Rwanda: Situation of gay men in 2007; whether the Kigali police arrested gay men and prostitutes prior to the AIDS conference held in Kigali in June 2007 and, if so, the date the arrests began

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

The Horizon Community Association (HOCA), an organization in Kigali that advocates for the human rights of sexual minorities in Rwanda (HOCA n.d.), provides the following information on the situation of gay men in Rwanda. The Rwandan 1997 penal code prohibits same-sex sexual activity between men if one participant is under 18 years of age and the other is above 18 years; sexual activity between consenting adults is not criminalized (ibid. 20 Nov. 2007). The non-governmental organization (NGO) Behind the Mask, which promotes awareness of sexual minorities in Africa, also states that sex between men is legal in Rwanda and that the age of consent is 18 years (Behind the Mask n.d.). The 2003 Constitution states that recognized civil marriages are confined to those involving a man and a woman (HOCA 20 Nov. 2007).

According to HOCA, individuals are frequently "harassed, threatened, imprisoned or abused" because of their sexual orientation (ibid. n.d.). Many gay men and lesbians conceal their sexual orientation in order to avoid "discrimination" and "physical violence" (ibid.). A radio broadcaster reportedly identified three gay activists publicly and advised his listeners to track down and "burn" gay activists (HOCA 20 Nov. 2007). Gay men have been "arbitrarily detained" by the police and deprived of their rights by the government due to their sexual orientation; a member of HOCA, for example, had his identity card seized and destroyed by the police and was unable to procure another one (ibid.).

Gay men and other sexual minorities in Rwanda are able to establish alliances of solidarity and advocate for their rights although this advocacy is largely restricted to small, underground groups (ibid. 20 Nov. 2007).

The information from HOCA on the situation of gay men in Rwanda could not be corroborated among the sources consulted by the Research Directorate.

Information on whether the police arrested gay men and prostitutes in Kigali before the AIDS conference that was held there in June 2007 could not be found among the sources consulted by the Research Directorate. However, during the conference, street children were "transported directly to their home districts, to government-run or government-affiliated shelters, or for processing into vocational and educational programs" (US 11 Mar. 2008, Sec. 1d).
This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

References


Additional sources consulted

**Oral sources:** The Horizon Community Association (HOCA) Rwanda and La ligue rwandaise pour la promotion et la défense des droits de l'homme (LIPRODHOR) did not respond to requests for information within the time constraints of this Response.

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