

**Human Rights, Sexual Orientation and
Gender Identity in The Commonwealth:
Struggles for Decriminalisation
and Change**

Edited by Corinne Lennox and Matthew Waites

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founder Kasha Jacqueline Nabagesera. Published with direct informed
consent of the main pictured activist.

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*This book is dedicated to human rights defenders
across the Commonwealth.*

Abbreviations

ABIM	<i>Angkatan Belia Islam Malaysia</i> /Malaysian Muslim Youth Movement
ACDP	African Christian Democratic Party
ACT HLRS	Australian Capital Territory Homosexual Law Reform Society
AI	Amnesty International
AIDS	Acquired Immunodeficiency Syndrome
ALP	Australian Labor Party
AMA	Australian Medical Association
ANC	African National Congress
Arasa	AIDS and Rights Alliance for Southern Africa
ASEAN	Association of Southeast Asian Nations
ASK	Association for Social Knowledge (Canada)
ATR	African Traditional Religion
AWARE	Association of Women for Action and Research
BBC	British Broadcasting Corporation
BDHRL	Bureau of Democracy, Human Rights and Labour (USA)
BDP	Botswana Democratic Party
BGLAD	Bahamian Gays and Lesbians against Discrimination
CAISO	Coalition Advocating for Inclusion of Sexual Orientation
CAMP	Campaign Against Moral Persecution
CCAP	Church of Central Africa Presbyterian
CCRH	Canadian Council on Religion and the Homosexual
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CEDEP	Centre for the Development of People (Malawi)
CHAAG	Commonwealth HIV/AIDS Action Group
CHOGM	Commonwealth Heads of Government Meeting
CHOP	Committee on Homosexual Offences and Prostitution (United Kingdom)
CHRI	Commonwealth Human Rights Initiative
CHRR	Centre for Human Rights and Rehabilitation (Malawi)
CJC	Criminal Justice Committee (Australia)
CLA	Commonwealth Lawyers Association

CMAG	Commonwealth Ministerial Action Group
CODESA	Convention for a Democratic South Africa
COJ	Companions On a Journey (Sri Lanka)
CONGOMA	Council for NGOs in Malawi
CONTRALESA	Congress of Traditional Leaders of South Africa
COU	Church of Uganda
COW	Committee of the Whole
CPA	Centre for Policy Alternatives (Sri Lanka)
CRC	Convention on the Rights of the Child
CSCRCL	Civil Society Coalition on Human Rights and Constitutional Law (Uganda)
CSOs	civil society organisations
CVC	Caribbean Vulnerable Communities coalition
DAP	Democratic Action Party (Malaysia)
DP	Democratic Party (South Africa)
DRC	Dutch Reformed Church
ECC	End Conscription Campaign (South Africa)
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
ECJ	European Court of Justice
EPG	Eminent Persons Group (Commonwealth)
ERT	Equal Rights Trust
FARUG	Freedom and Roam Uganda
FCO	Foreign and Commonwealth Office (United Kingdom)
FNM	Free National Movement (Bahamas)
FOL	Festival of Light
GALCK	Gay and Lesbian Coalition of Kenya
GASA	Gay Association of South Africa
GFM	Gay Freedom Movement (Jamaica)
GLAAD	Gay and Lesbian Alliance Against Defamation (United States)
GLOW	Gay and Lesbian Organisation of the Witwatersrand (South Africa)
GLRG	Gay Law Reform Group of Western Australia
GRL	Gay Rights Lobby
HALO	Homophobic Activists Liberation Organisation
HEL	Homosexual Electoral Lobby
HIV	Human Immunodeficiency Virus
HLRC	Homosexual Law Reform Coalition (Australia)
HLRS	Homosexual Law Reform Society (United Kingdom; Australia)
HOCA	Horizon Community Association (Rwanda)
Hope TEA	Hope Through Education and Awareness

HRC	Human Rights Committee
HRS	Homophile Reform Society (Canada)
HSSP III	Health Sector Strategic Plan III (Uganda)
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDAHO	International Day Against Homophobia and Transphobia
IFP	Inkhata Freedom Party (South Africa)
IGLHRC	International Gay and Lesbian Human Rights Commission
ILGA	International Lesbian, Gay, Bisexual, Trans and Intersex Association
IPC	Indian Penal Code
IRF	Islamic Renaissance Front (Malaysia)
J-FLAG	Jamaica Forum for Lesbians, All-Sexuals and Gays
JIM	<i>Jamaah Islah Malaysia</i> /Malaysian Reform Movement
LCL	Liberal Country League (Australia)
LeGaBiBo	Lesbians, Gays and Bisexuals of Botswana
LGBT	lesbian, gay, bisexual and transgender
LGBTI	lesbian, gay, bisexual, transgender and intersex
MARPs	Most at Risk Populations
MHRC	Malawi Human Rights Commission
MHRRC	Malawi Human Rights Resource Centre
MPNF	Multiparty Negotiating Forum (South Africa)
MSM	men who have sex with men
NACHO	North American Conference of Homophile Organizations
NACO	National AIDS Control Organisation (India)
NCGLE	National Coalition for Gay and Lesbian Equality (South Africa)
NGK	<i>Nederduits Gereformeerde Kerk</i> /Dutch Reformed Church (South Africa)
NGOs	non-governmental organisations
NHRIs	National Human Rights Institutions
NLRF	National Law Reform Fund (South Africa)
NP	National Party (South Africa)
NSW	New South Wales (Australia)
OAS	Organisation of American States
OHCHR	Office of the United Nations High Commissioner for Human Rights
OIC	Organisation of Islamic Cooperation
OLGA	Organisation of Lesbian and Gay Activists (South Africa)
PAP	People's Action Party (Singapore)
PAS	<i>Parti Islam Se-Malaysia</i> /Islamic Party of Malaysia (Malaysia)

PEMBELA	Muslim Organisations in Defence of Islam (Malaysia)
PKR	<i>Parti Keadilan Rakyat</i> /People's Justice Party (Malaysia)
PLP	Progressive Liberal Party (Bahamas)
QAGLR	Queensland Association for Gay Law Reform (Australia)
QPC	Queensland Penal Code (Australia)
RAB	Rainbow Alliance of the Bahamas
RCC	Roman Catholic Church
RCMP	Royal Canadian Mounted Police
RTPC	Right To Privacy Committee (Canada)
SADF	South African Defence Force
SAHRA	South Asian Human Rights Association for Marginalised Sexualities and Genders
SGL	same gender loving
SMUG	Sexual Minorities Uganda
SOLM	Senior Officials of the Law Ministries (Commonwealth)
SUARAM	<i>Suara Rakyat Malaysia</i> /Malaysian People's Voice (Malaysia)
TGLRG	Tasmanian Gay Law Reform Group (Australia)
UDF	United Democratic Front (south Africa)
UDHR	Universal Declaration of Human Rights
UHSPA	Uganda Health and Science Press Association
UMNO	United Malays National Organisation
UNDP	United Nations Development Programme
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNIBAM	United Belize Advocacy Movement
UPR	Universal Periodic Review
WHO	World Health Organization
WSG	Women's Support Group (Sri Lanka)

Contributors

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Frederick Cowell worked for the Commonwealth Human Rights Initiative (CHRI) as the head of the London office and later as a legal advisor and researcher. During this time he led CHRI's work on the decriminalisation of sexual orientation in the Commonwealth and has written widely on the subject. He is currently completing his PhD specialising in the postcolonial

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Gustavo Gomes da Costa Santos is professor of sociology at the Federal University of Pernambuco (Recife, Brazil). His PhD dissertation analyses the struggles for legal recognition of same-sex unions in Brazil and South Africa. In 2010 he completed a graduate internship at Stellenbosch University in South Africa. His research has focused on the field of citizenship, sexuality, same-sex conjugality, AIDS and the State in Africa and Latin America. His recent articles were on the struggle for legal recognition of same-sex couples in South Africa and on the politics of AIDS in Brazil and South Africa.

Adrian Jjuuko is a Ugandan human rights lawyer and advocate. He is the executive director of Human Rights Awareness and Promotion Forum (HRAPF), a human rights NGO providing legal aid services to marginalised groups in Uganda. He was coordinator of the Civil Society Coalition on Human Rights and Constitutional Law Uganda (2010–11), which won the US State Department's Human Rights Defenders Award 2011 for its struggles to oppose the Anti Homosexuality Bill in Uganda. Adrian led the team of lawyers and other professionals that testified before the Legal and Parliamentary Affairs Committee of Parliament about the Anti Homosexuality Bill in May 2011 and was instrumental in the successful prosecution of the case of *Kasha Jacqueline*

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The Hon. Michael Kirby AC CMG was born and educated in Sydney, Australia. He practised as a solicitor and barrister before being appointed a Deputy President of the Australian Conciliation and Arbitration Commission in 1975. There followed appointments as inaugural chairman of the Australian Law Reform Commission; as a judge of the Federal Court of Australia; as President of the NSW Court of Appeal; and as President of the Solomon Islands Court of Appeal. In 1996 he was elevated to the High Court of Australia, the nation's highest constitutional and appellate court. He retired from that post in 2009. Since then he has been engaged in university teaching, Alternative Dispute Resolution (ADR), law publishing and participation in many national and international conferences. Michael Kirby has a long association with the Commonwealth of Nations. He participated in the Bangalore colloquia on the domestic application of international human rights norms (1988–95). He contributes regularly to the *Commonwealth Law Bulletin*. He is an editorial adviser of the Law Reports of the Commonwealth. Between 2010 and 2011 he served on the Eminent Persons Group of the Commonwealth of Nations examining the future of that body and joined in the unanimous report of that group. That report recommended a Commonwealth Charter and many other proposals to strengthen the organisation. He was awarded in 2010 the Gruber Justice Prize, having earlier been named winner of the Australian Human Rights Medal (1991) and of the UNESCO Prize for Human Rights Education (1998).

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