

March 13, 2014

President Barack Obama
The White House
Washington, D.C., 20500

Dear Mr. President,

Thank you for your leadership in advancing the human rights of all people and for repeal of laws that codify discrimination against lesbian, gay, bisexual, transgender and intersex people (LGBTI); most recently in response to new laws in Nigeria and Uganda.

We are U.S.-based HIV, health and human rights advocates working in support of civil society members in Nigeria, Uganda and elsewhere to undo laws that promote discrimination against LGBTI people and to protect people from stigma and all forms of harassment and harm.

We do not seek to impose the values of any country on another, but rather to stand with civil society in Nigeria, Uganda and elsewhere against policies that would impose discrimination against any group, including LGBTI people. This letter focuses on addressing recent developments concerning LGBTI discrimination and violence. We recognize that these efforts must be pursued in the context of tackling broader human rights concerns affecting many groups, including respect for the equality of all people and women's rights to health care and full legal equality. For example, we note that the Anti-Homosexuality Act was passed into law in Uganda in the midst of an environment of shrinking and deteriorating policy space for civil society overall.

We appreciate that the Administration has already taken several steps to address discriminatory laws in Nigeria and Uganda. In collaboration with partners in these countries, we are writing to urge several additional steps that should be taken immediately to protect the lives of LGBTI individuals and reverse discriminatory laws against them.

We would like to request a meeting with top Administration officials in the coming days to review the following recommendations for action:

1. Ensure U.S. taxpayer dollars are not being used to finance discrimination, either directly or indirectly, and ensure that service delivery is grounded in a human rights-based public health approach that strictly adheres to best practice and scientific evidence about the needs of LGBTI populations. Immediately review all PEPFAR funding agreements and, while ensuring services will not be interrupted or expansion halted, reprogram funding, to the extent possible, away from organizations actively promoting discrimination and, instead, expand

- investments in organizations that actively promote service delivery for all people.
2. Use the 2014 PEPFAR country planning process to develop new requirements for all implementing partners to (a) train and sensitize program implementers, particularly health care workers, in providing services to LGBTI people and others free from discrimination, (b) monitor the quality of service delivery to ensure that principle is enforced, and (c) include as part of partner agreements that implementers show how they will make their services accessible without discrimination against LGBTI people and others.
 3. Review all funding arrangements by U.S. Government agencies with academics, scientists, researchers and other Nigerian and Ugandan officials who have promoted the passage of discriminatory laws, including through the manipulation of science regarding sexual orientation and gender identity.
 4. Review U.S. development, military and other investments in Nigeria and Uganda. Where possible reprogram funding from discriminating governments towards NGOs and civil society organizations, while ensuring ongoing access to medicines and other services for those in need, particularly ARV treatment for people living with HIV, and to address the new needs of the populations impacted by these laws.
 5. Collaborate with the Global Fund to Fight AIDS, Tuberculosis and Malaria to review how funding to these countries can be reprogrammed away from discriminating governments and towards NGOs and civil society organizations committed to proven evidence- and rights-based interventions, while ensuring ongoing access to medicines and other services for those in need.
 6. Use the full weight of U.S. diplomatic authority to press the countries concerned to repeal these discriminatory laws, and discourage others from adopting similar draconian legislation. Continue to work with the governments of Nigeria and Uganda to help them repeal laws which violate human rights and are counter to evidence-based public health.
 7. Explore travel restrictions to the U.S. for politicians and other officials in Nigeria, Uganda and elsewhere who are advancing anti-LGBTI legislation and fomenting discrimination against LGBTI people.
 8. Seek formal assurances from the governments of Nigeria and Uganda that LGBTI people, particularly those living with HIV, their medical, nursing and other service providers, program implementers and other supporters, as well as national stakeholders who have promoted key populations HIV strategies, will be protected from attack from the laws' supporters.
 9. Direct U.S. embassies, in conjunction with the embassies of other countries, to monitor the situation on the ground, providing immediate funding and technical assistance, support and safety to those whose lives may now be at risk because of these laws. Implement security plans for people who may be threatened in the current environment, maintaining safe spaces of refuge.
 10. Provide on-the-ground protection and support to people put at risk because of anti-LGBTI laws or harassment, including safe shelter mechanisms, support for

- gaining asylum in the U.S. and elsewhere, use of humanitarian parole when warranted, and/or providing expedited priority refugee status (P1 or P2) in country.
11. Provide direct funding and other support to civil society members in Nigeria and Uganda working to protect LGBTI individuals, respond to the new needs of this community as a result of the new laws, and repeal discriminatory laws. Provide security and protection training for activists in each country.
 12. Work with the African Union, the United Nations and the European Union to support their efforts to confront anti-LGBTI laws and harassment. In particular, work with the UN and African Union in appointing an African-led high level commission to promote evidence- and rights-based approaches to HIV related non-discrimination, particularly as it is related to populations most affected by HIV, including LGBTI communities.
 13. Working with United Nations Member States, challenge Uganda's role as president at the forthcoming UN General Assembly.
 14. Actively support legal changes to overturn and to prevent enforcement of these laws.

Mr. President, this is a turning point in history when people across the world are courageously demanding their human rights and refusing to suffer discrimination and stigma from their governments or societies. The United States must stand with advocates for LGBTI rights, for women's equality and legal and health rights, and all those working to create a more just and equal world.

Thank you again for your leadership on this issue. We look forward to meeting with senior members of your Administration soon.

Sincerely,

African Services Committee
AIDS Foundation of Chicago
AIDS United
American Jewish World Service
American Medical Students Association
amfAR, The Foundation for AIDS Research
Association of Nurses in AIDS Care
AVAC
Center for Health and Gender Equity (CHANGE)
Center for Innovation in Global Health at Stanford University
Charlize Theron Africa Outreach Project
Council for Global Equality
Fenway Institute
Futures Group
Gilead

The Global Forum on MSM & HIV (MSMGF)
Health GAP (Global Access Project)
HIV Medicine Association
HIV Prevention Justice Alliance
Housing Works
Human Rights Campaign
Infectious Diseases Society of America Center for Global Health Policy
International Association of Providers of AIDS Care
International HIV/AIDS Alliance USA
International Rectal Microbicide Advocates
Kato Foundation
The National Alliance of State and Territorial AIDS Directors
New HIV Vaccine and Microbicide Advocacy Society
Pangaea Global AIDS Foundation
Treatment Action Group (TAG)
Us Helping Us, People Into Living

cc: Secretary John Kerry
Secretary Kathleen Sebelius
Ambassador Samantha Power
Valerie Jarrett, Senior Advisor to the President
Denis McDonough, White House Chief of Staff
Susan Rice, National Security Advisor