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Press Release; for Immediate Release

Re: President Kenyatta's Remarks that Rights of Kenyan Gays and Lesbians are a "non- issue"

Greetings from the National Gay and Lesbian Human Rights Commission (NGLHRC). The NGLHRC is a legal aid centre that provides access to justice to persons facing discrimination on account of their sexual orientation and gender identity as a tool toward equality and inclusive development in Kenya. The NGLHRC recently won a constitutional petition in the High Court of Kenya regarding registration of the institution which had been denied since 2012. This victory is now subject matter in the Court of Appeal.

We are writing to express our concern regarding President Kenyatta's yesterday's remarks during the visit by President Obama at State House Nairobi, that gay rights are non -issues that are not in the fore of Kenyans. We are encouraged that the President departed from the hostile path of his Deputy by desisting from making intolerant and homophobic statements but instead avoided expressing his thoughts on how gays and lesbians are treated in Kenya by focusing his response on economic priorities of Kenyans-which gays and lesbians share as Kenyan citizens.

We are of the considered view that Mr Kenyatta missed an opportunity to be gallant as a leader for both the majority and minority Kenyans by not rising up to the occasion to express his thoughts on dignity, safety and equal worth of his gay and lesbian citizens as the question had demanded of him. We are worried that his relegation of 'gay rights ' as a 'non-issue' could be interpreted to mean that he condones violations and acts of violence against gays and lesbians in Kenya. It amounts to him dismissing fundamental concerns of dignity, association and equality that gays and lesbians have been raising in courts throughout Kenya. Mr. Kenyatta ought be informed that Kenyan gays and lesbians have long been fighting for their freedom to form NGOs, to be free from violence and threats, to live and love freely without fear, to be free from blackmail and extortion especially for gay and bisexuals men who hardly get help from the police, from forced evictions from rental houses, dismissal from learning institutions, rejection by families, but a few. This is the cycle of discrimination that leads to poverty and marginalization that we seek to raise with him as an issue. Our conviction is that all oppression is connected and as President Obama said, once we allow different treatment on one ground, it becomes a habit and other grounds become affected.

We encourage Mr. Kenyatta to endeavor to appreciate the stigma, violence and violations experienced by Kenyan gays and lesbians and how these degrading acts reduce the contribution by Kenyan gays and lesbians to the development of this resilient nation. We respectfully guide him with comparative research from India and the United States which clearly demonstrates that enterprise is more productive in a nation where the people are free from laws that repress their dignity and worth.

We nudge Mr. Kenyatta to be consistent in his pan Africanism; by affirming and publicly endorsing the position adopted by the African Commission on this subject – that violence and discrimination on the basis of sexual orientation and gender identity are prohibited in Africa. In this spirit we also ask that Mr. Kenyatta demonstrates his commitment to the rule of law by directing the NGO Board to obey court orders regarding the freedom of association for all in Kenya including registering gays and lesbian NGOs.

Sincerely,

Eric Gitari
Executive Director