

48th Human Rights Council Session
General Debate – Item 4: Human Rights Situations Requiring Attention
Statement by the International Lesbian and Gay Association

Madam President,

In the spirit of the Agenda Item 4, we would like to call the attention of the Council to the Human Rights situation of LGBTI persons in Ghana in light of the recent Anti-LGBTI draft bill being discussed in the country. As expressed jointly by eleven Special Procedures of this Council, the draft legislation is “a recipe for violence”¹.

The bill being discussed not only attempts to criminalize same-sex conduct, but also promotes harmful practices such as unnecessary medical interventions on intersex children² and so-called conversion therapies. This bill also enables the state to prevent human rights defenders from organising themselves to defend LGBTI people, and absolutely prohibits public debates that advance the protection or promotion of the rights of LGBTI persons. Ultimately, this bill legitimizes state and societal violence.

The provisions contained in the draft legislation not only criminalize LGBTI persons but anyone who supports their human rights, shows sympathy to them or is even remotely associated with them³.

Human rights defenders or anyone registering, operating or participating in an activity to support an organisation working on LGBTI people’s rights could face up to 10 years of imprisonment. The Bill also criminalizes any production and dissemination of so-called LGBTI “propaganda” with imprisonment between 5 to 10 years.⁴

The discussion of such draft legislation has already significantly and alarmingly promoted a rise in discrimination and violence against LGBTI persons in Ghana.

The adoption of this bill has major implications on the already marginalized and vulnerable LGBTI community. It will exacerbate existing economic, legal, societal and public health inequalities which will make it more difficult for the community to exist safely in society. Adopting such a bill would be a direct infringement to core international human rights as dignity, equality and non-discrimination, the rights to freedom of expression, association and privacy, and the absolute prohibition of torture.

We urge the Ghanaian Government to take all measures to protect LGBTI persons from violence and discrimination and refrain from adopting any legislation that will violate the human rights of this community and those who defend their rights. We also call on this Council, UN Member States, the High Commissioner for Human Rights, and all relevant stakeholders to remain seized of this matter.

Thank you.

¹ OHCHR: [Ghana: Anti-LGBTI draft bill a “recipe for violence” – UN experts.](#)

² OHCHR. [Communication OL GHA 03/2021.](#)

³ OHCHR: [Ghana: Anti-LGBTI draft bill a “recipe for violence” – UN experts.](#)

⁴ Amnesty International: [Ghana: Anti-LGBTI Bill Stirs Up Hatred, Persecution And Discrimination.](#)

List of organizations co-sponsoring this statement:

1. Amnesty International
2. Article 19
3. CIVICUS
4. Human Rights Watch
5. International Commission of Jurists
6. International Lesbian and Gay Association
7. International Service for Human Rights
8. International Movement Against All Forms of Discrimination and Racism (IMADR)
9. OutRight Action International

List of organizations supporting this statement:

1. LGBT+ Rights Ghana
2. Pan Africa ILGA
3. Solace Initiative