



November 9, 2018

Via email: justin.trudeau@parl.gc.ca; Chrystia.Freeland@parl.gc.ca

The Right Honourable Justin Trudeau, P.C., M.P.
Prime Minister of Canada
Langevin Building, 80 Wellington Street
Ottawa, ON K1A 0A2

The Honourable Chrystia Freeland, P.C., M.P.
Minister of Foreign Affairs
125 Sussex Drive
Ottawa, ON K1A 0G2

Dear Prime Minister and Minister:

Re: LGBTI+ Rights in Tanzania

On behalf of the Canadian Bar Association Sexual Orientation and Gender Identity Community Section (SOGIC), I am writing to express our concern about reports of government-sanctioned human rights violations against Tanzania's LGBTI+ community.¹ We urge you and the Canadian government to take steps to help support LGBTI+ individuals living in Tanzania.

The CBA is a national association of 36,000 members, including lawyers, notaries, academics and students across Canada, with a mandate to seek improvements in the law and the administration of justice, and promote equality in the law. SOGIC provides a forum for the exchange of information, ideas and action on legal issues relating to sexual orientation and gender identity.

We understand the Regional Commissioner for Dar es Salaam recently announced plans to form an inter-agency task force comprising members of the Tanzania Communications Regulatory Authority, the police and the media to identify and arrest LGBTI+ people in the country. While reports suggest the Tanzanian national government does not support these measures², we expect the proposed plan has already further marginalized Tanzania's LGBTI+ community by inciting hatred, discrimination and possibly violence.

¹ Amnesty International, [Tanzania : 'Dangerous' Plans for homophobic task force must be abandoned immediately](#) (Nov 1, 2018)

² VOA News, [Tanzanian Government Distances Itself from Calls for LGBTQ](#) (Nov 4, 2018)

In February 2018, the CBA adopted the enclosed resolution on the protection of LGBTI+ rights internationally. Consistent with that resolution, we encourage you and your government to help ensure the protection of human rights for LGBTI+ Tanzanians by:

- (i) obtaining reliable independent information to better understand the extent to which LGBTI+ individuals are being targeted;
- (ii) denouncing any actual or threatened human rights abuses against Tanzania's LGBTI+ communities and individuals; and
- (iii) facilitating asylum in Canada to LGBTI+ individuals fleeing persecution in Tanzania.

We acknowledge your government's efforts to protect and support LGBTI+ human rights internationally. In light of these reports, we urge you to continue that work to help ensure the safety and wellbeing of LGBTI+ Tanzanians.

Yours truly,

(original letter signed by Sarah MacKenzie for Dorianne Mullin)

Dorianne Mullin
Chair, Sexual Orientation and Gender Identity Community Section

Encl

cc: Randy Boissonnault, M.P., Special Advisor to the Prime Minister on LGBTQ2 Issues
(Randy.Boissonnault.A2@parl.gc.ca)

Protection of LGBTI2S Human Rights

WHEREAS some governments in various regions of the world have taken steps to realize the human rights of lesbian, gay, bisexual, transgender, intersex and two-spirit (LGBTI2S) people, including strengthening anti-discrimination and hate crime laws, eliminating criminal sanctions for homosexuality, recognizing marriage or civil unions for same-gender couples, making it easier for transgender individuals to obtain legal recognition of their gender identity, and introducing legal protections for intersex persons.

WHEREAS the United Nations and others have documented how this progress is overshadowed by persistent, serious human rights abuses against LGBTI2S people, including extrajudicial killings, torture and other cruel, inhuman or degrading treatment, arbitrary detention, discrimination and denial of rights to assembly, expression and the full range of social and economic rights.

WHEREAS these human rights violations threaten or destroy the lives of LGBTI2S

Protection des droits de la personne des LGBTI2S

ATTENDU QUE certains gouvernements dans différentes parties du monde ont entamé des démarches afin de faire respecter les droits de la personne à l'endroit des personnes lesbiennes, gaies, bisexuelles, transgenres, intersexuées et bispirituelles (LGBTI2S), notamment en renforçant les lois contre la discrimination et les crimes haineux, en éliminant l'imposition de sanctions pénales pour l'homosexualité, en reconnaissant le mariage ou l'union civile des couples de même sexe, en facilitant la reconnaissance de l'identité sexuelle des personnes transgenres sur le plan juridique et en introduisant des protections juridiques au profit des personnes intersexuées.

ATTENDU QUE les Nations Unies et d'autres organismes ont documenté que ces progrès sont assombris par de graves et constantes atteintes aux droits de la personne des individus **LGBTI2S**, dont des exécutions sommaires, des actes de torture et d'autres traitements cruels, inhumains ou dégradants, des détentions arbitraires, de la discrimination et le déni de leurs droits de réunion et d'expression et de la totalité des droits sociaux et économiques.

ATTENDU QUE ces atteintes aux droits de la personne menacent ou ruinent la vie des

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people, their families and communities, undermine the rule of law, devalue the human rights of all people, and inhibit economic development and the full contribution of all members of society.

BE IT RESOLVED THAT the Canadian Bar Association:

- urge the Government of Canada to strengthen its dialogue and consultation at home and abroad to obtain timely information and advice on the protection of LGBTI2S people;
- denounce human rights violations against LGBTI2S people wherever they occur, and urge the Government of Canada to do the same consistent with the *Charter of Rights and Freedoms* and human rights legislation;
- urge the Government of Canada to encourage thorough and impartial investigations into allegations of human rights abuses against LGBTI2S people globally, and support justice and remedies for LGBTI2S persons who have experienced human rights abuses;
- urge the Government of Canada to facilitate asylum in Canada for LGBTI2S individuals fleeing persecution owing to their sexual orientation, gender identity, gender expression or sex/intersex status.

Certified true copy of a resolution carried as amended at the Annual Meeting of the Canadian Bar Association held in Ottawa, ON, February 15, 2018.

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personnes LGBTI2S, de leurs familles et communautés, compromettent la primauté du droit, déprécient les droits de la personne de tous et toutes et inhibent la croissance économique et la collaboration entière de tous les membres de la société.

QU'IL SOIT RÉSOLU QUE l'Association du Barreau canadien :

- exhorte le gouvernement du Canada à renforcer son dialogue et la concertation à l'échelle nationale et internationale afin d'obtenir des renseignements et conseils en temps opportun à l'égard de la protection des personnes LGBTI2S;
- dénonce la violation des droits de la personne à l'encontre des individus LGBTI2S, quel que soit l'endroit où elle survient, et presse le gouvernement canadien à faire de même, conformément à la *Charte des droits et libertés* et à la législation en matière des droits de la personne;
- exhorte le gouvernement du Canada à encourager la tenue d'une enquête rigoureuse et impartiale sur les allégations d'atteinte aux droits de la personne des individus LGBTI2S mondialement, et à appuyer la justice et les mesures réparatrices pour les personnes LGBTI2S qui sont victimes de telles atteintes.
- exhorte le gouvernement du Canada à faciliter l'asile au Canada pour les personnes LGBTI2S qui fuient la persécution en raison de leur orientation sexuelle, leur identité ou expression de genre ou leur statut sexuel ou de personne intersexuée.

Copie certifiée d'une résolution adoptée, tel que modifiée, à l'Assemblée annuelle de l'Association du Barreau canadien, à Ottawa (ON), le 15 février 2018.

**Cheryl Farrow
Chief Executive Officer/Chef de la direction**