

COUNTRY REPORT

A Comprehensive Description of the Socio-Political, Religious, and Legal Responses & Barriers to Drug Use, Sex Work and LGBTQ+ Movement in Burkina Faso, Ghana and Nigeria

June 2024



**ADVOCACY FOR THE RECOGNITION AND
INCLUSION OF LGBTQ, PEOPLE WHO USE DRUGS,
AND SEX WORKERS COMMUNITIES IN WEST AFRICA
AND THE PROMOTION OF THEIR HUMAN RIGHTS**

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Country Report:

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Lead Organisation:

West Africa Drug Policy Network (WADPN)

Partners:

Interfaith Diversity Network of West Africa, IDNOWA

Association Wende-Yam, AWEYA

Nigeria Sex Workers Association, NSWA

International Centre for Total Health and Right Advocacy Empowerment, ICTHARAE

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ABBREVIATIONS & ACRONYMS

People who Use Drugs	– PWUDs/PUDs
Female Sex Workers	- SW
Men who have Sex with Men	- MSM
Sex Workers	- SW
Lesbian, Gay, Bisexual, Transgender, Queer, Intersex	– LGBTQI
Interfaith Diversity Network of West Africa	- IDNOWA
Association Wende-Yam	- AWEYA
Nigeria Sex Workers Association	- NSWA
International Centre for Total Health and Right Advocacy Empowerment	– ICTHARAE
West Africa Drug Policy Network	– WADPN
Economic Community of West African States	– ECOWAS
National AIDS Strategic Framework	- NSF-AIDS
World Health Organisation	– WHO
National Gender Policy	– NGP
Sexual and Reproductive Health Rights	- SRHR

1.0 INTRODUCTION

The project aimed to promote the recognition and inclusion of LGBTQI, sex workers (SW), and people who use drugs (PWUD) in sub-regional policy and programmes, as well as the protection and promotion of their rights in accordance with regional and international human rights instruments.

In most West African countries, including Burkina Faso, Ghana and Nigeria, SW, PWUD and especially LGBTQI are not recognised by and hence often excluded from policy formulation and decision-making processes. Moreover, their activities are prohibited and criminalised by law, with harsher punishments for offenders. Beyond this legal doom, there is a staunch negative public perception about SW, PWUD and LGBTQI that is rooted in religion, tradition, and culture, which have also influenced policies and the legal and regulatory environment. People of these communities are demonised and regarded as moral failures. They are stigmatised and discriminated against with unequal access to services if at all they exist.

Despite regional and international conventions and treaties, including national constitutions, which promote and guarantee the recognition, inclusion and non-discrimination of all minority and vulnerable groups as a fundamental human right, parties to these instruments are yet to adhere to these obligations.

Rather, countries like Ghana have passed a bill which is more punitive, especially against the LGBTQI communities, in addition to existing laws against sex work and drug use. The unfriendly legal and moral environment continues to drive SW, PWUD and LGBTQI individuals into hiding and risky, self-destructive behaviours where employment and other opportunities evade them and put their health at risk. They are also very vulnerable to human rights abuses by law enforcement when in conflict with the law.

The report looked at the comprehensive description of the socio-political, religious, traditional, and legal responses/barriers to drug use, sex work and the LGBTQ+ movement in Burkina Faso, Ghana, and Nigeria.

2.0 METHODOLOGY

This report was compiled by engaging the affected communities in each country through interviews and focused group discussions Comprehensive Description of the Socio-Political, Religious, Traditional and Legal Responses & Barriers to Drug Use, Sex Work and LGBTQ+ Movement in Burkina Faso, Ghana and Nigeria.

This report was compiled through a qualitative research approach, engaging affected communities in Burkina Faso, Ghana, and Nigeria. The methodology comprised the following key steps:

Interviews: In-depth, semi-structured interviews were conducted with 5 to 10 community members in each country, including Persons Who Use Drugs (PWUD), Sex Workers (SW), and LGBTQI individuals. These interviews aimed to capture personal experiences, perceptions, and the impact of socio-political, religious, traditional, and legal responses on their lives.

Focus Group Discussions (FGDs): FGDs were organised to facilitate dialogue among community members. These discussions provided a platform for participants to share their collective experiences, identify common barriers, and suggest potential solutions to the challenges they face.

Participants were selected using a purposive sampling technique to ensure a diverse representation of marginalised communities. The primary criteria for selection included engagement in drug use, sex work, or identification as LGBTQI, however, each approach and style differ from country to country.

The data collected from interviews and FGDs were transcribed and subjected to thematic analysis. This approach allowed for the identification of recurrent themes and patterns related to socio-political, religious, traditional, and legal responses and barriers. The analysis was conducted manually and existing data, without the use of specific qualitative data analysis software.

The consortium and its partners supervised the information-gathering process. Informed consent was secured from all participants, ensuring they were aware of the study's purpose and their right to withdraw at any time. Confidentiality and anonymity were maintained throughout the research process to protect the participants' identities and personal information.

The study faced several limitations, including the unwillingness of some community members to participate and the unavailability of relevant stakeholders at the national level to hold dialogues with them, particularly in Burkina Faso due to the recent coup d'état. These limitations were addressed through methodological triangulation, cross-verifying data from multiple sources to ensure reliability and validity.

3.0 BURKINA FASO

3.1 Socio-Political, Religious, Traditional and Legal Response to Drug Use, Sex Work and the LGBTQI Movement in Burkina Faso

This report examines Burkina Faso's socio-political, religious, traditional, and legal responses to drug use, sex work, and the LGBTQI movement. It explores the impact of these factors on vulnerable populations, including people who use drugs (PWUD), sex workers (SW), and LGBTQI individuals. The report also presents key challenges, health implications, and personal stories of stigma, discrimination, and exclusion faced by these communities.

3.1.1 Socio-Political Response to Drug Use:

Drug use represents a growing concern in Burkina Faso, especially among the youth. According to a study conducted by ACTA, the determining factors in drug dependence are curiosity, idleness, fashion, thrill-seeking, the need for intellectual stimulation and the need for courage to carry out a very tough occupation. This study also revealed that the use of illicit drugs, including alcohol and tobacco, has a negative socio-sanitary impact and leads to social deviance and defiance of public authority.

The National Committee for Drug Control was established in 1993 to come up with action plans and effective measures to protect Burkina Faso from the scourge of drug abuse. In 2021, the Minister of Health, Pr Charlemagne Ouédraogo, took part in the 16th session of the General Assembly of the National Committee for Drug Control to review the previous year's activities and make projections for 2021. The country has also benefited from the PARECO programme supported by the Global Fund to address drug use and its harmful effects on health. However, Burkina Faso's jurisdiction over drugs does not make it possible to combat this problem effectively. The possession of drugs, including their use, is a criminal offence in Burkina Faso.

It is worth noting that the use of illicit drugs, including alcohol and tobacco, has a negative socio-sanitary impact and results in social deviance and defiance of public authority.

3.1.2 Sex Work

Sex work is formally prohibited in Burkina Faso, although there is no law punishing the sale of sexual services. Sex workers are more vulnerable to human rights violations, including rape, violence, extortion and discrimination. The criminalisation of their work encourages police harassment, and the police do not respond to their complaints or promote their safety. The police work to prohibit sex work through surveillance, harassment and raids. The police quite often use condoms as evidence against sex workers, who are often pointed at and accused of spreading diseases.

Burkina Faso has developed a National Gender Policy (NGP), passed in October 2009, to promote gender equality and women's empowerment in the country. Priority 4 recommends the institutionalisation of gender by integrating it into planning, budgeting and policy implementation systems at all levels.

3.1.3 LGBTQ Movements

Lesbian, gay, bisexual and transgender (LGBT) people's rights in Burkina Faso are different from those of non-LGBT people. Homosexual activities are not illegal in Burkina Faso, although there is no legal recognition of same-sex couples and adoption is only legal for heterosexual couples. LGBT organisations have no legal presence in the country but do exist unofficially. There are no reports that the government has responded to societal violence and discrimination against LGBT people.

Development policies in Burkina Faso have always reflected values of justice and equity. Despite these political pledges, the challenges of reducing social and economic inequalities remain.

3.1.4 Health

Burkina Faso has a National AIDS Strategic Framework (“NSF-AIDS”) 2023-2026. This national reference framework complies with international guidelines on the fight against AIDS, including the Sustainable Development Goals (SDGs); the 2014, 2016 and 2018 World Health Organisation (WHO) guidelines for HIV prevention, diagnosis, treatment and care, including care for key populations; the Global Fund New Funding Model to Fight AIDS, Tuberculosis and Malaria; the investment framework; the UNAIDS “95-95-95” policy statement, and so on.

The NSF-AIDS 2023-2026 makes key populations a priority through its Impact 1: New HIV infections are reduced by 75% by 2026; Outcome 1.1: 95% of key populations (MSM, PWUD, prisoners, PLHIV) have access to combined prevention services using different approaches by 2026.

The aim is also to work on reducing stigma and discrimination, access to health services and care without discrimination, raising awareness of rights and ensuring access to legal services, and integrating of gender and human rights into HIV programmes.

With a view to improving intervention, studies such as the bio-behavioural study on HIV and the estimation of the size of the key populations (MSM, TS UD) in 2022, Burkina Faso, have been carried out with the following results:

3.1.4.1 Prevalence Among Female Sex Workers (FSWs)

Prevalence among FSWs was 6.8% (95% CI = 5.2%-8.8%), with an estimated population of 25,188. Prevalence varied from one locality to another, with the lowest prevalence in Ouahigouya and Tenkodogo (3.5%) and the highest in Bobo-Dioulasso (8.2%; 95% CI = 5.5%-12.2%). It was 6.5% (95% CI = 4.5%-9.3%) in Ouagadougou and 7.0% (95% CI = 3.6%-13.3%) in Koudougou. HIV prevalence among TS is almost ten times higher than in the general population, as estimated by UNAIDS in 2022. Among FSWs, 14% had in-depth knowledge of HIV/AIDS, 84.9% had used a condom the last time they had sex with a client, and 14.1% had received a complete prevention package in the past six months.

3.1.4.2 Prevalence Among Men who have Sex with Men (MSM)

The estimated size of the MSM population was 3,529 individuals. Prevalence was 27.1% (IC95%: 23.0-31.5). In terms of locality, it represented 26.6% (IC95%: 21.7-32.1) in Ouagadougou and 28.3% (IC95%: 22.0-35.7) in Bobo-Dioulasso. The results reported in this study are much higher than those recorded among MSM in 2014, representing 3.6% (unweighted results) and 1.9% in 2017. Among MSM, the level of in-depth knowledge of HIV/AIDS was 10.1%, condom use at last sexual activity with a client was 69.5%, and 15.6% had received a full package of prevention interventions in the past six months.

3.1.4.3 Prevalence Among People Who Use Drugs (PWUD)

The bio-behavioural study among key populations included 323 people who use drugs (regardless of the method of use), 97% of whom were men. HIV prevalence among PWUD is 0.5%. HIV prevalence is low compared with national data (1.2%) in 2018 in the 15-49 age range (Sero-surveillance data). Another study carried out in 2019 (Rapport PARECO BSS chez les CDI au Burkina Faso 2020) in three of the country’s towns and cities, involving 1,080 injecting drug consumers using the RDS method, revealed a prevalence of 1.7%, 1.2% and 3.5% respectively in Ouagadougou, Bobo-Dioulasso and Koupéla. The latter result needs to be confirmed by other studies.

The studies helped to identify the situation at the population level to guide stakeholders in their interventions.

Despite this, access to quality health services in terms of Sexual and Reproductive Health Rights (SRHR) remains a concern for key populations, as they are victims of stigmatisation and discrimination in health services. In addition, violence of all kinds suffered by this community hampers the exercise of human rights.

The violence suffered by sexual minorities is fuelled by the words of opinion leaders and decision-makers, who justify their actions by reference to socio-cultural facts. These opinion leaders include religious and traditional leaders, politicians, local elected representatives, lawyers and the media. There has been a proliferation of anti-gender groups, increasing violence against sex workers.

Key populations are stigmatised and discriminated against by a large part of society, wherever they may be: their immediate environment (family, friends, etc.), places of worship (churches, mosques, etc.), health facilities, workplaces, judicial and security facilities (police stations, gendarmeries, courts and prisons). Fear of stigmatisation impedes efforts to raise the issue of the rights of key populations.

Social leaders do not have a good understanding of the problems faced by SWs and LGBTQ communities.

Public officials and community, religious and media leaders encourage hate speech against sexual minorities.

From 10 to 12 July 2023, the Transitional Legislative Assembly (TLA) held discussion days with the regional stakeholders on the reforms proposed by the transitional government and contained in the Action Plan for Stabilisation and Development (APSD 2023-2025) adopted by the Council of Ministers on 25 January 2023. These discussion days were organised in the thirteen regional capitals of Burkina Faso, followed by those organised between 5 and 15 June 2023 by the Transitional Legislative Assembly with the stakeholders of the 45 provinces in collaboration with the regional governors. Among the proposed political reforms, the "living forces" advocate a ban on homosexuality, recommending "the prohibition and criminalisation of homosexuality, and a ban on the creation of associations for the defence of lesbian, gay, bisexual and transgender (LGBT+) rights".

3.2 Religious and Traditional/Customary Responses

3.2.1 Drug Use/Sex Work:

Drug use and the sex trade are issues of major concern to religious and traditional authorities in Burkina Faso. However, there is no single answer to these questions, as they vary according to the beliefs and traditions of each religious and traditional group.

Burkina Faso recently created a Ministry of Religious and Customary Affairs to institutionalise the long-standing relationship between the government and religious and traditional organisations. Traditional leaders are the bridge between the ancestors and the people, and they have inherited power from the ancestors that they use to help ease tensions. Religious leaders have a significant influence on Burkinabè society, providing moral backing for the regime and enabling it to establish itself in a historical context.

As far as drug use and the sex trade are concerned, there have been cases of students being arrested for drug consumption and prostitution in Burkina Faso. However, there is no single answer, as these vary according to the beliefs and traditions of each religious and traditional group. It is possible that certain religious or traditional groups have specific practices for dealing with drug use and for mitigating/shutting down/eradicating the sex trade, but this would depend on the group in question.

3.2.2 LGBTQ Movements

Religious and traditional responses to LGBTQ movements are diverse and complex. Religions often have different positions on LGBTQ issues, from total acceptance to total condemnation. For example, the Roman Catholic Church regards homosexuality as a sin but also calls on its members to treat LGBTQ people with respect and compassion.

Importantly, religious responses are not the only responses to LGBTQ movements. Cultural and traditional/customary responses can also play an important role in how LGBTQ people are treated in each society. In some cultures, homosexuality is considered taboo or even illegal, while in others, it is accepted or even celebrated.

LGBTQ people are seen as a disgrace/curse/abomination to the majority of religious/traditional/customary beliefs in Burkina.

It is important to remember that all people, including LGBTQ people, are entitled to respect and dignity. LGBTQ movements have worked hard to further the rights of LGBTQ people around the world, but there is still a long way to go in achieving equality for all.

3.3 Legal Response

Burkina Faso has a legal framework that protects the human rights of communities. These include:

- The Constitution of 11 June 1991 in Article 1 provides that all Burkina Faso citizens are born free and equal before the law.
- The 2018 Penal Code provides for offences in the event of violations of sexual and reproductive health rights.
- Law No. 049-2005/AN of 21 December 2005 on reproductive health outlines the components and determines the equal rights of citizens to enjoy better sexual and reproductive health.
- Law No. 030-2008/AN of 20 May 2008 on combating HIV/AIDS and protecting people living with HIV/AIDS.
- Law No. 061-2015/CNT, on the prevention, repression and reparation of violence against women and girls and the care of victims.
- This law specifies that all forms of violence, whether physical, moral, psychological, sexual, economic, patrimonial or cultural, are covered, etc.

Despite this legal framework, people still experience enormous difficulties that have a negative impact on their rights.

3.3.1 Drug Use:

Drug use is a major problem in Burkina Faso. According to a survey conducted by the Permanent Secretariat of the National Committee for Drug Control, 274 students have been arrested for drug-related offences in three years. Cannabis is the most widely used drug in the country, closely followed by tramadol.

The government has set up a national anti-drug committee to combat this scourge, established by decree on 26 July 1993 and placed under the supervision of the ministry responsible for security. The committee's main missions include implementing and promoting the policy defined by the government in the fight against narcotics and psychotropic substances; proposing to the government action plans and effective measures to protect Burkina Faso from the scourge of drug dependence; to oversee the application of international treaties to which Burkina Faso is a party in relation to narcotic drugs and psychotropic substances; to consider all national and international issues relating to the cultivation, production, manufacture, legal or illegal trade and suppression of trafficking in narcotic drugs and psychotropic substances, as well as the medical and social problems raised by the prevention and treatment of drug addiction.

Several services and structures have been set up to combat the problem. These include law enforcement services and prevention structures comprising the police, gendarmerie, customs, water and forestry, health and social services.

Under Burkina Faso's Drug Code, drug abuse and illicit use are considered offences. Convicted offenders can be sentenced to up to 20 years' imprisonment and fines. The National Committee for Drug Control has organised several awareness campaigns to prevent drug use in schools and encourage parents to supervise their children.

3.3.2 Sex Work

Sex work is strictly prohibited in Burkina Faso, although there is no law punishing the sale of sexual services. Article 533-20 of the Burkina Faso Penal Code punishes anyone who publicly solicits for prostitution. Anyone promoting sex work is also punishable under the Burkina Faso Penal Code. Sex workers are more vulnerable to human rights violations, including rape, violence, extortion and discrimination. The criminalisation of their work encourages police harassment, and the police do not respond to their complaints or promote their safety.

There is a case study on how sex work laws are enforced in practice and what impact they have on sex workers. Sex workers are more vulnerable to human rights violations, including rape, violence, extortion and discrimination. Too often, the law or legal remedies offer little or no protection. Sex workers told us that the criminalisation of their work encourages police harassment and that the police do not respond to their complaints or promote their safety.

3.3.3 LGBTQ Movements

Lesbian, gay, bisexual and transgender (LGBT) people in Burkina Faso face legal problems that are not experienced by non-LGBT citizens. Same-sex sexual activities are legal in Burkina Faso. However, religious and traditional beliefs do not recognise homosexuality, and LGBTQ people are occasionally victims of verbal and physical abuse. LGBTQ organisations have no legal presence in the country but do exist unofficially.

Same-sex marriage is not permitted under the Constitution of Burkina Faso, which defines marriage as a union between a man and a woman. Heterosexual couples who have been married or cohabiting for at least five years may adopt a child, but single parents are not allowed to adopt children in Burkina Faso.

LGBTQ people are not protected against discrimination in employment and occupation, housing, statelessness or access to education or healthcare. However, social discrimination based on sexual orientation and gender identity remains a problem.

3.4 People Who Use Drugs, Sex Workers and LGBTQ Individuals' Stories and Experiences with Stigma, Discrimination and Exclusion

Story 1: *"My name is TH. In Burkina Faso, as a sex worker, LGBTQ or someone who uses drugs, people always look at you as if you were from another planet. Firstly, SWs are considered worthless; they're seen as immoral people who would choose to sell their bodies, rather than looking for an honest job. As a result, the police often harass them because of their sexual activity. They're not treated as valuable members of society, yet when night falls, the same people who marginalise and discriminate against them for all to see find themselves in their arms.*

Then come the LBTQs, whose case is even more serious than the SW's. If a man wants to embody his sexuality in a woman's skin, or vice versa, he is considered evil, damned. You are no longer a member of society, whereas, in some families, you are banished altogether. Hardly anyone will take you on if you're looking for employment. If you were to go to a hospital for care, you'd be mocked and ridiculed, treated like a nobody. If they could, some health workers would refuse to see you for a consultation simply because of your sexual orientation.

Finally, People who use drugs are automatically seen as criminals and public danger. They are thus victims of police violence or discrimination in their entourage or workplace."

Story 2: *(Anonymous) "Things are tough in our community; People look at us negatively. I once went to a healthcare centre for treatment, and I was treated extremely badly because of my attire and the way I dressed.*

There are places where we can't go in our society. We can't walk around freely during the day because people stare at us. We have no support, and no one listens to us. We are called a mess as if we weren't human; people discriminate against us."

Story 3: *(anonymous) "We Sex Workers suffer discrimination every day. Even in places like the market, we're constantly criticised. People bad-mouth us in their mother tongues, thinking we won't understand; it happens almost every day, and that's why we often don't feel like going out during the day but at night only.*

Some public places refuse to let us in, and in those that do, we have to endure the stares of others who don't see us as their equal, which makes us feel very uncomfortable. If we get into a fight, nobody comes to our rescue. Sometimes, we can be very ill, but the neighbours never care about us because of our sexual activities.

Story 4: *(anonymous) "As a lesbian, people often stigmatise us in our community because of the way we dress (men's outfit, walking style, hairstyle, etc.)"*

Story 5: *"I'm Melissa, a sex worker, and I'm disqualified by the people around me because of the way I dress. I am constantly indexed; people judge me without knowing me, but I am just as human as they are. I'm rarely invited to family gatherings, and when I do attend, no one pays attention to me. I am somehow excluded from my family.*

If my own family rejects me, then what will society do? The place where I live isn't the most convenient, but I try to hold on and stay strong. A lady once tried to attack me, accusing me of dating her husband. I'm just doing my job, and no matter what people say, I hold on as best I can. Some women complain about the way I dress, believing it's a deliberate attempt to seduce their husbands, but for me, it's completely justified, as my job is to attract men.

Some men refuse to pay after we've had sex and beat you up when you try to complain. Some of them carry knives, and any form of resistance can cost you your life. It's difficult for us Sex Workers to be accepted by society as we are and not to be constantly judged because it affects our mental health".

3.5 Recommendations from Individuals and Groups of People who Use Drugs, Sex Workers, and LGBTQ Communities for Integration into the Communiqué to ECOWAS

To address the challenges faced by PWUD, SW, and LGBTQ individuals in Burkina Faso, the following recommendations are proposed:

People who use drugs:

- Raise awareness to improve public perception of PWUD.
- Reduce penalties for drug use.
- Promote access to health care (substitution).
- Set up rehabilitation centres and subsidise access to them.
- Promote social reintegration.
- Organise film debates.
- Organise soccer games for PWUD.
- Organise a little fair for PWUD.
- Organise a recreational outing.

Sex workers:

- Protection by law enforcement officers against violence.
- Access to safe abortion.
- Make condoms available in quantity and free of charge at hot spots.

LGBTQI:

- Access to hormonal treatment
- Assistance in dealing with psychosis over a potential law against homosexuality.
- Protection against violence.
- Help alleviate the current poisonous climate.
- Raise awareness around stigmatisation and discrimination.

3.5.1 Legal Reforms

- **Decriminalisation of Drug Use:** Reform the legal framework to decriminalise drug possession and use, shifting the focus to harm reduction and public health approaches.
- **Protection of Sex Workers' Rights:** Introduce laws that protect sex workers from violence, extortion, and discrimination, ensuring their access to justice and healthcare.
- **Recognition of LGBTQI Rights:** Implement legal protections against discrimination based on sexual orientation and gender identity, including the recognition of same-sex relationships and protection in employment, education, and healthcare.

3.5.2 Health Initiatives

- **Expand Access to Healthcare:** Improve access to healthcare services for key populations, including PWUD, SW, and LGBTQ individuals, by reducing stigma and discrimination within healthcare settings.
- **HIV/AIDS Prevention and Education:** Enhance HIV/AIDS prevention programs targeting key populations, with a focus on education and awareness-raising to increase knowledge and reduce infection rates.

3.5.3 Socio-Economic Support

- **Support for Key Populations:** Develop socio-economic programs that provide support, education, and employment opportunities for marginalised communities, including PWUD, SW, and LGBTQ individuals.
- **Community Engagement:** Engage communities in dialogue and awareness campaigns to reduce stigma and discrimination, promoting acceptance and inclusion of all individuals, regardless of their background.

3.5.4 Strengthening Partnerships

- **Collaboration with Civil Society:** Strengthen partnerships with civil society organisations working on drug policy reform, sex workers' rights, and LGBTQI issues to advocate for legal and policy changes.
- **Engagement with Religious and Traditional Leaders:** Work with religious and traditional leaders to address harmful beliefs and practices that contribute to stigma and discrimination, promoting a more inclusive and compassionate approach to these issues.

3.7 Conclusion

This report highlights the significant socio-political, religious, traditional, and legal challenges faced by PWUD, SW, and LGBTQ individuals in Burkina Faso. Despite the existing legal framework and health initiatives, these communities continue to experience stigma, discrimination, and exclusion. Addressing these challenges requires a more inclusive approach that respects the human rights of all individuals, regardless of their background or identity.

4.0 GHANA

4.1 Research Survey: LGBTQ+ persons, People Who Use Drugs and Sex Workers in Ghana

A research interview was conducted on persons who identify as Lesbian, Gay, Bisexual, Transgender (LGBT+), Sex Workers and People Who Use Drugs Communities in Ghana to find how these communities interconnect and how they are treated based on their diverse backgrounds.

The interviews were carried out to further understand how these key populations belonging to these communities feel about equal treatment in society, in terms of acceptance, awareness, and understanding of laws in Ghana that hinder their social, health, economic, religious, and legal activities.

The survey was targeted at a breakdown of the different opinions of persons belonging to the three communities, as well as Parents/Guardians of persons in the communities mentioned above, within the coastal areas of Ghana (Greater Accra and Central Regions).

4.2 Community Experience Sharing (LGBTQ+)

Story 1: *“Over here, older folks are still living their lives as LGBT+ persons, and no one has been able to harass them because we are very responsible in our respective societies. We encourage the youth to be vigilant, hardworking, and resilient because Ghana belongs to all of us, and they are citizens who are harmless but only express their sexuality. I don’t get scared when people threaten me with the police over my sexuality because I have contacts and connections. I have not seen or heard anywhere that you should get arrested because you identify as a lesbian or gay unless the law which will criminalise LGBT+ persons is passed. Older LGBT+ folks like me are ready to support the young ones to accept themselves, and we would vote out any government who advocates for the criminalisation of LGBT+ persons and activities in Ghana.” [Nuumo Zee].*

Story 2: *“Well, the future is going to be very disastrous because right now it’s not being asserted or rectified as you said; the kind of body shaming, assault, verbal stigmatisation and other stuff that the community members are facing is not easy. You know we are here at the Cape Coast; I live along the coastal plains, and the majority of them, the grassroots community members, don’t have any insight or education about LGBTQ issues. The progressive traditional leaders who are the rulers of this region lack knowledge of it but rather think the anti-LGBTQ bill is to protect community members. The other time, I had a conversation with one of the community members, who is a traditional priest, and he said the president, Akuffo Addo, says he is going to protect us, so they are imposing a bill, and we are going to have our freedom. As someone who has experienced physical violence before due to my sexuality from my landlord, I really understand how it feels for laws of a state to make life very difficult for citizens due to our differences and diversity.” [Asiedu].*

Story 3: *“I am a traditional priestess who is a member of the LGBT+ community, and the last time I heard about the intensity of violence LGBT+ persons go through was when some of them were attacked at Jamestown, Accra, during a birthday party I was present. I know about police arresting them as well, but for the main reasons apart from their sexuality, I have no idea what triggers that. I prefer members belonging to the three communities to live in isolation rather than be open about their existence because the laws of the land do not protect them. I am also aware that some of these leaders passing these draconian laws find themselves under either of the three communities. I love and respect everyone because in the end, their existence as humans matters first before any other thing. The LGBT+, Sex Workers and People Who Use Drugs’ communities should be careful about how they live their lives and have to be vigilant in society because they are not loved and tolerated even though Africa has a history of such persons.” [Naa Ashie Anhele].*

Story 4: *“Everyone has choices in life, and these three communities are no exception. If I have personal contact with anyone from any of the communities and their lifestyle affects me negatively, I will boldly voice out my concerns. I have heard about the anti-LGBT+ bill, and as a person who identifies with the LGBT+ community, I find it alarming to know our politicians are bent on criminalising people they should be protecting after voting them into power. There would be no peace in our society if this Bill were passed because people will now start pointing fingers, and innocent people will also get affected and hinder our progress. Everyone suffers in the hands of the law, especially when you are vulnerable and belong to the minority, which I hope the government will find a way to address.” [Isaac].*

4.3 Sex Workers Community Experience Sharing

Story 5: *“In Ghana, the issue of Sex Workers is seen as a demonic act which is frowned upon in our society, and people believe we are possessed. As a male sex worker, I equally get paid for the sex work I do with other women, but my peers who know who I am discriminate and feel I do not deserve to be given the opportunity they have. I am not aware of any laws which seek to criminalise sex work, even though I know some of my peers who face violence from their clients sometimes but cannot voice out due to fear of being shamed instead. I see sex work as my personal choice because I make good profits from it. So far as I pay my taxes as a citizen, I think the government should help protect sex workers because that is what we depend on for survival. I respect everyone, including People Who Use Drugs and LGBT+ persons, but I see society being biased towards these communities, which is not a good thing because we exist, belong to families and have to be protected like every other person.” [Malik].*

Story 6: *“I know Sex Workers who have a stable family because that is their source of livelihood, and they are very comfortable with that choice. I have been a sex worker for over ten years, and I have not heard anyone mention laws which interfere with our activities. I know the police sometimes disturb us and take some little money from us, which has been in existence since I started this work. It bothers me to know we do not have anyone coming to our aid but instead receive insults, hate speeches and verbal abuse from society, yet this same society patronises us. My choice of clients is both male and female so far as I am being paid well at the end of the day. I am a drug user as well because I enjoy it, and it helps me calm down. Under no circumstance do I discriminate against the LGBT+ community because I believe we are all one, but unfortunately, society condemns us using religious doctrine, which does not make sense since everyone has choices at the end of the day. I pray someday society becomes safe for everyone who is marginalised due to their choices which do not cause harm in any way.” [Naa Kwarley].*

Story 7: *“Hmmm, from the way I see the future, it is not so promising for Ghana at this economic moment. As a youth, even after school, you become unemployed. Work is based on protocol. I cannot steal, so I prefer to give myself to men for sex in exchange for money. I am aware there are some laws prohibiting sex work activities, but I do not understand why it is so. All that the government can do is to get our safety and health protections and render adequate education to sex workers. Sadly, some of us end up getting murdered; it is a risky profession. Unfortunately, the same government does not provide enough employment for the youth. Elsewhere, a law is passed with the intent to render solutions causing problems for sex workers, but it isn't like that here. Also, whether there is a law or not, people will end up prostituting or purchasing prostitutes. So, it would be better if safety training and education were provided to us since we also pay taxes as citizens, therefore, health amenities should be easy to access. My mom is aware but not proud of my profession and wishes differently for me. Sometimes, I feel like a disappointment to my family, but I do not steal to end up being beaten to death. I have lost some friends due to stigmatisation and discrimination. Sex workers should be protected, guided and respected because we are also human and deserve to be treated fairly and equally.” [Nana Afua].*

4.4 People Who Use Drugs Community Experience Sharing

Story 8: *"I am glad I just took some infused marijuana corn tea because it helps me relax and starts my day on a positive note, but I take it in bits. I do not smoke the herb, but I use it in my drinks and food. Concerning the laws surrounding the usage of marijuana, I want it to be officially legalised for domestic use as well since it is only legal to use it for pharmaceutical purposes. I am aware of other health benefits of using marijuana without abusing it. I have heard about the Anti-LGBT Bill, and I want it to get passed because I do not want the LGBT+ community to become dominant. After all, the Bill's passage will not affect me. I deny using drugs to my mother because I do not want her to see me as a bad boy due to the perception our older folks have about persons who use drugs. I hope the government puts in better measures to protect people who suffer discrimination like People Who Use Drugs because we are suffering and not being ourselves in society."* [Okoko].

Story 9: *"I am not very familiar with the laws clearly because my educational background is quite low, but I am aware there are some laws which prevent the use of drugs by individuals for domestic use. When the police get you, you shall be fined, and I was also told by someone you can be jailed, so that's the risk involved. My parents know I do drugs, and sometimes they wish I never started, but I made them aware I do not harm anyone or disturb them when I get high after using the drugs. You know, every country has laws guiding the usage of drugs, even advanced countries. When you are into drugs, it doesn't mean you are a thief or something, but sometimes I just get high because I want to stay calm, and I do not believe it is everyone who uses drugs who acts abnormally. Only excessive usage of these drugs will make you misbehave. Our leaders should do something about how People Who Use Drugs are treated, as though they do not belong to families. We equally have responsible drug users who are excelling in their various fields in life."* [Iwan].

Story 10: *"I have never been caught by the police or authorities for using drugs because I do my drugs in the closet, and I am aware these authorities can place sanctions when you're caught. Fortunately for me, I have not experienced any attack or abuse due to my drug usage yet, but I know friends who have gone through verbal assault, especially because they smoke openly. I found it disturbing because they are harmless and have never smoked in another person's compound, so I do not understand the attack they experience. I am not addicted to drug usage even though I do it frequently sometimes and other times too; I can go a whole week or two without smoking or doing anything drug-related. We have been pleading with the government to enact laws on weed and cigarette smokers because not all the people who are into weed smoking are into violent acts, so they should reconsider and make some laws to govern the use of weed and the plantation as well."* [Gordon].

4.5 Parents and Guardians

Story 11: *"So far, I have no problem with these communities when it comes to their choice except for how some of the youth present themselves in the public eye. Engaging in a lifestyle which hasn't been recognised legally should not be done openly. A lot has changed for these communities, especially LGBT+ persons and Sex Workers, in terms of acceptance and inclusion today compared to the past, positively and negatively. The police are one entity that is prone to arbitrary arrests, extortion of money and harassment of the youth belonging to these communities, which is sad to know. As a parent who has an LGBT+ child and a partner who is a drug user, I stand with the communities in solidarity because the Anti-Bill, when passed, will only bring division and hatred among members of the family. They are citizens who pay taxes and vote, so that should be considered as well when these laws have been made against their existence."* [Ofeibe Solomon, Accra].

Story 12: *"I am aware of the three communities, but I don't know anyone in my community as a sex worker, and I respect them because they equally have a life to live like myself. As a mother, I ask for Sex Workers to be protected, and I prefer them to engage via hook-ups compared to the traditional way of standing by the roadside. LGBT+ people should understand that, currently, society is against them, so they should be mindful of their safety and security. LGBT+ persons are vulnerable in society, and the media is not helping with the kind of publications and reporting they make on LGBT+ stories as they make society very hostile to these communities. I know a law wants to be passed against LGBT+ people, but I am not aware of whether the law will protect or harm the community at large."* [Teley].

Story 13: *"All persons within these three communities I know personally are very responsible and respect themselves a lot, so it would be difficult to identify if they belong to any of the three communities unless you are told. Compared to now and then, I see a vast exposure within these three communities, maybe because the youth of today are free-willed, and they expect society to respect their choices whether they like it or not. Concerning laws harming our communities, I honestly have no idea about any because I hardly listen to the media. I do not support any law to criminalise them because, at the end of the day, we all have children, friends, neighbours and contact with persons who identify as LGBT+, Sex Workers or People Who Use Drugs. If we pass these laws, who are we incriminating? To me, it doesn't make sense, and such laws shouldn't be encouraged under any circumstance. If not, we would end up destroying their future with these insignificant arrests, abuse, and oppression."* [Mama Tuku].

4.6 Outcome

The outcome of this research survey is indeed very sensitive as persons belonging to Key Populations under the three communities of LGBT+, Sex Workers, and People Who Use Drugs have all expressed their genuine opinions concerning their respective knowledge of existing laws and how they impact them socially, culturally, economically and mentally.

4.6 Some Key Merging Issues After Successful Engagements with Target Communities

- a. Identification of Harmful Laws - There were revelations of laws and policies perceived to be harmful based on diversity and other factors.
- b. Barriers to Accessing Services - There was an uncovering of barriers these communities face in accessing services they deserve by their existence.
- c. Stigma and Discrimination - The research reveals the extent of discrimination and stigma, including violence, social exclusion and harassment.
- d. Advocacy and Policy Recommendations - This can lead to advocacy plans to send recommendations for legal reforms as well as public campaigns aimed at addressing issues identified.
- e. Public Opinion and Attitudes - There was an exploration of public perception and attitudes towards the three communities and how they are affected on a daily basis.
- f. Legal and Human Rights Frameworks - It is necessary to assess how these laws align with national and international human rights standards.
- g. Diversity within Key Populations - It is important to know that key populations are not homogenous, as the interactions with the communities highlight how they are affected individually by harmful laws.

4.7 Conclusion

In this research survey, we focused on Lesbian, Gay, Bisexual, Transgender (LGBT+), Sex Workers and People Who Use Drugs and how laws adversely affect them. These findings shed light on the complex interactions between societal attitudes, legal frameworks, and the lived experiences of persons belonging to these communities.

The outcomes stated above underscore the urgent need for comprehensive legal and policy reform aimed at protecting the rights and well-being of these key populations. It equally highlights the role of laws in perpetuating discrimination and stigma and emphasises the importance of human rights approaches to addressing these alarming challenges to bring about meaningful change and ensure these communities are protected under the law and enjoy equal opportunities.

4.8 Recommendations

We recommend that the laws harming the LGBT+, Sex Workers and People Who Use Drugs population should be reformed to address the identified challenges, promote human rights and improve the well-being of these communities.

4.8.1 Some key recommendations include

- i. Education and Awareness
- ii. Inclusive Legal Reforms Process
- iii. Community Economic Empowerment
- iv. Data Collection and Research
- v. Community Engagement
- vi. Funding and Resources
- vii. Amnesty and Pardons

These recommendations should be tailored to address the specific needs and context of each community within the country. Efforts to implement these recommendations should be made in a collective effort by involving government agencies, civil society organisations and affected districts. Human rights, inclusivity, and the well-being of all individuals within these marginalised communities should be prioritised regardless of their background or identity in the development and implementation of programs and policies.

5.0 NIGERIA

5.1 Nigeria's Socio-Political, Religious, Traditional and Legal Responses to Drug Use, Sex Work and LGBTQ Movements

5.1.1 Socio-Political Response to Sex Work

The socio-political response to sex work in Nigeria has been complex and multifaceted, shaped by a combination of cultural, religious, legal, and social factors. It's important to note that Nigeria is a diverse country with varying perspectives on sex work, and different regions and communities may have distinct approaches to this issue. Here are some key aspects of the socio-political response to sex work in Nigeria:

Criminalisation: Prostitution is illegal in Nigeria under the Criminal Code and the Penal Code, which are applicable in different parts of the country. However, enforcement of these laws varies, and sex work is still prevalent in many urban areas.

Stigmatisation and Discrimination: Sex workers in Nigeria often face social stigma and discrimination. They are marginalised and can be subjected to violence, exploitation, and abuse. Many people view sex work as immoral and sinful, influenced by religious and cultural beliefs.

Religious Influence: Nigeria is a deeply religious country, with Christianity and Islam being the two dominant faiths. Both religions generally condemn sex work as sinful. Religious leaders and organisations often play a role in shaping public opinion and influencing policies related to sex work.

HIV/AIDS Prevention: Given the prevalence of HIV/AIDS in Nigeria, some organisations and government agencies have recognised the need to engage with sex workers to provide them with health services, including HIV testing, treatment, and education. This approach is aimed at harm reduction and has been supported by some health experts and NGOs.

Legal Challenges: There have been legal challenges to the criminalisation of sex work in Nigeria. Some advocates argue that criminalisation forces sex workers underground, making them more vulnerable to violence and disease. These legal challenges have not resulted in widespread decriminalisation, but they have sparked debates on the issue.

Government Initiatives: Some Nigerian states have attempted to address sex work through legislation. For example, in 2017, the Edo State government in southern Nigeria passed the "Edo State Trafficking in Persons Prohibition Law." This law criminalised human trafficking and sought to provide support and rehabilitation services to victims, including sex workers.

Civil Society and Activism: There are several NGOs and advocacy groups in Nigeria that work to protect the rights of sex workers, provide them with support and resources, and challenge the criminalisation and stigmatisation they face. These organisations aim to improve the living and working conditions of sex workers.

Law Enforcement: Law enforcement agencies in Nigeria often conduct raids and crackdowns on areas known for sex work. These actions can lead to arrests, harassment, and extortion of sex workers.

In summary, the socio-political response to sex work in Nigeria is marked by a tension between criminalisation, influenced by religious and cultural norms, and efforts to address the health and human rights of sex workers through harm reduction and legal challenges. The situation is dynamic, with ongoing debates and discussions on how best to approach this complex issue. Different regions of Nigeria may have varying levels of enforcement and tolerance regarding sex work. Additionally, public opinion on sex work in Nigeria is diverse, with some supporting the criminalisation of sex work due to moral or religious reasons, while others argue for its decriminalisation to protect the rights and well-being of sex workers.

5.1.2 Religious Response to Sex Work

The religious response to sex work in Nigeria is primarily shaped by the country's two dominant religions, Christianity and Islam, both of which play significant roles in influencing public opinion, cultural norms, and policies related to sex work. Here are some key aspects of the religious response to sex work in Nigeria:

Moral Condemnation: In both Christianity and Islam, sex outside of marriage is generally considered immoral and sinful. This moral stance extends to sex work, which is often viewed as a form of fornication or adultery. Religious leaders and adherents frequently condemn sex work on moral grounds.

Preaching and Sermons: Religious leaders, including pastors, priests, imams, and Islamic scholars, often use their platforms to denounce sex work and call for repentance among sex workers. Sermons and religious teachings may emphasise the sinfulness of the profession and encourage individuals to seek forgiveness and change their ways.

Stigmatisation: Religious teachings can contribute to the stigmatisation of sex workers within societies. Sex workers may be ostracised or shunned by their religious communities and families due to the perceived immorality of their work.

Advocacy on Abstinence: Both Christian and Islamic organisations promote sexual abstinence until marriage as a way to prevent sex work and other forms of sexual immorality. They may provide sex education programs that emphasise abstinence and fidelity within marriage.

Charitable Work: Some religious groups and organisations engage in charitable activities aimed at helping sex workers. They may run rehabilitation centres or offer support services to sex workers looking to leave the profession. These efforts are often framed as an act of compassion and Christian or Islamic charity.

Human Trafficking: Many religious organisations are actively involved in the fight against human trafficking, which often involves the exploitation of vulnerable individuals, including sex workers. These organisations work to raise awareness, provide support to victims, and lobby for anti-trafficking legislation.

Interfaith Initiatives: In some instances, interfaith groups collaborate on issues related to sex work and human trafficking. They may emphasise shared values of compassion, justice, and care for the vulnerable as reasons to address the challenges faced by sex workers.

Diverse Perspectives: It's important to note that not all religious individuals and organisations in Nigeria hold the same views on sex work. There is a diversity of perspectives, ranging from those who advocate for a compassionate and supportive approach to sex workers to those who take a more punitive and judgmental stance.

In summary, the religious response to sex work in Nigeria is generally characterised by moral condemnation, efforts to promote sexual abstinence and involvement in anti-trafficking initiatives. However, there are variations in how different religious groups and individuals approach this issue, and some engage in activities aimed at supporting and rehabilitating sex workers.

5.1.3 Traditional Response to Sex work

Traditional responses to sex work in Nigeria are deeply influenced by the diverse cultures and belief systems of the various ethnic groups and communities across the country. These traditional responses vary significantly depending on local customs, norms, and practices. Here are some common elements of traditional responses to sex work in Nigeria:

Cultural Stigma: In many Nigerian cultures, sex work is viewed as socially unacceptable, and it is stigmatised. Women who engage in sex work may face ostracism, discrimination, and shame within their communities. Traditional values often emphasise the importance of chastity and modesty.

Community Norms: Traditional African societies in Nigeria are often tightly knit, and community norms play a significant role in shaping behaviour. Sex work may be seen as disruptive to these norms and, as a result, may face strong opposition from community leaders and elders.

Family Dynamics: The family is a fundamental unit in Nigerian society, and the involvement of a family member in sex work can bring shame and embarrassment to the entire family. Families may attempt to discourage or disown individuals engaged in sex work to protect their social standing.

Customary Practices: Some ethnic groups in Nigeria have customary practices and rituals that address issues related to sexuality and relationships. These customs can influence attitudes toward sex work, with some traditions permitting or even facilitating sex work in certain circumstances while others condemn it.

Religious Syncretism: Traditional religious practices, which often involve a mixture of indigenous beliefs and elements of Christianity or Islam, can shape attitudes toward sex work. In some cases, traditional religious practitioners may provide spiritual or protective services to sex workers, blending indigenous and religious beliefs.

Local Enforcement Mechanisms: Traditional authorities, such as village chiefs and elders, may take it upon themselves to enforce community norms and deal with issues related to sex work. This can involve community-based sanctions or penalties for those involved in sex work.

Marriage and Dowry Practices: Traditional marriage customs and dowry systems can influence sex work indirectly. In some cases, women may be forced into sex work because of economic hardship or to fulfil dowry obligations. Conversely, some women may engage in sex work to accumulate wealth for future marriage ceremonies.

Gender Dynamics: Gender roles and power dynamics in traditional Nigerian societies can also affect responses to sex work. Women, especially those in vulnerable positions, may be more likely to engage in sex work, and the traditional patriarchal structures may limit their agency and choices.

It's important to note that Nigeria is a diverse country with hundreds of distinct ethnic groups, each with its own traditions and customs. Consequently, traditional responses to sex work can vary widely from one region or community to another. While some communities may have more accepting attitudes toward sex work due to historical or cultural factors, others may vehemently reject it.

5.1.4 Legal Response to Sex Work

The Legal response to sex work in Nigeria is complex and varies depending on the specific laws and regulations applicable in different states of the country. Nigeria is a federal republic, and some laws are enacted at the federal level, while others are determined by individual states. Here are some key aspects of the legal response to sex work in Nigeria:

The Criminal Code Act: This legislation applies to southern states in Nigeria and criminalises various aspects of sex work. Section 223 of the Criminal Code Act criminalises “keeping, managing, or assisting in the management of a brothel,” and Section 233 criminalises soliciting or living off the earnings of prostitution.

The Penal Code: This legislation applies to northern states in Nigeria and criminalises certain aspects of sex work. Section 342 of the Penal Code criminalises “enticing or soliciting for immoral purposes,” and Section 404 criminalises “keeping or managing, or acting or assisting in the management of a brothel.”

Law Enforcement: Law enforcement agencies, such as the police, often conduct raids and crackdowns on areas known for sex work. These actions can lead to arrests, harassment, and extortion of sex workers. In some cases, sex workers may be subject to violence and abuse from law enforcement officials.

Sex Trafficking Laws: In addition to laws against prostitution, Nigeria has laws targeting human trafficking. These laws are designed to combat the trafficking of persons for sexual exploitation, labour, or other purposes. They include the Trafficking in Persons (Prohibition) Enforcement and Administration Act, which criminalises trafficking offences.

Legal Challenges: There have been legal challenges to the criminalisation of sex work in Nigeria. Some advocates argue that criminalisation forces sex workers underground, making them more vulnerable to violence and disease. However, these legal challenges have not resulted in widespread decriminalisation.

Legal Ambiguity: The legal status of sex work in Nigeria can be ambiguous and subject to interpretation. While laws criminalise aspects of sex work, enforcement can be inconsistent, and sex work continues to exist in many urban areas.

International Pressure: Nigeria, like many countries, faces international pressure to address human trafficking and protect the rights of sex workers. International organisations and foreign governments may advocate for changes in Nigeria's legal framework and the treatment of sex workers.

In summary, the legal response to sex work in Nigeria is characterised by the criminalisation of prostitution, inconsistent enforcement of laws, and a focus on combating human trafficking. While there have been legal challenges and some efforts to address the health and human rights of sex workers, the overall legal framework remains restrictive in many parts of the country. The situation is dynamic, with ongoing debates and discussions on how best to address the complex issue of sex work within the legal system.

5.2 Socio-political Response to PWUD

The socio-political response to People Who Use Drugs in Nigeria Drug law and social factors have increased socio-political response in both negative and positive in Nigeria's perspectives on PWUD, and different cultural norms, and communities with different beliefs about PWUD.

Response

Victimisation: People Who Use Drugs are victimised most of the time in workspaces; they are scenarios where people are reported and, as a result, lose their jobs because of their drug use.

Criminalisation: Drug Use is illegal in Nigeria under the Criminal Code and the Penal Code, which are applicable in different parts of the country. However, enforcement of these laws varies.

Stigmatisation and discrimination: People Who Use Drugs in Nigeria face social stigma and discrimination from peers who do not use drugs, marginalisation, human rights violations, exploitation, and abuse. Many people see drug users as bad people. There are scenarios where somebody who has received drug treatment before, became better, then later decided to settle with a wife, and when the girl's family found out his past, he was denied to marry his girl. Stigma is a big drive for People Who Use Drugs, and families delay in seeking help because of being stuck with the label.

Religious belief: One of the dominant faiths in Nigeria is the belief that people who use drugs are vagabonds, and other cultural beliefs increase in shaping public opinion and influencing policies related to PWUD.

Public health approved through harm reduction awareness program: Non-governmental organisations have been organising training for law enforcement officers, healthcare providers, and the public about drug dependency and recovery to reduce the levels of fear and blame and service uptake.

HIV/AIDS prevention: Due to the prevalence of HIV/AIDS in Nigeria, non-governmental organisations and government agencies have recognised the need to engage with PWUD to provide them with health services, including HIV testing, treatment, and education. This approach is aimed at harm reduction, which is supported by foreign donors.

Civil society and activism: There are several NGOs and advocacy groups in Nigeria that work to protect the rights of PWUDs, provide them with support and resources, and challenge the criminalisation and stigmatisation they face. These organisations aim to improve the living and working conditions of PWUD.

Law enforcement: Law enforcement agencies raid chilling spots for people who use drugs to arrest, harass, and extort PWUD.

In summary, the socio-political response to PWUD in Nigeria is more of criminalisation, influenced by religious and cultural norms, and efforts to address the health and human rights of PWUD through harm reduction programs and sensitisation training LEA and the public.

5.2.1 Religious Response to PWUD

The response is different from one place to another; for northern Nigeria, Other religions consider Alcohol intake as Forbidden but give room for other hard drugs, while others condemn it in its entirety; the response also instigates condemnation, fear and guilt, hence making PWUID stay away from places of worship.

Others are creating an atmosphere for counselling and Guidance with religious heads for PWUID, but this is not popular yet.

Preaching and sermons: Religious leaders, including pastors and priests, often use their platforms to talk about the harmful behaviour of PWUD in sermons at any slightest instance.

Stigmatisation: Religious teachings towards PWUD are shambolic, saying it is disorganised, and it ostracised PWUD to hell, no counselling for PWUD, and they are characterised as sinners and people whose prayers will not be answered by God.

Charitable work: Some religious groups and organisations engage in charitable activities aimed at helping PWUD. They may run rehabilitation centres or offer support services to PWUDs to win them off drug use.

Diverse perspective: It's important to note that not all religious individuals and organisations in Nigeria hold the same views on PWUD. Some religious leaders believe Christ died for the sinners, ranging from those who advocate support for PWUD.

In summary, the religious response to PWUD in Nigeria is mostly seen from the moral condemnation, to discourage drug initiation and involvement. However, there are different religious groups and individuals' approaches to PWUD, and some engage in activities aimed at supporting and rehabilitating.

5.2.2 Traditional Responses to PWUD

Traditional responses to PWUD in Nigeria are deeply influenced by the diverse cultures and belief systems of the various ethnic groups and communities across the country. These traditional responses can vary significantly depending on local customs, norms, and practices. Here are some common elements of traditional responses to sex work in Nigeria:

Cultural stigma: PWUDs are used to carry out harmful cultural practices in societies, like lynching criminals, causing violence, etc; also, people who use drugs are sometimes influenced by the power of money to create panic and disturb the Peace, then criminalise as out-cast in the community also mentioning that some communities practice naming and shaming Drug users or subjecting them to community punishment.

Community norms: They vary from culture to culture, and there is a serious dichotomy between different faiths mixed with cultural practices. There are some community embargos of 100 hundred thousand naira or risk of arrest by police if a PWUD is caught using drugs, whichever type it is saying, it is highly criminalised by the cultural practices of the community.

Family dynamics: The family is a fundamental unit in Nigerian society, and the involvement of a family member in drug use can bring shame and embarrassment to the entire family. Many PWUDs have been disown by families.

Local enforcement mechanism: There are communities where the traditional ruler gave an order against PWUD, which results in unlawful arrest by the vigilante group and police and brutality by other law enforcement agencies. PWUD in some communities is considered shameful to the family; bad luck, irresponsibility, and opportunities have been denied as a result of the high rate of unlawful arrest and victimisation of PWUD.

Gender dynamics: Gender roles and power dynamics in traditional contexts in Nigerian societies also affect negative responses to PWUD. Women, especially those in vulnerable positions, limit their choices.

It's important to note that Nigeria is a diverse country with hundreds of distinct ethnic groups, each with its own traditions and customs. Consequently, traditional responses to PWUD vary from one region or community.

5.2.3 Legal Response to PWUD

The Legal Response to PWUD in Nigeria totally criminalised drug-specific laws and regulations applicable in different states of the country. Nigeria is a federal republic, and some laws are enacted at the federal level, while others are determined by states.

Legal space as a bedrock of PWUD issues in Nigeria. The criminalisation, punitive approach, and extortion by law enforcement agencies have created a bad relationship between people who use drugs and Law enforcement agencies. Drug use usage has serious consequences legally in some communities as most PWUD are threatened with a punitive approach, arrest, and victimisation by law enforcement officers in most instances.

On the High level of ignorance on the role of Law enforcement agencies and the Rights of people who use drugs, saying there have been loopholes that have been exploited by some law enforcement agencies to extort, arrest, detain PWUD and criminalise them hence, the reason some parents and relatives report people who use drugs for no reason to law enforcement agencies. Who in turn harassed and intimidated PWUD.

Public health response: National Drug Law Enforcement Agency (NDLEA) Act: section 8: special duties of the unit sub-section 3: the counselling unit.

National Drug Control Master Plan: Strategic Pillars 2 (Drug Demand Reduction) and Strategic Pillar 3 (Access to controlled medicine for medical and scientific purposes).

Harm reduction programs through non-governmental organisations have been organising training for law enforcement officers, healthcare providers, and the public about drug dependency and recovery to reduce the levels of fear and blame and service uptake.

INTERNATIONAL PRESSURE: Nigeria, like many other low and middle-income countries, faces international pressure to address the human rights of PWUD and decriminalisation of drug use. International organisations and foreign governments may advocate for changes in Nigeria's legal framework and the treatment of PWUD.

In summary, increased sensitisation that will give a proper understanding of the position of the law and human rights of people who use drugs will go a long way to bridge the gap in understanding drug laws.

More so, legal reforms, treatment, and care, as well as harm reduction, should be emphasised instead of Criminalization of PWUD.

5.3 LGBTQ Individuals Experience with Prejudice and Discrimination in Nigeria

At precisely 5:30 on Saturday, 9th of August 2023, A group of six LGBTQI representatives convened for a focused group discussion centred on (live experience with prejudice discrimination in Nigeria). Each attendee was granted the opportunity to provide a brief introduction, as well as share personal experiences related to the topic at hand; the host organisation cordially welcomed all attendees and emphasised the significance of the gathering, stressing how their individual experiences could be leveraged to benefit community development and LGBTQI movement in Nigeria. Attendees were encouraged and assured confidentiality, letting them know that their names or pictures would not be mentioned in the report.

Prejudice in the banking Sector:

Story 1: *I was denied a job opportunity at Eco Bank Nigeria as a result of my Sexuality and Gender Identity; despite having performed exceptionally well throughout the screening processes, I was denied the job because of their perceived gender identity.*

Sexual harassment from the Nigeria law enforcement agencies:

Story 2: *I was constantly bullied by my school teachers based on my sexual orientation and gender identity, overtime during my secondary school days, my school teachers keeps make comments like (you, are you gay, why are you behaving like a woman, leave my class on till the day you decides to start leaving like a man), and so many other discriminatory comments towards my existence by my follow school makes and teachers. The law enforcement agencies (SAS and the Police officials constantly sexually harassed me by touching my private parts to confirm if I was a woman or a man.*

Human Rights Violations from the LGBTQI Community base on gender:

Story 3: *I found myself in a toxic and unhealthy same-sex relationship where I was constantly bullied for answering calls from friends and family members, and I kept getting questions like (who is calling you? Why is he calling you? Why are you the one always calling? Why is he not calling me? Who is charting you, give me your phone) among others, when. All this always ends up with bullying; this affected my mental health, and till today, I have decided never to engage in any form of same-sex relation anymore, especially from our feminine community members; the toxicity was too much for me.*

Stigma and Discrimination at Workplace:

Story 4: *I constantly face stigma and discrimination at my workplace; I work with one of the big NGOs that claims to protect the human rights of key populations and LGBTQI persons in Lagos, Nigeria. However, the staff of this NGO constantly look for every little opportunity to bully the already marginalised persons working with them as volunteers, especially when you are a feminine-presenting man or somebody like me who is a masculine-presenting woman; most times, this discrimination also trickles down to the community members, imaging your own community members verbally bullying you, then one began to wonder where exactly is the safe space for LGBTQI persons living in Nigeria.*

Discrimination based on HIV status:

Story 5: *I lost my job after being screened for HIV at my workplace, and the company did not actually tell me that the test result was out. Resuming work the next day, the security at the gate gave me a letter from the management; I was shocked when I opened the letter and noticed it was a sack letter; since then, I decided to go into the business and stay far away from company work, especially the private organisations.*

Human Rights Violations and Discrimination in Church:

Story 6: *This experience in church is the worst day of my life on earth. I call it the worst day of my life on earth because I used to think that the church was the safest place to be. I am a singer, and I was selected to attend a church youth competition in London; two days before that competition, I attended a friend's party with my fellow chorister from the church. By the way, this chorister is also a community member like me, so we both knew each other's sexuality; it was to my greatest surprise that two days later, when I resumed the church programme, I was summoned by 15 pastors. I was told to sit, and they asked me if I was gay, and I said no; then they started flipping pictures in their phones where I was at a party having a romantic session with a guy. I was eventually expelled from the church, then again I never knew that my own fellow community members was busy videoing me at the party with the aim of achieving his evil plans.*

Discrimination based on gender and sexual roles:

Story 7: *Internal discrimination and prejudice on sexual roles: the LGBTQI community in Nigeria has this belief that you have to act and behave based on your sexual role; therefore, they discriminate against you when they see you as a masculine-presenting person and you play a penetrative role. Basically, the community wants to attach a sex role to you based on your looks, not based on your preferred role choice, and that is a violation of your fundamental human rights.*

5.3.1 Socio-Political, Religious, Traditional, and Legal Responses to LGBTQ Movements in Nigeria.

In 2014, the Same-Sex Marriage (Prohibition) Act was signed into law, which bars not only gay relationships but also any public sign of same-sex affection or membership of LGBTQ+ groups, with punishments of up to 14 years in prison. Gay sex is illegal in more than half of African countries, according to global LGBTQ+ rights tracker [Equaldex](#), although Gabon, Kenya, and Botswana have all decriminalised same-sex relations in recent years. But despite the risks, activists are pushing to express themselves and demand change in June, a month which is marked around the world with LGBTQ+ Pride rallies and parties. Nigerian LGBTQ+ events have been growing in number and size in recent years, although they remain behind closed doors due to safety and legal concerns.

More than ever before, we have unfettered access to broadcast and social media. Around 70% of community members report using the internet at least several times per day, and 45% report they are online "almost constantly". One large survey study showed that lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) youth spend even more time online than their cisgender and heterosexual peers. Data also suggest that LGBTQ persons use the internet for civic participation at very high rates (88%) and at rates about twice that of their cisgender heterosexual peers. Thus, LGBTQ persons are often keenly aware of legal and political developments reported in the news, and may be particularly attuned to media related to their continually evolving legal rights and apparent standing in society.

Research on health outcomes among LGBTQ community members consistently documents widespread mental and physical health disparities. LGBTQ community members experience elevated rates of suicide attempts, substance use, and sexual risk behaviours, as compared to cisgender heterosexual peers. These concerning outcomes stem from chronic, pervasive experiences of social stigma, rejection, victimisation, and discrimination.

Legal developments affecting civil rights often garner significant media exposure and instigate discussion about perceptions of LGBTQ populations more generally. LGBTQ may experience such developments on both a practical and psychological level (e.g., by internalising messages that they are worthy of rights). Legal changes amounting to an expression of public affirmation and support for LGBTQ rights and identity may promote a more positive self-image and a sense of safety among LGBTQ. In contrast, publicity regarding the restriction or loss of civil rights among the LGBTQ community may contribute to feelings of stigma, hopelessness, internalised homophobia, and poor self-image. Certainly, the Nigeria context calls for more work in our movement.

5.4 Recommendations

- i.** The LGBTQI community in Nigeria still needs sensitisation on sexual roles, gender identity and sex characteristics.
- ii.** The LGBTQI community members in Nigeria need training in law and high self-esteem.
- iii.** There should be a sensitisation for religious leaders in Nigeria.
- iv.** Advocacy/engagement of religious and government leaders.
- v.** The LGBTQI community needs to start speaking up against discrimination or abuse from the external community; most of these abuses are sometimes not reported.
- vi.** The reintroduction of peer sessions and cohort culture: During peer sessions, the younger generation (adolescent and young queer community members aged 16 to 24) will learn some basics through the use of peer educators' manuals, such as how to take care of their bodies, understand low and high self-esteem, things to do during a police arrest or when a raid occurs, mods of prevention of sexual gender-based violence among other ways of preventives abuses.

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