will these people go there to say? Scott Lively was in Uganda to speak at the antihomosexual conference, and there he said he went to Uganda specifically to teach about the gay agenda in churches, schools, colleges, community groups, and in parliament. Now it's important to realize that Scott Lively declared after the campaign that his teaching in Uganda was more like a nuclear bomb against the gay agenda. I'll talk about this guy a bit later.

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

He really knew what he was doing in Uganda. He taught the parliamentarians, now this is an insult to Africans. You know I'm very disappointed with the African political leadership. They are quick to point out that homosexuality is a Western imposition, but they're able to suspend all the dealings of the morning [misspelled?] in Uganda and have a simple crazy person like Scott Lively teach them about the homosexual agenda. [Applause]

This is a guy whose group, called the Abiding Truth Ministries, has been declared in America as a hit group. But in Africa, African politicians can sit with a person who is promoting hate in America for four hours. He did exactly that because they were ignorant enough to invite a U.S. [misspelled?] person to address them. Anyway. Africa, there we go.

The other guy who came is Lure Ingor [misspelled?], and Lure Ingor is interesting because it was after this homosexual view in Uganda being drafted that he went, this year in May on the 2<sup>nd</sup>, and he was telling Africans about how America is losing its religious freedom because of the homosexual agenda. If you allow homosexuals to exist in Uganda, then your freedom is about to disappear as well.

Now these guys usually are given not just time to speak, but also given state media to use, so they promote the ideologies on TV, like Scott Lively for instance, he was even

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

able to say something about how the gays, Western gays, have gone all the way from Europe to America. They have taken over America; they have taken over Brazil. Now they are about to take over Africa, and that's why we should stop them. He told Africans that they have taken over the United Nations. I'm sure he's soon going to say they have taken over AIDS 2010.

But, the truth of the matter is that he is preaching lies to people, and people are getting them as the truth. And in fact, the people advocating for the antigay view in Uganda, which will kill people for certain homosexual acts, were taking mostly from Lively's speech. I have got to attest to that because I attended it, and I recorded most of it on video so there is no way they can dispute that. Most of what was in the original deal, which was drafted on April 20, the first part of that is Scott Lively's talking points. I'm almost tempted to call it the Scott Lively bill.

The U.S. antigay movement has promoted a lot of myths in Africa, and this myth has gone for so long unchallenged, for instance, they said to Africans that gays are evil people, that gays are violent, that gays are out to kill and destroy families. They also keep on singing this song that homosexuality is a Western import, and one good thing they talk about, it is un-African; homosexuality is unbiblical and un-Christian.

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

You know what is interesting about this is the fact that Christianity came with colonialism to Africa. By then we say it's un-African, un-Biblical, and un-Christian. [Applause] Even Christianity itself isn't African, I know that. The Bible isn't African, but that's not important. The most important thing is that the Western world who is saying these words, who keep on saying that traditional Africa is opposed to homosexuality. They are out to make Africa become their conservative colonies. So, they are still colonizing African Christianity by turning it into this colony of their own ideologies. I don't understand that.

They also lie to people that homosexuals are out to recruit in schools. Now the evidence of this is that they really are affecting the public health debate, like it or not. The major health provider in Africa is the church. You are going to be shocked that every Christian community claims to be doing something about HIV/AIDS, but the lenses they are using are conservative lenses.

Now, if you are opposed to giving condoms to a group of people you have said are evil because Americans have told you so, how are you going to continue helping men who have sex with men when they knock on your doors? You can claim, and we say, no, nowadays we accept that AIDS is not a curse from God. But, I tell you, that statement still controls our African Christian's look at HIV, we like it or not. It's time for us

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

to denounce that, because once you look at people as sinners, you are going to close your doors from them. They won't come to you. For sure, gays and lesbians in Africa are afraid of churches, the churches which have received a lot of money from PEPFAR, from the Global Fund. So we exclude people because of the ideologies we have imported.

Blaming men who have sex with men in Africa for HIV I think is just morally wrong in that we know that most of the HIV cases we have in Africa, in fact, are among heterosexuals. I don't think it's fair to lie about that. I have to say that one other thing we have to think mainly about is the fact that we in the West, we tend to think that African gays are safe. Whenever you are fighting your wars in the Western world, be it Europe or Africa, please let your wars end here. Don't export them to Africa because they end up destroying the lives of people who don't have any form of support. Americans or Western progressives, you can go there and be activists. Be careful because you set the fire you're not going to quench, as the case in Uganda. Allow Africans themselves to fight this battle. We have people who can do this.

I have to end by saying that I know people have talked about homosexuality as being more of a colonial thing. Friends, I have to tell you, there's nothing neocolonialist, by saying that gays and lesbians are human beings to be respected with human rights to be advocated for, there is nothing wrong

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

about that. African leadership should realize that for so long we have lied to people, it is time to serve human beings who need the help. Those who are providing that help have a moderate responsibility to see that what they talk about is implemented regardless of gender, regardless of sexual orientation.

Finally, I have to just mention that one of the things I've learned in my work is that when you talk about gays and lesbians in Africa, we are talking about religion. Religion is a very fundamental instrument which is used across the board, be it law or be it governance. Unless we change our religious leaders in Africa—think about men who have sex with men—I tell you it's a lie, it will be a myth, to think that we are going to have an HIV/AIDS free Africa. That will never happen. Thank you.

**OTHMAN MELLOUK:** Thank you, Kapya Kaoma, for denouncing this ideological colonization which, with the all U.S. policy during the recent years and with all the flows of money of PEPFAR who empowered some extremists religious organizations with the disaster that has consequences on prevention for and access to treatment for MSM, but also for other populations like a sex worker.

**PAPA SALIF SOW:** Thank you very much. We have already the free communication. The floor is now open for the audience to ask questions. We have three microphone. Please identify

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

yourself and ask a directed question to the specific presenter.

Yes, microphone number one.

**NANA OYE:** Yes, thank you very much. My name is Nana Oye [misspelled?]. I'm a human rights lawyer from Ghana and I'm very happy we're having this discussion. It is a very serious problem, homophobia. My question is, how do we address homophobia? I've personally experienced it. All I said was homosexuals have rights and they ought to be respected, and I was almost lynched. It was on the front page of a newspaper in my country, and I was almost lynched. I was even warned that as you're coming to Vienna, nothing about gays and lesbians.

So, that is a critical question that I'm hoping some of us in the audience and the panelists will address. How do we address homophobia? And I think those of you from outside Africa can help us by engaging with your governments to put pressure on the African government. Your governments give them a lot of resources, and they do all sorts of things with the money. I think this is something that they should use the money for, so please put pressure on your governments to put pressure. You helped us—we came out of one-party states to a multi-party democracy, so please help us with homophobia and MSMs. Thanks.

**PAPA SALIF SOW:** Thank you, Nana. Microphone number two?

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.



**DAVID SOKAL:** My name is David Sokal [misspelled?]. I'm from U.S., North Carolina. I have a son who is gay. I was thinking—a question for Joel Nana. I wonder if it might be useful to—for activists to—there must be international legal meetings where lawyers from—I'm a physician, so I don't know the legal terrain. But, I imagine there must be legal meetings where African lawyers go. I wonder if at such a meeting that perhaps might be an opportunity to sensitize African lawyers. Do you think that might be useful?

**PAPA SALIF SOW:** Thank you very much. The panelists will take note, and after, they will give response. Microphone number three.

**SEAN CAHILL:** Hi, I'm Sean Cahill from Gay Men's Health Crisis in New York, United States. Thank you very much for your incredibly brave and important work and your presentations. I have a question for Mr. Kaoma. You mentioned that a lot of the Christian right groups working in Africa getting funding from PEPFAR and the Global Fund, and I know that there were a number of Christian right groups that were funded under PEPFAR during the Bush administration. I just wanted to ask, has there been an improvement since the election of President Obama in terms of PEPFAR funding for Christian right groups in Africa? What can we do in the United States and elsewhere to help defund these groups? Thank you.

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

**PAPA SALIF SOW:** Thank you very much. Microphone number four?

**ELDEN CHAMBERLAIN:** Hello, it's Eldon Chamberlain from International HIV/AIDS Alliance. My question is really about what is the best way that international NGOs and organizations can support indigenous MSM organizations in Africa without exacerbating the problem about this un-African and Western import notion?

**PAPA SALIF SOW:** Thank you. Yes, number four?

**MICHAEL CACHUMIA:** Yes, my name is Michael Cachumia [misspelled?] from Zambia, and I stand here to give a different view. In your presentations today, look at the number of people in the room. There are very few Africans in here. Mind you, when people were clapping, you should have looked around to see who was clapping. My question is, who defines human rights? What are human rights? If your freedom ends where my freedom starts, so if you infringe upon my freedom, don't I have rights as well? We should look at both sides when they talk about these things. Thank you. [Applause]

**PAPA SALIF SOW:** Thank you. Number four, and the last will be number two and I will give—yes, number four.

**LUNDU MAZOKA:** My names is Lundu Mazoka [misspelled?]. I am from Zambia as well, and my contribution is towards Kapya Kaoma. You have spoken very, very well against Western religious leaders, but unfortunately, you left out the African

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

leaders. In Zambia, the bishop that is the head of the National AIDS Council says LGBT people do not have a place in Zambian society, and I think that's important. It should be highlighted; that is wrong.

**PAPA SALIF SOW:** Thank you very much. The last, number two?

**CHRIS NAMARA:** I'm Chris Namara [misspelled?] from Australia. My question to Dr. Kaoma is what is the threat that sexuality poses to power, both secular power and religious power, that makes the response so authoritarian and brutal to control sexuality?

**PAPA SALIF SOW:** Thank you very much. Othman, would you like to lead the discussion?

**OTHMAN MELLOUK:** Yes, we had some comments and some questions addressed to Joel. Is it useful to organize international meetings for lawyers to sensitize African lawyers on issues of MSM? Another question was what is the best way to support local groups in Africa without harming them? The third question, which I sense is more a command, was the question of who defines human rights, and what are human rights? Your right stops when it started. That's my right.

**JOEL NANA:** For the question about the lawyer's meetings, I think there are a number of them already taking place on the continent itself. I think the Center for Human Rights at the University of Pretoria is doing an amazing work

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

in that all the lawyers that go through its Master's program, do get to understand what the rights of sexual minorities are. There are organizations that are doing incredible work. There is, for example, Inter-rights [misspelled?], they organize legal surgeries [misspelled?] where they invite lawyers to train them on how to deal with LGBT cases. So, there are a number of them, and I'm more than happy to share for people who want to know more about them.

About the question on how to help African activists, how international organizations can help African activists, that is an amazing one. I'm very happy to respond to this one. We're tired of workshops. We're just tired. [Applause] I think the first thing that I would ask is to learn to listen because international organizations often do not listen to African groups. We come with the premise that we know what there is, what has to be done, and we know how to do it. These are the people who live these experiences, and who have found amazing ways to address those issues, but very often what lacks is resources to do this work. I had the opportunity to work with activists from Cameroon, Nigeria, and most of the African countries, and you cannot imagine. If somebody would document their strategies that they use, I think it would be one of the best, best practice document. The first thing that I would advise to do would be to listen.

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

The second would be to be ready to provide resources, and resources is not just to put in place condoms and lubricants. I think when you take upon yourself to front LGBT work in Africa, it has to take into consideration the security of the people working on the issues, and the programs themselves. It has to be on a long period because this is not work that can be done in one week or one year.

The third thing I would advise would be after listening, and getting ready to provide resources, most of these activists are working out of passion and they have built their skills on the work that they're doing. So sometimes they do need some skill strengthening. It is through listening that we'll understand the kind of skills that they need, and when they do request those skills we should be ready to provide. That was for that question.

The third one about who defines human rights, I know that this is a debate that has been going for the longest of time. I know that the place my brother was trying to go with this question is that human rights were defined in France. Human rights were defined in France, but France never forced the Cameroonian government for me to sign on those principles. Besides the principle, the Universal Declaration Of Human Rights, there is the African charter on human and people's rights which is a totally African document that has been thought of, drafted and adopted by African leaders. This

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

document has [applause] in one of its provisions is that no one should be subjected to discrimination. This is all this is about. We are talking about discrimination. It actually pains me that somebody will stand and say such a thing when, as we are speaking, people are dying because of this same discrimination.

I think we've gone past the period when we're asking whether it is right or not. I think we've gone past that period. We're in a middle of a crisis and we have to address the crisis regardless of how we feel about same sex practicing persons.

**OTHMAN MELLOUK:** Joel, please.

**JOEL NANA:** Thank you.

**OTHMAN MELLOUK:** Thank you. [Applause] So we have questions for Mr. Koama. The first question was, is there any improvement since President Obama has been elected, and how to try to defund these groups that have been in power during the Bush period. The other question was what about African religious leaders? And there was another question for you is that why does homosexuality constitute or is perceived by these groups as a threat for them?

**KAPYA KAOMA:** Thank you. The most important thing to realize about President Obama, that maybe we are looking at him changing so fast, but the kind of people administering most of these projects in Africa are the same people that were there

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

during the Bush Administration. We shouldn't expect change overnight. The other thing you have to realize that, listening to Obama himself, that he deals with Congress. The republicans are still pushing and pushing, although people are trying to change policy on PEPFAR. We are waiting to see how that will go.

As to the question of Zambian bishops and the constitution there, I really appreciate that comment, and that is that the church in Zambia is joining in. One thing about that is, Bishop Imakando for instance, Paul Msusu [misspelled?], are those with and Banda [misspelled?] himself, these guys are part and parcel of the American Christian right, they have American links, and they are using almost the same language you find in Uganda, the same argument they are going to use in Zambia, in Kenya, and in Nigeria. You can see that link.

The question about sex, which I can [inaudible] for us and Africans, sex is for procreation, understand that. Africans are very good at accepting me as a priest. If I am not married, I can be a priest and still have a wife next door. They won't complain about that because they want me to have a child. But, if they hear that I'm not going to produce a child, then they'll ask the question to say what is the purpose of sex? Now the thing about that is that it threatens their political manhood because if I refuse to say this is what life

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

is all about, then they don't have anything to argue. What they use now to escape [inaudible] for the problems Africa is facing, and say the gays are the ones who are responsible for all sorts of evil. They don't have any facts. I tell you, African leaders argue out of ideological myths than they do out of facts. Any African leader can tell me that homosexuals recruit in Africa. They don't have facts about that. They don't even have facts about the fact that gays are the ones who are responsible for the growing number of HIV cases in Africa, but you hear them say those things when they are addressing political rallies or church gatherings. Sex gives them power because first it gives them power over women. Now it gives them power to make declaration and have what it means to be a man is that I should do A, B, C, D. Having a man for a partner doesn't just agree with them.

**OTHMAN MELLOUK:** Thank you. I don't know if our third panelist has a comment about one of these questions as we didn't have specific questions for you.

**GIFT TRAPENCE:** I think my comment is on what Joel said, saying that we are tired with these workshops. But, to me, these workshops—to say we are tired, maybe we should talk about international workshops or dialogues because we don't have these in our countries where you have a big group like this dialoguing on MSM or LGBT issues. I think the most important thing is that we need to translate these. We need to

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.



take these initiatives back to the African countries at the national level having the same kind of dialogues.

As well, I just want to talk about the issue of homophobia. What we noted in Africa is that there's a knowledge gap. Even when you are dealing with policymakers, you could see people do not understand the issues. We need to educate. We need to give more information to all the groups. They may be religious groups, politicians, even the members of parliament, or even the general society; they need the information so that they should understand what is an MSM, what is LGBT, or what are the issues affecting these communities.

I think if we fight the knowledge gap, even amongst the African community themselves, LGBT communities or the MSM, they lack some of this information about their own issues. If we take a holistic approach and target all these different key players with the resources and capacity to more organizations we will go a long way. One day we'll come here and taking an account of the progress that Africa has made on these issues. Thank you.

**OTHMAN MELLOUK:** Thank you very much. Before we conclude, I think, Joel, you have a short comment for us.

**JOEL NANA:** Yes, the very short comment was on the religion. I think when the American right said that they are coming to Africa to teach those Africans, let's not be fooled. Those politicians are not being taught. They are taking

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.

anything that will go in their political agenda, anything that will keep them in power is what it will take, so it's because they know that homophobia is widely accepted in the society; that's why they would accept to get on the bandwagon against homophobia. The other issue about the power, the power issue, I think the main problem is that Africa is an endemically patriarchal society. Being a man who has sex with another man is being seen as denying your male privilege, and we know the place that women have in our societies. It leads to wanting to be a woman, and that's why men are being treated that way, thanks.

**PAPA SALIF SOW:** Thank you very much. I would like to thank all our panelists and also the audience for your participation. This session is now closed.

[END RECORDING]

<sup>1</sup> The Kaiser Family Foundation makes every effort to ensure the accuracy of written transcripts, but due to the nature of transcribing recorded material and the deadlines involved, they may contain errors or incomplete content. We apologize for any inaccuracies.