

12 May 2020

Resolution 275 of the African Commission on Human and Peoples' Rights:
*Six years since the adoption of this landmark resolution which urges States to end violence targeting persons on the basis of their imputed or real **sexual orientation** or **gender identity***

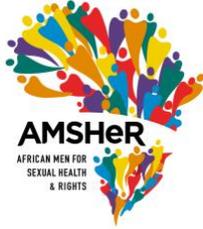
Today, despite the postponement of the 66th ordinary session due to the global health crisis, African Men for Sexual Health & Rights (AMSHer) and Synergía – Initiatives for Human Rights (Synergía) commemorate six years since the African Commission on Human and Peoples' Rights (African Commission) adopted [Resolution 275: Resolution on Protection against Violence and other Human Rights Violations against Persons on the Basis of their Real or Imputed Sexual Orientation or Gender Identity](#) (Resolution 275), at its 55th Ordinary Session held in Luanda, Angola, from 28 April to 12 May 2014.

Between 2006 and 2014, a number of resilient human rights defenders and civil society organisations engaged with the African Commission on fighting violence and discrimination based on sexual orientation, gender identity and gender expression: the adoption of Resolution 275 is the milestone result of such advocacy work. In its preamble, Resolution 275 makes reference to various human rights protected by the African Charter on Human and Peoples' Rights (African Charter), namely the right to equal protection of the law and non-discrimination, the right to respect of life and integrity of the person, and prohibition of torture and other cruel, inhuman and degrading treatment or punishment: this is a clear reminder of member States' obligations to ensure that all individuals regardless of their sexual orientation, gender identity and gender expression, enjoy all human rights enshrined in the African Charter.

Since its adoption, the African Commission has incorporated reference to sexual orientation and gender identity in several interpretative instruments of the African Charter, including the [376 Resolution on the Situation of Human Rights Defenders in Africa - ACHPR/Res.376\(LX\)2017](#), and [General Comment No. 4: The Right to Redress for Victims of Torture and Other Cruel, Inhuman or Degrading Punishment or Treatment \(Article 5\)](#), among others. Further, the African Commission has made reference to human rights violations on the basis of sexual orientation and gender identity by States in a series of [Concluding Observations](#) in the context of the State Review process under Article 62 of the African Charter.

AMSHer and Synergía will soon be launching a report that compiles the impact of Resolution 275 in the workings and proceedings of the African Commission.

We **commend** the African Commission for explicitly condemning human rights violations of persons on the basis of their real or imputed sexual orientation and gender identity in its



pronouncements and we ***urge*** the African Commission to take additional and practical steps to address violence and discrimination against all LGBTI individuals and communities, including their human rights defenders.

We, further, ***reiterate our deep concern*** over the decision by the African Commission to withdraw the Coalition of African Lesbian’s observer status as of 8th August 2018. This is a manifestation of the shrinking civil society space and arbitrary reversing its decision under the pressure of a political organ of the African Union – the Executive Council – represents a serious threat to the very existence of the African Commission and its ability to independently hold African states accountable.

Six years after its adoption, we ***remind*** States parties to the African Charter that by virtue of Resolution 275, they are obligated, among others, to “end all acts of violence and abuse, whether committed by State or non-state actors, including by enacting and effectively applying appropriate laws prohibiting and punishing all forms of violence including those targeting persons on the basis of their imputed or real sexual orientation or gender identities, ensuring proper investigation and diligent prosecution of perpetrators, and establishing judicial procedures responsive to the needs of victims.”

#Resolution275 #ACHPR #SOGI #LGBT

For media inquiries, please contact:

Juliet Mphande

juliet@amsher.org

Twitter: @AMSHerOrg

Stefano Fabeni

stefano@synergiahr.org

Twitter: @SynergialHR
