

# Rights Under Arrest

**Impact of the  
SSMPA on LGBTQI+  
Individuals and  
Organisations**  
*(A Decade of Resilience)*



**CHEVS**



THE INITIATIVE FOR  
EQUAL RIGHTS



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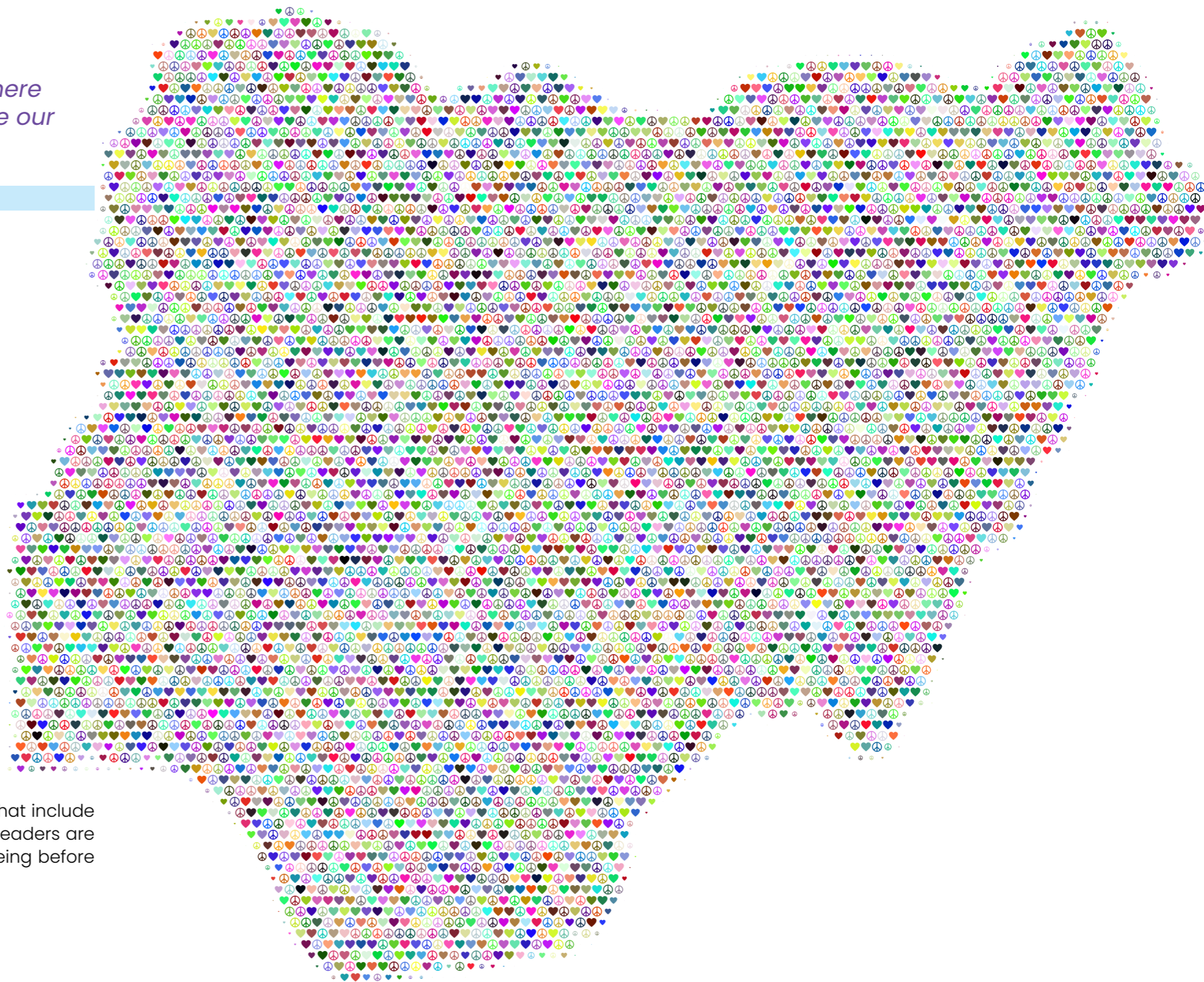
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*“There should never be a law against us. There should be laws to protect us, to help us live our lives.”*

**Reverend Jide Macaulay**



| This report contains sensitive and potentially triggering stories that include descriptions of discrimination, violence, and emotional distress. Readers are advised to exercise caution and consider their emotional well-being before proceeding. |



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The project was managed by: *Alufoge Olufunso Kehinde, and Godwin Kalu.*

## Glossary and Abbreviations

In this report, we have used terms with the meanings ascribed below

- **Asexual:** A sexual orientation, used to describe someone who does not experience sexual attraction towards individuals or any gender; or experiences a low or absent desire or interest for sexual activity.
- **Bisexual:** A sexual orientation, used to refer to a person whose emotional, romantic, sexual and or relational attractions are toward people of the same sex and people of a different sex.
- **Cisgender:** Referring to the gender identity of a person whose sense of personal identity and gender correspond with their sex assigned at birth.
- **Cisheteronormativity:** A widespread belief system that centres heterosexuality and the binary female-male sexes to the extent that the only two normal ways of being are cisgender heterosexual masculine men and cisgender heterosexual feminine women.
- **Conversion Practices:** A process of cisheteronormative indoctrination by attempting to change, suppress, or divert one's sexual orientation, gender identity, or gender expression, conducted by medical or mental health professionals, religious personnel, traditional or spiritual healers or practitioners, or other entities. We also use the term "conversion therapy" but these actions are not true therapies. Rather, they are harmful actions with long-lasting impacts on queer people.
- **Gay:** A sexual orientation, used to refer to a person whose emotional, romantic, sexual and or relational attractions are toward people of the same sex. We also use "homosexual" interchangeably with gay; or "homosexual" to refer to a spectrum of people with diverse sexual identities.
- **Gender Expression:** A person's presentation of gender through physical appearance, including dress, hairstyles, accessories, and cosmetics; and mannerisms, speech, behavioural patterns, names, and personal references, with the caveat that gender expression may or may not conform to a person's gender identity
- **Gender Identity:** A person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, and includes the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical, or other means) and other expressions of gender, such as dress, speech, and mannerisms.

- **Gender Nonbinary/Gender Nonconforming/Genderqueer:** Being, appearing, behaving, or identifying in ways that do not fully conform to socially prescribed gender roles and norms.
- **Homophobia:** Fear of, hatred of, and/or discrimination against homosexuals or homosexuality, usually based on negative stereotypes of homosexuality. We usually denote this with "Queerphobia" in this report, to denote the fear of, hatred of, and/or discrimination against all LGBTQI+ people.
- **Intersex:** People born with physical or biological sex characteristics such as sexual anatomy, reproductive organs, hormonal patterns, and/or chromosomal patterns that differ from typical male and female definitions. These characteristics can be seen from birth or later in life, most commonly during puberty. Intersex people can be of any sexual orientation or gender identity.
- **Kito:** A Nigerian term for extortion of money or other valuables from queer people by threatening to expose them to their families, friends, or community. It usually occurs with catfishing and is a type of queerphobic violence meant to control and threaten queer people. In many instances, people who perpetrate kito also physically and or sexually abuse victims.
- **LGBTQI+:** A blanket term that refers to lesbian, gay, bisexual, queer, transgender, and intersex people. We also use LGBTQIA+ when we refer to asexual as well; LGBTQ+ when the specific references refer to only lesbian, gay, bisexual, and/or transgender, queer; LBQTI to refer to lesbian, bisexual, queer, transgender, and intersex people; and so on. In some cases, we use "queer" to refer to all categories across the spectrum.
- **Sex Characteristics:** Each individual's sex-related physical features, such as genitalia and other sexual and reproductive anatomy, chromosomes, hormones, and secondary physical features emerging from puberty
- **Sex Characteristics:** Each person's sex-related physical features, such as genitalia and other sexual and reproductive anatomy, chromosomes, hormones, and secondary physical features emerging from puberty.
- **Sexual Orientation:** An inherent or immutable enduring emotional, romantic, sexual or relational attraction to another person. It is not to be

confused with sexual preference, which is what a person likes or prefers to do sexually; a conscious recognition of choice.

- **SOGIESC:** An acronym for sexual orientation, gender identity, gender expression and sex characteristics.
- **Transgender:** A gender identity term for a person whose sex assigned at birth does not conform to their identified or lived gender. A transgender person usually adopts, or would prefer to adopt, a gender expression in tandem with their gender identity but may or may not desire to permanently alter their physical characteristics to conform to their gender identity.
- **Transgender men:** The gender identity used to describe people designated female at birth but who identify and may present themselves as men.
- **Transgender women:** The gender identity used to describe people designated male at birth but who identify and may present themselves as women.



## Executive Summary

In January 2014, Nigerian President signed the Same Sex Marriage (Prohibition) Act (SSMPA) into law.<sup>1</sup> Since then, LGBTQI+ organisations in Nigeria have documented the rise of human rights violations against sexual and gender minorities and institutionalised and widespread queerphobia.<sup>2</sup> Ten years since the SSMPA has been in existence, the Center for Health Education and Vulnerable Support (CHEVS) and The Initiative for Equal Rights (TIERs) seek to understand and document how much the law affects lesbian, gay, bisexual, transgender, queer and intersex (LGBTQI+) populations in Nigeria. The organisations aim to utilise the outcomes of this research in designing and implanting sustainable advocacy efforts aimed at socio-legal reform.

For this research, we conducted an online survey gathering 89 responses across the six geopolitical zones in Nigeria, 13 semi-structured interviews with people with fundamental knowledge of LGBTQI+ issues in Nigeria, and a literature review of various reports by individuals, non-governmental organisations and institutions, news reports, and other media posts. This report documents our findings on the extent of the impact of the SSMPA in Nigeria, on individuals, organisations and institution building.

Against the backdrop of this law, this research documents severe impacts to LGBTQI+ individuals in limited access to education, employment, healthcare, housing, based on discrimination arising from their sexual and gender minority identities. In addition to the law, widespread queerphobia, occasioned from political agendas, media bias, religious fundamentalism and cultural perspectives contribute to harm LGBTQI+ people. Our research finds that these biases impact LGBTQI+ people's relationships with family members, ability to participate in religion, their social lives, economic power and ultimately, their mental health and well-being. We also document the spread of extortion, kidnapping and other forms of violence by individuals and groups, as well as mass and arbitrary arrests and detentions by the police. We comparatively analyse the occurrences of these violations and experiences using the period before and after 2014 when the SSMPA came into force.

Findings from our key informant interviews show that LGBTQI+ organising and community building has existed and evolved long before 2014, in accordance with the needs of rights-holders, the capacity of activists, visibility and

<sup>1</sup> Human Rights Watch, "Nigeria: Anti-LGBT Law Threatens Basic Rights – 'Same-Sex Marriage' Specter Used to Criminalize Expression, Association, Assembly," 14 January 2014, <https://www.hrw.org/news/2014/01/14/nigeria-anti-lgbt-law-threatens-basic-rights>.

<sup>2</sup> Before the SSMPA was signed into law by President Goodluck Jonathan, NOI Polls conducted a survey on 11 June 2013, amidst conversations about the law passed by the House of Representatives, and 9 in 10 Nigerians supported the then bill. See here: <https://theinitiativeforequalrights.org/wp-content/uploads/2019/04/2013-Social-Perception-Survey-NOI.pdf>.

representation, and the availability of funding. More LGBTQ+ organisations achieved structure and adopted human rights programming into their work between 2008 to 2013, just before the SSMPA. Since then, increasing visibility through the discourse raised by the SSMPA and advocacy have also led to the growth of individual organisations and the proliferation of groups across Nigeria. While these subsist, our key informant interviews with experts, some active in the movement for decades, have shown that the challenges arising based on real or imputed sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC) began long before the SSMPA. With the SSMPA came documentation, increased vitriol from a queerphobic context and the so-called legal sanction for perpetrators of violence to act with impunity. LGBTQI+ people seeking to connect in social groups then and now have faced pushback and arbitrary arrests increased with the reliance of the police on extortion through "bail sums," to the financial detriment of queer people.

As this research shows, the context has necessitated a poignant need for individual and organisational safety metrics. LGBTQI+ individuals take great effort to protect their safety, livelihoods, living spaces and identities, even while they seek to attain as much queer as contextually possible. On the other hand, organisations strategize to ensure they remain active to address rights-holders' needs and conduct just enough advocacy to make a difference without garnering overwhelming governmental clampdown.

LGBTQI+ people and organisations in Nigeria show resilience despite navigating a hostile context. It behoves on the government to adopt protective mechanisms, and for donors worldwide to provide flexible and sustainable support to enable the movement to grow.





## Background

In 2006, the then Minister of Justice, Bayo Ojo, proposed a Same Sex Marriage (Prohibition) Act seeking to criminalize same-sex relationships/marriage, advocacy for and associations supporting the rights of LGBTQ+ people.<sup>3</sup> Although the law was not passed eventually, in 2013, the National Assembly enacted the Same Sex Marriage (Prohibition) Act, signed into law by President Goodluck Jonathan in January 2014 (the SSMPA).<sup>4</sup> Since then, LGBTQI+ organisations in Nigeria have documented the rise of human rights violations against sexual and gender minorities and institutionalised and widespread queerphobia.<sup>5</sup>

This research, commissioned by the Center for Health Education and Vulnerable Support (CHEVS) and The Initiative for Equal Rights (TIERS), aims to examine the ramifications of the SSMPA on individuals and LGBTQI+ institutions in Nigeria. The organisations aim to utilise the outcomes of this research in designing and implanting sustainable advocacy efforts aimed at socio-legal reform.

The SSMPA provides for the prohibition of marriage and civil unions by same-sex partners with a punishment of 14 years imprisonment, prohibition of clubs, societies and organisations for homosexual people with ten years imprisonment, witnesses and aids to these acts with ten years imprisonment and prohibition of public show of same-sex “amorous relationship.”<sup>6</sup> Certain parts of this law have been held unconstitutional by the Federal High Court in Nigeria. In 2020, a group of LGBTQ organisations led by TIERS challenged the constitutionality of sections 4(1), 5(2) and 5(3) of the SSMPA for violating sections 39 and 40 of the 1999 Constitution of the Federal Republic of Nigeria and articles 9 and 10 of the African Charter on Human and Peoples’ Rights (Ratification and Enforcement) Act.<sup>7</sup> The court delivered judgement in 2022, stating that the “rights and freedoms invoked by the Plaintiff [TIERS] are universally recognized” and declaring sections 4(1), 5(2) and 5(3) of the SSMPA to be contrary to the Nigerian Constitution and nullifying the said sections.<sup>8</sup> By this court decision, the sections prohibiting “gay clubs, societies and organisations” and registering or operating such organisations are now void. However, this decision has not yet been tested due to the overwhelming hostile climate.

3 Human Rights Watch, “Nigeria: Obasanjo Must Withdraw Bill to Criminalize Gay Rights – President Should Disavow Ban Before U.S. Trip,” 23 March 2006, <https://www.hrw.org/news/2006/03/23/nigeria-obasanjo-must-withdraw-bill-criminalize-gay-rights>.

4 Human Rights Watch, “Nigeria: Anti-LGBT Law Threatens Basic Rights – ‘Same-Sex Marriage’ Specter Used to Criminalize Expression, Association, Assembly,” 14 January 2014, <https://www.hrw.org/news/2014/01/14/nigeria-anti-lgbt-law-threatens-basic-rights>.

5 Before the SSMPA was signed into law by President Goodluck Jonathan, NOI Polls conducted a survey on 11 June 2013, amidst conversations about the law passed by the House of Representatives, and 9 in 10 Nigerians supported the then bill. See here: <https://theinitiativeforequalrights.org/wp-content/uploads/2019/04/2013-Social-Perception-Survey-NOI.pdf>.

6 See the text of the Act here: <https://www.theinitiativeforequalrights.org/resources1/Nigeria-Same-Sex-Marriage-Prohibition-Act-2013.pdf>.

7 Suit No: FHC/L/CS/196/2020.

8 As above.

## Socio-Legal Context: Laws Violating LGBTQ+ People’s Rights in Nigeria

*There should never be a law against us. There should be laws to protect us, to help us live our lives.<sup>9</sup>*

In addition to the SSMPA, there are several provisions in Nigeria’s laws across the federal and state jurisdictions that contribute to the criminalization of sexual and gender diversity or their expression.<sup>10</sup> The Criminal Code, applicable in southern Nigeria, criminalises “offences against morality” by 14 years imprisonment.<sup>11</sup> The Northern Penal Code prohibits “carnal intercourse against the order of nature,” also with 14 years imprisonment, criminalises cross-dressing for males (which law harms transgender women) and the “practice of sodomy as a profession.”<sup>12</sup>

The Armed Forces Act prescribes offences in respect of service personnel for prosecution in a court-martial, criminalising sodomy and or acts of gross indecency with a punishment of seven years imprisonment.<sup>13</sup>

In 12 states in northern Nigeria, Shariah Penal Code laws prohibit “hudud and hudud-related offences,” such as sodomy, punishable with death by stoning, and lesbianism.<sup>14</sup> The Prostitution, Lesbianism, Homosexuality, Operation of Brothels and Other Sexual Immoralities (Prohibition) Law of Borno State 2003 criminalises lesbianism and homosexuality with capital punishment.<sup>15</sup> The Same Sex Marriage (Prohibition) Law of Lagos State, 2007, criminalises same-sex civil unions and marriages, among other acts.<sup>16</sup> The Prostitution and Immoral Acts (Prohibition) Law of Kano State of 2000 discriminates against transgender people with one-year imprisonment and or fine.<sup>17</sup> Benue State

9 Interview with Reverend Jide Macaulay, LGBTQI+ rights activist, founder of LGBTQI+-inclusive church House of Rainbow in Nigeria, and priest in the Anglican Church, United Kingdom, May 2024.

10 Ayodele Sogunro and TIERS, “Bad Laws: A Compendium on Laws Discriminating Against Persons in Nigeria Based on Sexual Orientation and Gender Identity/Expression,” <https://theinitiativeforequalrights.org/wp-content/uploads/2017/12/Compendium-of-Law-.pdf>.

11 See sections 214 and 215 of the Criminal Code. Section 217 also criminalize ‘gross indecency’ with sanction of three years imprisonment.

12 Sections 284 and 405, Penal Code Act: <https://vl.judyl.legal/statute/d9c124f9-0c5b-4e68-8ee8-22417bd17f48>.

13 See section 81 of the Armed Forces Act, Chapter A20 LFN 2004 <https://vl.judyl.legal/statute/39d72d3c-0a72-4e08-8ada-3c6dc947eb8a>.

14 The 12 states are Bauchi, Borno, Gombe, Jigawa, Kaduna, Kano, Katsina, Kebbi, Niger, Sokoto, Yobe, and Zamfara. See Human Rights Watch, “Political Shari’a? Human Rights and Islamic law in Northern Nigeria” 21 September 2004, <https://www.hrw.org/report/2004/09/21/political-sharia/human-rights-and-islamic-law-northern-nigeria#3600>; Sogunro and TIERS, “Bad Laws: A Compendium on Laws Discriminating Against Persons in Nigeria Based on Sexual Orientation and Gender Identity/Expression,”

15 Sections 3 and 7; Sogunro and TIERS, page 16.

16 Sogunro and TIERS, page 15.

17 As above.





also has its Same Sex Marriage Prohibition Bill, 2018.<sup>18</sup>

In April 2022, Umar Muda, a member of the House of Representatives, introduced a bill to amend the SSMPA by criminalising “engaging in cross-dressing” with six months imprisonment or a fine of N500,000 (Five hundred thousand naira).<sup>19</sup> The bill was heavily criticised and has not progressed in parliament.<sup>20</sup>

All these legal provisions join to sanction human rights violations based on real or perceived SOGIESC and fuel negative bias about LGBTQI+ people.

### Socio-Legal Context: Nigerians’ Perceptions About LGBTQI+ People

In 2013, LGBTQI+ organisations documented that the mere existence of the bill, which became the SSMPA, had occasioned “increasing incidents of human rights violation targeted at LGBTI persons in Nigeria.”<sup>21</sup> While the situation persisted, continuous social perception surveys on the perspective of Nigerians regarding LGBTQ+ people and their rights conducted in 2015, 2017, 2019, and 2022 showed marginally improving perceptions. In 2015, 90% of Nigerians did not think people could be born homosexual, 87% were not willing to accept a homosexual family member, 87% supported the SSMPA, and 81% did not believe queer people should have the same rights as other Nigerians.<sup>22</sup> By 2017, 91% of Nigerians did not think people could be born homosexual, 83% were not willing to accept a lesbian, gay or bisexual (LGB) family member, 90% of people supported the SSMPA, 90% thought that Nigeria would be a better country without homosexuals and 56% said homosexuals should be denied access to public services such as health, housing and education.<sup>23</sup>

In 2019, we began to see a gradual decrease in Nigerians’ support for the SSMPA, with 75% of people supporting the law in 2019 and 73% disagreeing

18 Premium Times Nigeria, “Benue Assembly Outlaws Same Sex Marriage,” 30 May 2018, <https://www.premiumtimesng.com/news/top-news/270407-benue-assembly-outlaws-same-sex-marriage.html?tztc=1>; Ekene Odigwe, “Benue State’s Same-Sex Marriage Prohibition Bill – Where are the Priorities?” The Rustin Times, 5 June 2018, <https://therustintimes.com/2018/06/05/ekene-odigwe-benue-states-same-sex-marriage-prohibition-bill-where-are-the-priorities/>.

19 Bernard Dayo, “The Harm Nigeria’s Anti Cross-Dressing Bill Would Do,” Okay Africa, 18 April 2022, <https://www.okayafrika.com/nigeria-cross-dressing/>.

20 Inibehe Effiong, “The Cross Dressing Bill is Dead on Arrival,” Premium Times, 6 April 2022, <https://www.premiumtimesng.com/opinion/522251-the-cross-dressing-bill-is-dead-on-arrival-by-inibehe-effiong.html?tztc=1>.

21 The violations documented include “torture in custody, arbitrary arrest, extortion and blackmail, curative rape, discrimination and mob justice.” See here: “2013 Joint Submission by LGBTI Organizations in Nigeria to the Second Universal Periodic Review of Nigeria,” October 2013, <https://www.theinitiativeforequalrights.org/resources/Joint-Submission-of-LGBT-Human-Rights-situation-in-Nigeria-October-2013-.pdf>, page 2.

22 TIERs, Bisi Alimi Foundation and NOI Polls, “Perception of Nigerians on Lesbian, Gay and Bisexual (LGB) Rights: Poll Report,” May 2015, <https://theinitiativeforequalrights.org/wp-content/uploads/2019/04/Perception-Survey-2015.pdf>, page 4.

23 TIERs and NOI Polls, “Social Perception Survey on Lesbian, Gay and Bisexual Rights,” January 2017, <https://theinitiativeforequalrights.org/wp-content/uploads/2017/05/Social-Perception-Survey-On-LGB-Rights-Report-in-Nigeria3.pdf>, page 1.

with the fact that homosexuals should have the same rights as everyone else.<sup>24</sup> Furthermore, 71% of people thought that Nigeria would be a better place without homosexuals.<sup>25</sup> The 2022 survey on Nigerians’ perception revealed that while some people are unaware of the SSMPA, prevailing social bias exists to influence their queerphobic perspectives.<sup>26</sup> Notwithstanding, in 2022, 67% of people thought LGBTQI+ people should have the same rights as all other Nigerians.<sup>27</sup>

### Socio-Legal Context: Queerphobia in Nigerian Media

A search of Nigerian newspapers digitised and hosted on a non-profit archive, Archiving, showed 746 results mentioning the word “homosexual” between August 1994 and December 2008.<sup>28</sup> A review of these mentions showed negative portrayals and dehumanizing, derogatory language used, except in a few instances like foreign features where they reported on interviews with three gay students or discussed gay marriage in other countries.<sup>29</sup> For example, a P.M. News headlines of 16 June 2003 stated: “Homosexual Practice: Lawyers, Bankers, Declared Wanted,” describing homosexuality as “unnatural” and “abominable.”<sup>30</sup> Further analysis also shows reports using homosexuality in political warfare (in Uganda), conflating homosexuality with rape, condemning Reverend Jide Macaulay for preaching about LGBTQ inclusion and lumping inclusion of queer people in religion with rape, extortion and harassment.<sup>31</sup> Reverend Macaulay and his queer-affirming church, House of Rainbow, were increasingly maligned and spoken about in derogatory terms

24 TIERs and Vivid Rain, “Social Perception Survey on Lesbian, Gay, Bisexual and Transgender Persons Rights in Nigeria,” June 2019, <https://theinitiativeforequalrights.org/wp-content/uploads/2019/08/2019-Social-Perception-Survey.pdf>, page 19.

25 As above.

26 TIERs and Silverchip Fox Consulting, “Social Perception Survey on Lesbian, Gay, Bisexual, and Transgender Persons’ Rights in Nigeria, 2022,” <https://theinitiativeforequalrights.org/wp-content/uploads/2023/03/SOCIAL-PERCEPTION-SURVEY-ON-LESBIAN-GAY-BISEXUAL-AND-TRANSGENDER-PERSONS-RIGHTS-IN-NIGERIA-1.pdf>, page 35.

27 As above, page 40.

28 See here: <https://archivi.ng/search?extract=homosexual&page=9>.

29 Newspaper from 20 September 2020, <https://archivi.ng/search/HVnt-IsBg5yxONaMncoh>; “More Clergy Willing To Perform Same-Sex Marriages,” 23 April 1998, <https://archivi.ng/search/-H4kIYoBCULQj6Jlgl8L>; After the police in Lagos accused musicians and celebrities of being homosexuals – “Expose The Homosexuals – Dele Abiodun Challenges Police,” P.M NEWS, Friday, June 20, 2003 – Page 8 <https://archivi.ng/search/QIMT8IsBg5yxONaMx6zT>; Davis Mac-Iyalla had to flee Nigeria to the UK after death threats on account of his being gay and was previously disowned by the Nigerian Anglican community – “Nigerian Anglican Gay Flees To London,” P.M NEWS, Friday, August 1, 2008 – Page 9 <https://archivi.ng/search/yInhB4wBg5yxONaM7uzf>; “Anglican Church Disowns Gay Activist,” P.M NEWS, Tuesday, January 3, 2006 – Page 3 <https://archivi.ng/search/UIPG-4sBg5yxONaMh899>.

30 <https://archivi.ng/search/CVM8IsBg5yxONaMW6zN>. P.M. News, “OPC Goes After Homosexuals In Ibadan – 7 Arrested,” 16 July 2002, Page 1 <https://archivi.ng/search/vVMx7IsBg5yxONaMEZ8X>;

31 “Is Zimbabwean former leader Gay?” P.M NEWS, Tuesday, February 25, 1997 – Page 5 <https://archivi.ng/search/L36N04oBCULQj6JlCvIQ>; Moses Uchendu, “Banana Faces Homo-Sexual Charge,” P.M NEWS, Monday, July 7, 1997 – Page 4 <https://archivi.ng/search/yH7I04oBCULQj6Jlji0v>; “Teacher Sacked For Homosexuality,” P.M NEWS, Wednesday, January 26, 2005 – Page 3 <https://archivi.ng/search/BFPJ9osBg5yxONaM7MKR>; “Checking The Excesses of Clerics,” P.M NEWS, Wednesday, September 17, 2008 – Page 4 <https://archivi.ng/search/sVNPCowBg5yxONaMhfmY>; “Nigerian Priests Are Not Homosexual,” P.M NEWS, Monday, October 22, 2007 – Page 5 <https://archivi.ng/search/sVPFA4wBg5yxONaM3uhD>.

in newspapers at the time.<sup>32</sup> As Reverend Macaulay shared:

*Our church program unknowingly exposed LGBTQI+ people as we were already getting attention in the media on the back of the proposed legislation. Nigeria was not prepared for the House of Rainbow, so there was headline after headline, especially in 2007 and 2008 when the church was called an abomination. [From this exposure,] families, people, were violent towards us. Many of our members suffered violence, and one of the first things we invested in was first aid services in our community. There were attacks on the House of Rainbow. My home address was in the newspapers, and yes, people came to destroy and loot my home. When they came, I had seen the publication [with the address] and decided to leave and find somewhere safe. We had to close the physical church after two years because it became untenable.<sup>33</sup>*

Presently, the negative portrayal of LGBTQI+ people in mainstream Nigerian media has not changed much. With the rise of online news reporting and the growth of social media blogs, sensationalism reportage of LGBTQI+ has grown. This “directly fuels stigmatisation, misinformation and discrimination.”<sup>34</sup> Nonetheless, LGBTQI+ people, through alternative media outlets and on social media, as well as liberal journalists and platforms, have adopted “more responsible reporting” by portraying issues on SOGIESC in balanced, accurate and non-derogatory terms.<sup>35</sup>



32 Examples of the headlines include: “Bible Turned Upside Down In Lagos Church – Officiating Pastor Backs Homosexuals, Lesbians,” P.M NEWS, Friday, September 12, 2008 – Page 1 <https://archivi.ng/search/cVNBCowBg5yxONaMnfmU>; “Homosexual Church Shut – After P.M. News Report,” P.M NEWS, Tuesday, September 16, 2008 – Page 1 <https://archivi.ng/search/llNKCowBg5yxONaMKfms>. Others include: “Exclusive: Nigeria’s Notorious Homosexuals – Gays Have Taken Over In High Places,” P.M NEWS, Monday, April 15, 2002 – Page 8 <https://archivi.ng/search/XIN964sBg5yxONaMb5tp>; “Lagos Gay Pastor Goes Poetic,” <https://archivi.ng/search/2lPWB4wBg5yxONaMS-5X> P.M NEWS, Thursday, December 4, 2008 – Page 2.

33 Interview with Reverend Jide Macaulay, LGBTQI+ rights activist, founder of LGBTQI+-inclusive church House of Rainbow in Nigeria, and priest in the Anglican Church, United Kingdom, May 2024. See some of the headlines above.

34 Phidelia Imiegha, “The Role of Media Portrayal in Advancing or Reducing Homophobia in Nigeria,” in TIERS, “2019 Human Rights Violations Report Based on Real or Perceived Sexual Orientation and Gender Identity in Nigeria,” <https://theinitiativeforequalrights.org/wp-content/uploads/2019/12/2019-Human-Rights-Violations-Reports-Based-on-SOGI.pdf>, pages 54–55.

35 As above, page 55.

## Scope and Objectives of the Study

This research aims to determine the impact of the SSMPA within the ten years of its enactment. To this end, the main research objectives are:

1. To investigate and contextualise the socio-economic status and organising efforts of LGBTQI+ individuals in Nigeria before the enactment of the SSMPA, providing a comparative analysis to understand changes in livelihoods and community organising in response to the legislative measures.
2. To assess the socio-economic and psychological Impact of the SSMPA on LGBTQI+ individuals in Nigeria, including experiences of violence, discrimination, and barriers to accessing essential services and opportunities.
3. To analyse the institutional effects of the legislation on LGBTQI+ organisations in Nigeria, particularly regarding their ability to operate, secure funding, and carry out advocacy activities to promote the rights and well-being of LGBTQI+ communities within the country.
4. To evaluate the economic implications of the criminalization imposed by the SSMPA on individual LGBTQI+ people.

From these, our key research learning questions are as follows:

- How has the SSMPA 2014 affected the socio-economic status and livelihoods of LGBTQI+ individuals in Nigeria?
- What are the barriers faced by LGBTQI+ individuals in accessing employment, education, healthcare, housing, and other essential services due to the legislation?
- How do experiences of discrimination, stigma, and violence contribute to socio-economic disparities within LGBTQI+ communities?
- How has the SSMPA 2024 affected the operational capacities and sustainability of LGBTQI+ organisations in Nigeria?
- What are the challenges faced by LGBTQI+ organisations in accessing funding, conducting advocacy activities, and providing support services within the legal framework established by the legislation?
- How have LGBTQI+ organisations adapted their strategies and programs to address the needs and rights of LGBTQI+ communities amidst legal restrictions and social hostility?
- What are some of the positive effects of the SSMPA on LGBTQI+ activism in Nigeria?

We implemented this research in all the geopolitical zones of Nigeria. The online survey obtained responses in all regions, and the key informant semi-structured interviews drew participants from across Nigeria.

## Methodology

This report is the outcome of an online survey, qualitative semi-structured interviews with people with fundamental knowledge of LGBTQI+ issues in Nigeria, and a literature review of various reports by individuals, non-governmental organisations and institutions, news reports, and other media posts.

## Online Survey

CHEVS and TIERs distributed the online survey on social media among their networks in English and obtained 89 responses over four weeks between April and May 2024. One response was repeated. Through this survey, the researchers set out to obtain data on the lived experiences of Nigerian LGBTQI+ persons in relation to the SSMPA between 2014 and 2024. The survey asked questions about individuals' knowledge of the law; experiences with discrimination or violence with housing and in healthcare, educational, employment/business, and religious settings; experiences with conflict among family due to their SOGIESC identities; experiences with extortion and other forms of violence leading to loss of money; experiences with sexual violence, arrests and detention; and the mental health effects of these. There were 18 questions; five were background questions about sexual orientation, gender identity and gender expression, intersex status, state of residence in Nigeria and age (we targeted people aged 18+). Respondents were required to answer these questions. The survey questions were designed based on context, existing literature, and knowledge of LGBTQI+ rights organising in Nigeria and following the research objectives.

CHEVS and TIERs disseminated the questionnaire through the Google online survey platform to effectively reach a diverse group of respondents across the six geopolitical zones in Nigeria and ensure that their participation is secure, private and confidential with limited to no risk of exposure. The survey explained the nature and purpose of the research before the questions began.

We structured the platform not to automatically collect respondents' email addresses and the survey did not ask for their names. Some respondents submitted their email addresses so they could be contacted for further discussion if needed. However, during the analysis, we determined that the survey responses were sufficient to answer the research questions, especially given the context, the risk of overburdening respondents, and the study timeline.

In addition to the close-ended questions, the survey allowed for free-text responses for those who chose to, allowing long paragraphs to enable respondents to express themselves freely. Through this, we could assess respondents' opinions rather than limit our analysis to the number of people holding one view or the other. Our target was to make the survey results illustrative and not statistical. In the analysis of survey responses, we provide the overall number of responses per question. The terms "many," "most," "a few," and "some" are indicative of the frequency of responses and are not an exact measure of respondents' feedback.

We have used pseudonyms for all respondents to the online survey to protect their identities.

## Limitations

We could not reach a large number of respondents. As the survey was only digital, this would invariably exclude many LGBTQI+ people without access or with limited access to electricity, the internet and smartphones. A few respondents may not have understood the survey question on their social lives since 2014, given their responses. This may be a language limitation, as the survey was entirely in English.

In addition, the dataset obtained from this online survey is not intended to represent the only existing experiences or perspectives of all LGBTQI+ people in Nigeria. As a result, the findings from the survey apply to the respondents and are not representative of all LGBTQI+ people in Nigeria. As there is no data on the population of LGBTQI+ people in Nigeria, it was not possible to weigh the data or determine confidence intervals and implement statistical testing as the data is based on a sample.

## Semi-Structured Key Informant Interviews

We conducted semi-structured interviews with LGBTQI+ individuals with knowledge of LGBTQI+ rights in Nigeria, lived experiences as LGBTQI+ people in Nigeria, and of LGBTQI+ organisations, most with the ability to provide a comparative analysis of the context of rights, experiences and organisation before and after the SSMPA enactment. We prioritised diversity in background, identities and experiences of the key informants to enable us to acquire varying perspectives and assess them accordingly. The key informant interviews were semi-structured to reduce researcher bias, allow participants to freely share their expertise and knowledge, and further aid the outcome of the study.

Interviews were held online via Google Meet in May 2024. Before beginning

the interviews, for their informed consent, we explained the purpose of the research, the kinds of questions for discussion, the estimated length of the interview and the interviews' rights in addition to declining to participate at any time during or after the interview before publication and asking questions at any time. We also recorded the interviews with the interviewees' consent to aid in data analysis and reporting. All interviews were transcribed from these recordings and maintained confidentially.

All key informants stated that they preferred not to use pseudonyms. We refer to most key informants with their full preferred first names and an initial for their surnames.



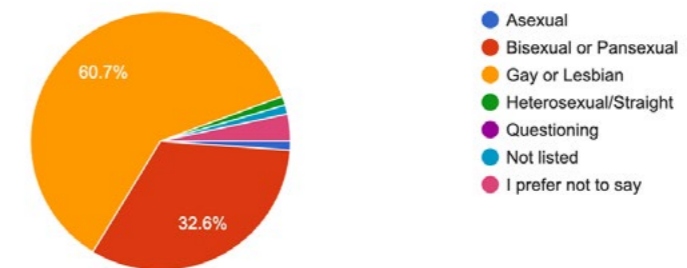
## Survey Findings

### From the Voices of LGBTQI+ People: Experiences as LGBTQI+ individuals in Nigeria

Respondents' ages were between 18 and 49. This category is unsurprising as the survey was disseminated only online. In addition, 23 of the respondents live in Lagos, and others live in states across the six geopolitical zones. One respondent lives in Kenya, but their responses are discounted in the analysis as the focus is on LGBTQI+ people in Nigeria.

The second question in our survey was: "What describes your sexual orientation?" We hoped to get sufficient representation across minority sexual orientations – 60.7% of respondents identify as gay or lesbian, 32.6% as bisexual or pansexual, 1% as heterosexual or straight, 1% as asexual, 3% preferred not to disclose their sexual orientation, and the remainder were either questioning or did not identify with any of the listed categories.

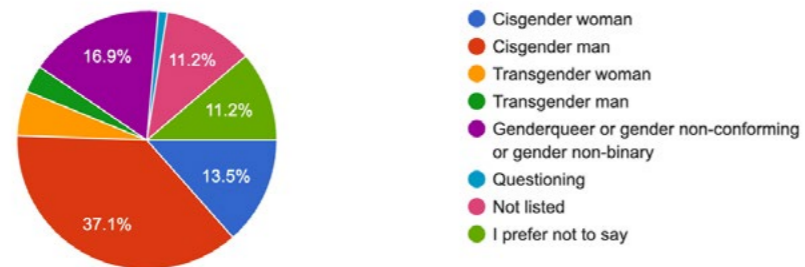
2. What describes your sexual orientation?  
89 responses



Diverse gender identities also impact social bias in a context with prevailing queerphobia like Nigeria. We asked respondents: "What describes your gender identity?" Most respondents identify as "cisgender man" at 37.1%, with 16.9% identifying as "genderqueer or gender non-conforming or gender non-binary," 13.5% as "cisgender woman," 11.2% (ten people) did not identify with any categories and transgender people made up 5.6% (transgender women) and 3.4% (transgender men).

### 3. What describes your gender identity?

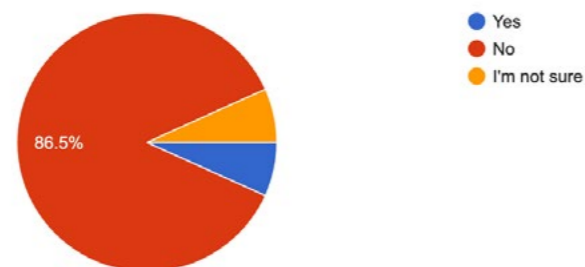
89 responses



Most respondents, 77 people (86.5%), answered No to the question “Are you an intersex person?” in addition to the brief explainer “...someone with sex characteristics that differ from those typically associated with female or male bodies.” Six people (6.7%) said “Yes,” and the same number also said they were unsure. There are not many healthcare facilities where people can have inclusive services, especially to determine their intersex status, and awareness about diversity in sex characteristics is also low.

### 4. Are you an intersex person? That is, someone with sex characteristics that differ from those typically associated with female or male bodies.

89 responses



## Experiences as LGBTQI+ Individuals in Nigeria, vis-à-vis the SSMPA

In 2022, TIERS produced a knowledge resource on the SSMPA, translating the law into pidgin, Igbo, Yoruba and Hausa.<sup>36</sup> This effort, in addition to the work of LGBTQI+ activists and organisations since 2014, was to aid increased understanding of the law through which LGBTQI+ people have been subjected to harassment, discrimination and intersecting forms of human rights violations by the population which the law impacts the most. We asked respondents if they knew about the SSMPA to assess their knowledge and general awareness of this law. All respondents answered this question, and many understood the law well. One respondent stated:

The SSMPA legislation prohibits relationships that do not conform to societal norms. According to this law, individuals who identify as LGBTQ+ and are caught in the act can be subjected to a 14-year prison sentence. Additionally, those who participate in, witness, assist, or support a same-sex marriage can face a penalty of up to 5 years in prison.<sup>37</sup>

Another individual, a 25-year-old cisgender gay man living in Imo, stated: “It’s a law that prohibits and disenfranchises LGBTQI+ persons from fully and actively participating in the society authentically.”<sup>38</sup> The SSMPA does prevent sexual and gender minorities from fully participating in society by contributing to the infringement of the rights to freedom of movement, privacy, and life, among many others. The SSMPA impacts the ability to love. Chisom, who is 22 years old and lives in Anambra, expressed their dissatisfaction by stating as follows:

*It’s a law that criminalises the marriage of two men or women in love. Stopping them from living their lives as happily as they could and preventing them from spending the rest of their life with the person they care about or love.*<sup>39</sup>

One respondent very aptly stated that: “I just know you can either be harmed, imprisoned or worse, killed.”<sup>40</sup> At least ten respondents cited the 14-year imprisonment provision in their general, a phrase used in Nigerian society to shut down any indication of queerness. All respondents answered this

<sup>36</sup> TIERS, “SSMPA Knowledge Resource: Translations of the 2014 Same-Sex Marriage Prohibition Law in Pidgin, Igbo, Yoruba & Hausa,” June 2022, <https://theinitiativeforequalrights.org/wp-content/uploads/2022/06/SSMPA-Documen.pdf>.

<sup>37</sup> Oghogho, survey response 71.

<sup>38</sup> Anyanwu, a 25-year-old cisgender gay man living in Imo, survey response 2.

<sup>39</sup> Chisom, 22-year-old pansexual person living in Anambra, survey response 83.

<sup>40</sup> Phoebe, 25-year-old gender queer individual living in Lagos, survey response 41.

question – one indicated that this is their first time hearing about the law, while three others shared that they do not know about it.<sup>41</sup>

Other responses include the following

*“It restricts us. I can’t even hold the hands of someone I love, and it’s painful.”<sup>42</sup>*

*“It was enacted in 2014 to legalise the Nigerian socio-cultural opposition to queerness. It outlaws and criminalises gay marriages as well as public displays of affection between persons of the same sex.”<sup>43</sup>*

*“The law stands against same-sex marriage and it is punishable with a jail term if caught wanting. This law has made a lot of homophobic attacks seem normal and also made people not able to freely express themselves on what they identify as.”<sup>44</sup>*

A respondent expressed that most people do not understand the law, contributing to their exposure to harm. According to Nike, a transgender woman living in Lagos, the SSMPA “is a law that the LGBTQI+ community has not fully understood. If understood better, it will save us from the violence, death, stigma, discrimination and arrest we face daily. There should be proper training, enlightenment, awareness and education on this law.”<sup>45</sup>



41 Survey responses 27, 52, 53 and 82.

42 Faith, 19-year-old bisexual or pansexual person living in Delta, response 75.

43 Mark, 26-year-old gay man living in Enugu, response 74.

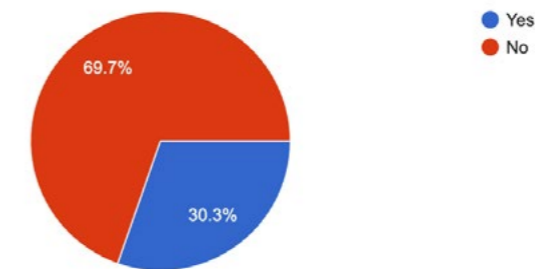
44 Ruka, 25-year-old cisgender bisexual or pansexual woman living in Kano, response 78.

45 Survey response 64.

## LGBTQI+ People’s Experiences with Healthcare Discrimination

Access to healthcare remains a crucial right for everyone, and LGBTQI+ people experience severe marginalisation in getting their health needs met. We assessed respondents’ experiences in accessing healthcare services in Nigeria from the question: “Between 2014 and now, have you experienced any discrimination or violence in getting healthcare services in Nigeria, whether in public or private hospitals, due to your sexual orientation, gender identity, gender expression, and or sex characteristics?” We limited this to the ten years after the introduction of the SSMPA to aid in assessing the impact of the law on marginalised populations of LGBTQI+ people.

7. Between 2014 and now, have you experienced any discrimination or violence in getting healthcare services in Nigeria, whether in public or private hospitals, due to your sexual orientation, gender expression, and or sex characteristics?  
89 responses



Of the 27 people (30.3% of respondents) who said they had experienced discrimination or violence in various ways ranging from attitudinal bias, verbal harassment, denial of access to healthcare services to talk therapy in attempts at conversion practices. In one case, the knowledge that they could experience such discrimination prevented the respondent from visiting any hospital.

Toma, a 30-year-old transgender woman in Benue, reported: “I went to a health facility to access treatment, and what I received was preaching. I was told by a healthcare worker that I should find Jesus and quit acting the way I do, or it will take me to hell.”<sup>46</sup>

In another instance, a doctor ordered tests for “HIV, HPV, Herpes and a host of other STI tests unrelated to my complaints” after learning that Mark is gay and was sexually active without informing Mark or seeking his consent.<sup>47</sup> Mark queried him, and the doctor said, “[I am] an at-risk person and it was standard procedure to conduct those tests. It felt really humiliating.”<sup>48</sup>

46 Toma, 30-year-old transgender woman living in Benue, survey response 54.

47 Mark, 26-year-old gay man living in Enugu, survey response 74.

48 Mark, 26-year-old gay man living in Enugu, survey response 74.

Tobe, a cisgender gay man, shared that:

*My effeminate nature has attracted some kind of attention. Public facility staff have advised me to change my ways, or I will head straight to hell fire. In most instances, my presence at the facility for any services, especially for STI or HIV screening, has prompted an unprompted preaching that I will argue is homophobic. Anyway, it has deterred me from seeking medical help when needed.<sup>49</sup>*

Abbas, a 36-year-old cisgender gay man living in Kano, also added: “A health care person in one government facility told me to stop being or mingling with LGBTQI people, or she will not attend to me again or provide [any] services for me.”<sup>50</sup> Threats like this are not uncommon, even as they amount to an infringement of the right of sexual and gender minorities to health.

Other responses include the following:

*Tobi, 30 – “The healthcare provider was preaching against homosexuality when I made a complaint about anal pain and others.”<sup>51</sup>*

*Sylvia, 30 – “Due to my dressing [gender expression], a nurse on duty at the Federal Medical Centre denied attending to me when it was my turn.”<sup>52</sup>*

*Mathew, 25 – “I was interrogated thoroughly on how I got an infection and a tear around my anal region. [The healthcare provider] even made suggestions if I’ve had any anal penetrations. The doctor insisted that if that’s the cause, he wouldn’t be able to help as it is a sinful act and I’ll have to live with it like that. He insisted that it was an affliction from God, and he cannot stop it.”<sup>53</sup>*

*Inumidun, 30 – “My partner and I went to the hospital to register for her delivery and they asked us who the father of the child is.”<sup>54</sup>*

The queerphobic attitudes institutionalized by many healthcare providers often lead sexual and gender minorities to withhold their medical history to avoid bias. As Adegoke, a cisgender gay man, stated definitively, “There’s no way I am opening up to any healthcare giver about my sexual orientation.”<sup>55</sup>

49 Tobe, 29-year-old cisgender gay man, survey response 33.

50 Survey response 19.

51 Tobi, 30-year-old cisgender gay man living in Lagos, survey response 23.

52 Sylvia, 30-year-old transgender bisexual or pansexual woman living in Imo, survey response 35.

53 Mathew, 25-year-old gay person living in Abuja, survey response 40.

54 Toun, 30-year-old cisgender lesbian woman living in Abuja, survey response 47.

55 Adegoke, a 37-year-old cisgender gay man living in Ogun, survey response 87.

This indicates that LGBTQI+ individuals who conceal their identities or conform to gender stereotypes may face less discrimination and violence compared to those who are open about their identities. Consequently, this likely influenced the survey finding, where a larger subset of respondents (69.7%) reported not experiencing discrimination in healthcare settings.

Additionally, many LGBTQI+ individuals, particularly transgender people, avoid seeking both preventative care and treatment for urgent or life-threatening conditions. This avoidance stems from their experiences and the awareness that supportive and sensitive services for the LGBTQ+ population are scarce among healthcare providers.<sup>56</sup> Moreover, studies have shown that LGBTQI+ individuals in developing countries are marginalized and economically impoverished, further complicating their access to adequate healthcare.<sup>57</sup> These intersecting issues are also believed to have influenced the survey findings in other areas of this research, including education, housing, workplace, and more.”

## LGBTQI+ People’s Experience in Educational Settings in Nigeria

LGBTQI+ people experience multiple forms of discrimination in accessing the right to education.<sup>58</sup> These range from the existence of laws that exclude diversity and prevent inclusion to the absence of laws that promote inclusion and to attitudes by teachers, students, parents and guardians leading to bullying, harassment and other forms of discrimination.<sup>59</sup> In Nigeria, the extent to which LGBTQI+ people’s right to education is interfered with has not been extensively documented. However, affected populations have made complaints to LGBTQI and related organisations, and LGBTQI+ activists have responded to cases of this nature, including in this research. We asked the question: “Between 2014 and now, have you experienced any discrimination in your education based on your sexual orientation, gender identity, gender expression and or sex characteristics? This includes bullying, verbal abuse, outings, and punishments like physical abuse, suspension, and expulsion.” We limited this to the ten years after the introduction of the SSMPA to aid in assessing the impact of the law on marginalised populations of LGBTQI+ people. As shown in the chart below, 75.3% of respondents answered “Yes” and 24.7% said “No.”

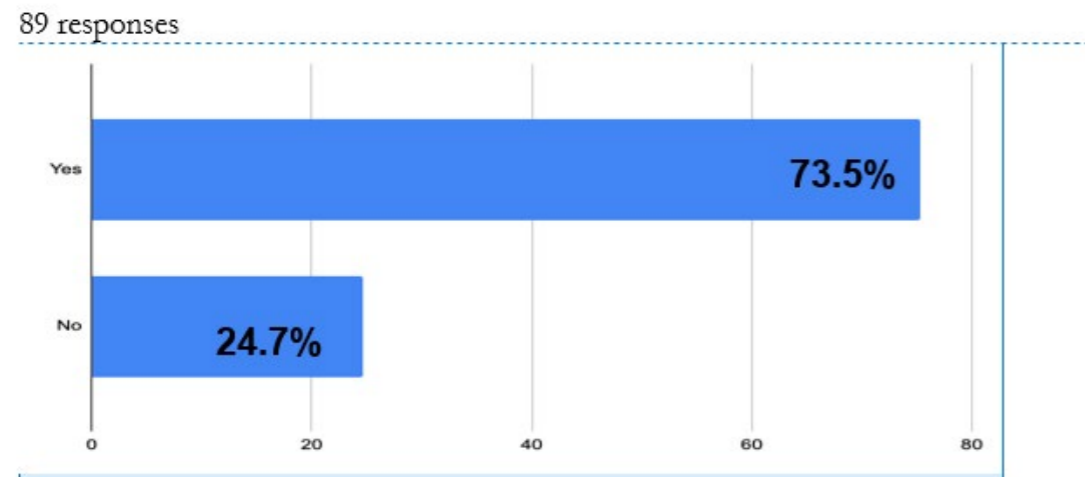
56 Smith, J., Brown, L., & Taylor, P. (2018). Healthcare Barriers for Transgender Individuals. *International Journal of Transgender Health*, 9(2), 123-135.

57 Jones, T., & Richards, W. (2020). LGBTQI+ Marginalization and Economic Challenges in Developing Countries. *Journal of Global Health*, 12(3), 45-56.

58 “UK Country Policy and Information Note: Sexual Orientation and Gender Identity or Expression, Nigeria,” February 2022, <https://www.gov.uk/government/publications/nigeria-country-policy-and-information-notes/country-policy-and-information-note-sexual-orientation-and-gender-identity-or-expression-nigeria-february-2022-accessible-version>.

59 As above.

8. Between 2014 and now, have you experienced any discrimination in your education based on your sexual orientation, gender identity, gender expression...its like physical abuse, suspension, and expulsion.



The forms of discrimination in educational settings reported in this survey included blackmail and extortion, verbal abuse, bullying, attempts at physical abuse, and outing. For Chisom, “An individual whom I don’t know made a post about me, calling me gay and saying I was HIV positive to ridicule me on the entire school page.”<sup>60</sup> Mathew’s lecturer sent him out of class because of an earring. “[He] publicly humiliated me and kept repeating the word ‘sodomy’ in his statements.”<sup>61</sup> Ima, a gender nonconforming intersex person, stated that they were harassed in school for being “too feminine.”<sup>62</sup> Phoebe shared that “a group of boys [at their school] stopped talking to me [and] one time, they all planned on beating me up [but] close friends [saved me].”<sup>63</sup> Nike, a transgender woman, would be called names and people at school would say things like, “Stick to the gender God gave you! Are you confused? Your mom will be regretting it!”<sup>64</sup> Oghogho was outed to other students by her friend and schoolmate, and allegations began to spread that Oghogho attempted to rape the said student:

<sup>60</sup> Chisom, 22-year-old pansexual person living in Anambra, survey response 83.  
<sup>61</sup> Mathew, 25-year-old gay person living in Abuja, survey response 40.  
<sup>62</sup> Ima, 24-year-old gender nonconforming intersex person living in Lagos, survey response 9.  
<sup>63</sup> Phoebe, 25-year-old gender queer individual living in Lagos, survey response 41.  
<sup>64</sup> Nike, 24-year-old transgender and intersex woman living in Lagos, survey response 64.

*This led to physical and verbal abuse directed towards me. The situation was extremely distressing, and I found myself in a difficult position where I had to decide between enduring the abuse or facing the possibility of the school informing my family. I lost my position as a prefect; I was lucky the issue died down.”<sup>65</sup>*

David’s classmate found out about his sexuality and used it to blackmail and extort money from him. “In secondary school, during the era of 2go [a chat-based app], my classmate used my phone, read through my chats and found out who I was. He started blackmailing me with it. I gave him 2,000 naira weekly just to keep his mouth shut.”<sup>66</sup>



<sup>65</sup> Oghogho, 23-year-old cisgender lesbian woman, survey response 71.  
<sup>66</sup> David, 28-year-old cisgender gay man living in Enugu, survey response 53.



## LGBTQI+ People's Experiences in the Workplace

In many places around the world, LGBTQI+ people experience several challenges in their workplaces or ability to work, from denial of employment, training and promotion opportunities due to their SOGIESC, verbal harassment, physical and sexual abuse, refusal to acknowledge and use correct pronouns, among others.<sup>67</sup> TIERS and other LGBTQI+ organisations have documented numerous occasions of workplace discrimination affecting LGBTQI+ people within the last ten years, especially wrongful dismissals.<sup>68</sup> For instance, in 2019, TIERS documented 51 wrongful dismissal cases between December 2018 and November 2019.<sup>69</sup>

In this survey, we asked: "Between 2014 and now, have you experienced any form of discrimination in your employment or business and/or violence or harassment in the workplace based on your sexual orientation, gender identity, gender expression and or sex characteristics? This includes denial of job opportunities, harassment from employers, colleagues and clients, and so on." We limited this to the ten years after the introduction of the SSMPA to aid in assessing the impact of the law on marginalised populations of LGBTQI+ people.

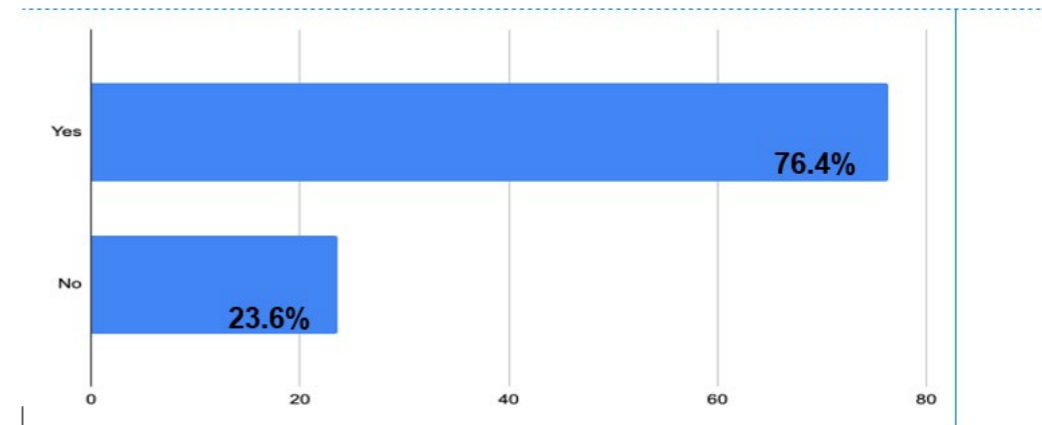
Twenty-one people (23.6%) said they had been discriminated against in the workplace based on their SOGIESC identities, and 68 people (76.4%) said they had not, as shown in the chart. We limited this to the ten years after the introduction of the SSMPA to aid in assessing the impact of the law on marginalised populations of LGBTQI+ people.

9. Between 2014 and now, have you experienced any form of discrimination in your employment or business and/or violence or harassment in the workplace based on your sexual orientation, gender identity, gender expression and or sex characteristics? This includes denial of job opportunities, harassment from employers, colleagues and clients, and so on."

67 International Labour Organization, "Inclusion of lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) persons in the world of work: A learning guide," 2022, <https://www.ilo.org/media/373601/download>.

68 See for instance the following: The "2016 Report on Human Rights Violations Based on Real or Perceived Sexual Orientation and Gender Identity in Nigeria," [https://drive.google.com/file/d/0B6uhCkOrVJdZkIvYTVrLUM2UWM/view?resourcekey=0-AON\\_oATFNao-ZFgWCDFLHA](https://drive.google.com/file/d/0B6uhCkOrVJdZkIvYTVrLUM2UWM/view?resourcekey=0-AON_oATFNao-ZFgWCDFLHA); in 2019, TIERS documented 51 cases of

69 TIERS and Education as a Vaccine – TIERS, "2019 Human Rights Violations Report Based on Real or Perceived Sexual Orientation and Gender Identity in Nigeria," <https://theinitiativeforequalrights.org/wp-content/uploads/2019/12/2019-Human-Rights-Violations-Reports-Based-on-SOGI.pdf>, page 17; "Gender and COVID-19 in Nigeria: Impacts on LGBTQI People," <https://theinitiativeforequalrights.org/wp-content/uploads/2021/02/Gender-and-COVID-19-in-Nigeria-PART-2.pdf>; "Unlawful termination of employment" in the "2022 Report on Human Rights Violations Based on Real or Perceived Sexual Orientation, Gender Identity/Expression and Sex Characteristics (SOGIESC) in Nigeria," [https://theinitiativeforequalrights.org/wp-content/uploads/2023/01/PRESS\\_2022-Violations-Report\\_20Dec21.pdf](https://theinitiativeforequalrights.org/wp-content/uploads/2023/01/PRESS_2022-Violations-Report_20Dec21.pdf), page 18.



Mark, a cis gay man, reported that he experienced discrimination and exclusion seeking employment: "Towards the end of law school, I applied to several law firms for employment. Many did not get back, and three of those that got back said they couldn't continue with my application because my employment history indicated my engagement with the queer community and 'raised some questions'."<sup>70</sup> In addition, Mark stated:

*In another law firm, I was recommended by an associate. They contacted me via phone, inviting me to the office for a brief interview and familiarisation. Two days later, the HR officer sent a memo to the associate asking them to 'defend your recommendation' because of my work history, which indicated engagement with the LGBTQ+ community. They further advised that they would not be continuing with my onboarding. It was very hurtful. I got the information a few days before my Bar Finals; it almost destabilised me."<sup>71</sup>*

Many LGBTQI+ strive to keep their identities hidden to prevent discrimination and harassment. According to Wura, a lesbian woman living in Oyo, "I haven't personally experienced discrimination at my current employment but only because I keep my sexual orientation to myself. A lot of homophobic discussions happen frequently at my workplace."<sup>72</sup> Mary, a teacher in Northern Nigeria, has her job, safety and livelihood threatened:

*My principal has gone around telling anyone who cares to listen that I am a lesbian. I never behaved in a way to give off my sexual orientation. I intend to resign because the school is in my area, and honestly, I don't want anyone outing me. I still want to [participate in church]. I am going to leave the job."<sup>73</sup>*

70 Survey response 74.

71 Survey response 74.

72 Wura, 28-year-old cisgender lesbian woman, survey response 20.

73 Mary, 28-year-old cisgender lesbian woman living in northern Nigeria, survey response 51.

Obiora, who is 32 years old and queer, has also had a difficult experience in getting employed. They shared the following:

Within a space of one year, I have been denied two job opportunities because I disclosed my HIV status during the final stage of the recruitment. This happened in March 2023 with [name of healthcare centre removed] in Lagos and, more recently, in March 2024 with [name of hospital removed] Lagos, where I had applied for the position of Medical Laboratory Scientist. I felt rejected, dissuading me from sending out applications even when I qualify for positions.<sup>74</sup>

For many others, it is nearly impossible to hide themselves: Emeka, a gay man, is harassed at work because of “how I walk and my voice.”<sup>75</sup> LGBTQ+ people also experience “verbal vitriols, passive aggressiveness, name-calling, mockery and rude jokes, quite a lot.”<sup>76</sup> The harassment queer people face may be a result of witnessing harassment against other queer people. Chisom said: “I’ve been in their presence and heard them [coworkers] talk about how bad and disgusting queer people are and how they’d deal with them if they met one.”<sup>77</sup>

Bode, a 30-year-old transgender man, stated: “I’m a barber. Some customers will say I can’t touch their head because I’m gay.”<sup>78</sup>



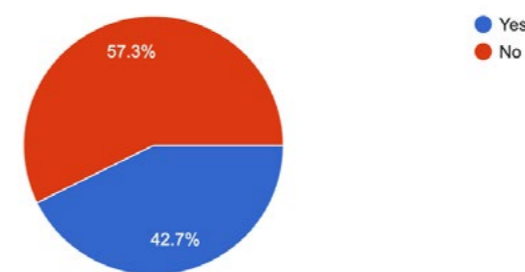
74 Obiora, 32-year-old queer person living in Lagos, survey response 39.  
 75 Emeka, 25-year-old cisgender gay man living in Abuja, survey response 25.  
 76 Phoebe, 25-year-old gender queer individual living in Lagos, survey response 41.  
 77 Chisom, 22-year-old pansexual person living in Anambra, survey response 83.  
 78 Bode, 30-year-old transgender man living in Lagos, survey response 57.

## LGBTQ+ People’s Experiences with Housing

In 2021, TIERS and partner organisations documented 67 cases of LGBTQ+ people forcefully evicted from their homes, exemplifying the impact of legal and social biases against sexual and gender minorities.<sup>79</sup> Homelessness is one of the many severe challenges LGBTQ+ people are forced to face due to their identities. In some cases, family members disown and evict queer people upon discovery of their queer identities and in others, house owners either deny letting houses to LGBTQ+ people or evict them based on suspicion or knowledge of their minority identities. In this research, we asked respondents – “Between 2014 and now, have you experienced any form of discrimination in getting housing based on your sexual orientation, gender identity, gender expression, and or sex characteristics? This includes denial of renting a house/ apartment, forced eviction, harassment from neighbours and landlords, and so on.” We limited this to the ten years after the introduction of the SSMPA to aid in assessing the impact of the law on marginalised populations of LGBTQ+ people.

All respondents answered this question, with 14 people (15.7%) affirming that they had experienced at least one form of SOGIESC-based discrimination in getting housed and 75 people (84.3% of respondents) saying that they had not. The chart represents this data.

11. Between 2014 and now, have you had any conflict or issues with your family members based on your sexual orientation, gender identity, gender ex...nt, disownment, eviction from the home, and so on.  
 89 responses



Many instances of eviction arise from the actions of neighbours. Sylvia’s neighbours reported her to the landlord on suspicion of “my sexual behaviours, [and] the landlord had to issue me a quit notice.”<sup>80</sup> In another case, Amaka, a 27-year-old lesbian living in Ebonyi, informed us that:

79 TIERS, 2021 Report on Human Rights Violations Based on Real or Perceived Sexual Orientation, Gender Identity/ Expression and Sex Characteristics (SOGIESC) in Nigeria, <https://theinitiativeforequalrights.org/wp-content/uploads/2022/01/2021-Human-Rights-Violations-Report.pdf>, page 19.

80 Sylvia, 30-year-old transgender bisexual or pansexual woman living in Imo, survey response 35.

*I was harassed countless times by my neighbours and eventually forced to evict my house simply because I am a lesbian. According to my neighbours, seeing my partner and I always together was irritating and an abomination. They barged into my room one day and saw my partner and I making out. We were beaten severely, and they insisted I leave the house. They threatened and warned my partner never to show up there anymore. I was eventually forced to evict my place and was never refunded, though my rent wasn't due for expiration.”<sup>81</sup>*

While specific actions may not be directly homophobic, adherence to cisheteronormative norms negatively impacts LGBTQI+ people. For instance, Toun could not get an apartment with her partner as the owners “told us they can only give the house to married couples.”<sup>82</sup>

Family members also have been seen to frequently send their queer children and siblings packing or make living situations hostile upon discovery of their identities. Abbas’ family members sent him out of the community where he was born and brought up, “due to my sexual orientation. My own brothers, in collaboration with the community that I lived with, forced me to relocate to another local government and leave the place I grew up in.”<sup>83</sup> Noah, a transgender man, was eventually evicted from where he lived with his family after being belittled and experiencing verbal abuse from his mother, siblings and family members.”<sup>84</sup>



81 Amaka, 27-year-old lesbian living in Ebonyi, survey response 10.

82 Toun, 30-year-old cisgender lesbian woman living in Abuja, survey response 47.

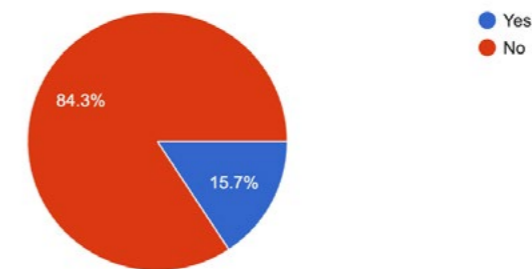
83 Abbas, 36-year-old cisgender gay man living in Kano, survey response 19.

84 Noah, 26-year-old transgender man living in Akwa Ibom, survey response 42.

## LGBTQI+ People and their Relationships with Family Members

Following experiences with housing, we asked: “Between 2014 and now, have you had any conflict or issues with your family members based on your sexual orientation, gender identity, gender expression and or sex characteristics? This can include verbal, physical, sexual and other forms of abuse, withdrawing financial support, outing, starvation and other forms of punishment, disownment, eviction from the home, and so on.” Family members have subjected LGBTQI+ people to conversion practices, different types of punishment and abuse due to prevailing queerphobic ideals in Nigeria.<sup>85</sup> We limited this to the ten years after the introduction of the SSMPA to aid in assessing the impact of the law on marginalised populations of LGBTQI+ people. All respondents answered this question. Thirty-eight people (42.7% of respondents) said they had experienced these issues with family members, and 51 people (57.3%) responded negatively, as shown in the chart. Mary, a lesbian woman, shared her experience with her family:

10. Between 2014 and now, have you experienced any form of discrimination in getting housing based on your sexual orientation, gender identity, ...rassment from neighbours and landlords, and so on.  
89 responses



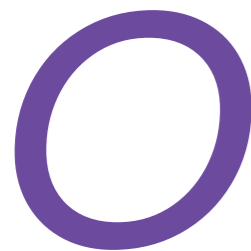
“My mom went through my phone and saw a chat I had with my girlfriend. She didn't tell me until late at night when she knew I couldn't run away. She woke me up and had my sibling hold me down while they poured olive oil all over me. That was how we began seven days of prayer, with me tied to a chair throughout. When the prayer ended, I ran away from home and haven't returned since then because my mom was talking about setting me up to be raped.”<sup>86</sup>

85 See for instance, TIERS, “The Nature, Extent and Impacts of Conversion Practices in Nigeria,” 2022, [https://theinitiativeforequalrights.org/wp-content/uploads/2022/02/The\\_Nature\\_Extent\\_and\\_Impacts\\_of\\_Conversion\\_Practices\\_in\\_Nigeria\\_Web.pdf](https://theinitiativeforequalrights.org/wp-content/uploads/2022/02/The_Nature_Extent_and_Impacts_of_Conversion_Practices_in_Nigeria_Web.pdf).

86 Mary, 28-year-old cisgender lesbian woman living in northern Nigeria, survey response 51.

Ibrahim stated that:

*I came out to my sister on the 4th of January 2022 due to a question thrown at me on our family's WhatsApp group. I went into her DM and came out to her...she lost it and threatened to cut me off financially if I didn't desist from 'those immoral acts and thoughts.'. Days later, I realised she had told my parents, and I was asked to come home from school and meet with a therapist who'd fix me. They also took me to churches and mosques to pray the gay away... The long story is that I danced to their tune to be left alone in peace. They still think it truly worked and I am not gay anymore...lol (He laughed, aware that their attempts at conversion would work).<sup>87</sup>*



*Olu "My sister barred me from speaking to her kids or coming near them due to my sexual orientation. My mother constantly seeks prophets and pastors about my sexual orientation. I have had fights with my family on the same issue [my sexual orientation]."<sup>88</sup>*

Chibundu was blackmailed by a group of people who had outed him at work, leading him to resign and causing a scene in his home compound, which led him to his eviction.<sup>89</sup> His father was involved in bailing him out, from police detention:



*Because of the blackmailing and extortion I and my father had experienced, my father trying to cover up had compelled me into marriage. To him, that's the only way he could prove to people that I wasn't really gay and being his only child, he was so desperate for me to be married".<sup>90</sup>*

Other respondents cited instances of physical and verbal abuse, heated arguments, withdrawal of financial support, including refusal to pay school fees, and evictions from home.<sup>91</sup>

<sup>87</sup> Ibrahim, 25-year-old cisgender gay man living in Lagos, survey response 32.

<sup>88</sup> Olu, 30-year-old cisgender gay man living in Nigeria, survey response 46.

<sup>89</sup> Chibundu, 42-year-old cisgender gay man living in Anambra, survey response 49.

<sup>90</sup> As above.

<sup>91</sup> Survey responses 2, 7, 20, 24, 31, 33, 35, 50, 53, 56, 58, 59, 61, 66, 67, 79, 80.

## LGBTQI+ People and Religion

Religious fundamentalism has prevented the acceptance of sexual and gender diversity in Nigeria, leading to the prevalence of abuse and exclusion of LGBTQI+ from religious spaces.<sup>92</sup> In this research, we asked: *"Between 2014 and now, have you experienced any form of discrimination in a place of worship, based on your sexual orientation, gender identity, gender expression, and or sex characteristics? Was it the same experience before 2014? This includes increased verbal attacks on LGBTIQ people, ostracization, bullying, conversion practices, being sent out of worship groups, and so on."* Several respondents affirmed that they had experienced discrimination based on their SOGIESC identities.

Faith was removed from the choir in his church: "I was asked to stop singing and backing up songs in church because they heard rumours of me being queer."<sup>93</sup> In other instances, the discrimination LGBTQI+ face in places of worship gears towards consistent queerphobic preachings. According to Tunde, "Apart from preachings about how LGBTI people want to destroy the world that comes up in the mosque now and then, I've not witnessed any bullying, conversion practices or things of sorts."<sup>94</sup>

Many LGBTQI+ have chosen to be irreligious due to the discriminatory and abusive treatment received in the name of religion. For example, after being preached to on the "wrongness of homosexuality," Wura "voluntarily left the church when I was assigned a leadership role knowing I'd never be accepted there for who I truly am."<sup>95</sup> Tobe informed us that:

**I have fallen out of religion due to the constant homophobic sermons and teachings that term me 'unholy, unnatural and demonic' and yes, it has intensified since 2014. Most times, my priest constantly hammers on the 14-year jail term. I remember going to confession, and the priest gave me a penance of grave suffering as he said, 'Your sin is too grave for just earthly penance; you should connect to heaven for forgiveness by reciting the station of the cross activities and prayers every day for two months. Desist from meeting friends of your kind and always give offerings to church every morning mass'.<sup>96</sup>**

<sup>92</sup> See the report by TIERS and Education as a Vaccine, "Religious Fundamentalism and Historical Analysis of Diverse Sexual Orientations and Gender Identities in Nigeria," 2022, [https://theinitiativeforequalrights.org/wp-content/uploads/2022/09/tinywow\\_Initiative-for-Equal-Rights-final-updated\\_5961537.pdf](https://theinitiativeforequalrights.org/wp-content/uploads/2022/09/tinywow_Initiative-for-Equal-Rights-final-updated_5961537.pdf).

<sup>93</sup> Faith, 27-year-old cisgender gay man living in Anambra, survey response 80.

<sup>94</sup> Tunde, 28-year-old cisgender gay man living in Kano, survey response

<sup>95</sup> Wura, 28-year-old cisgender lesbian woman, survey response 20.

<sup>96</sup> Tobe, 29-year-old cisgender gay man, survey response 33.

## LGBTQI+ People and Their Social Lives

To determine the extent of the law's impact on LGBTQI+ people's freedom to exist in public and participate in social life, we asked the following question: "Between 2014 and now, have you publicly participated in social activities as an LGBTQI+-identifying person? This includes attending mainstream parties/events, and leisure activities. What has this looked like for you? Is it any different from your social life before 2014?" Several respondents would have been either minors or very young adults before 2014. Hence, the responses are significant, not for analysing the state of LGBTQI+ people's social lives before the SSMPA, but as an indication of what is obtainable presently for LGBTQI+ now.

Obiora shared that

*[Queer people] organise in-house parties with lots of leisure activities. However, we don't make it public to avoid harassment from society and the government. It's been a wonderful experience; aside that these are organised in disguise not to steer up any attention from within the neighbourhood.<sup>97</sup>*

Mathew finds events organised for queer people a welcoming and affirming space: "These events are what I refer to as home. I find peace and ease in expressing myself and not being insecure."<sup>98</sup>

Chibundu also shared that

*I have attended social gatherings, friends' birthdays, and games nights strictly for men, but they were not open. For me, it has felt like a place where I could be myself without judgement and fear, but on the other hand, there is always unease and fear whenever I'm there because of the fear of the police coming there to arrest us.<sup>99</sup>*

Safety is always a priority in these settings: "Everything is so secretive, and you are always on alert in case of the police or area boys storming the place."<sup>100</sup> According to Bennie, who is gender nonconforming, there is currently a lot of fear of arrests by law enforcement officials when attending these parties.<sup>101</sup> Alex agrees with this perspective as they shared:

<sup>97</sup> Obiora, 32-year-old queer person living in Lagos, survey response 39.

<sup>98</sup> Imo, survey response 35.

Mathew, 25-year-old gay person living in Abuja, survey response 40.

<sup>99</sup> Chibundu, 42-year-old cisgender gay man living in Anambra, survey response 49.

<sup>100</sup> Toma, 30-year-old transgender woman living in Benue, survey response 54.

<sup>101</sup> Bennie, 32-year-old gender nonconforming individual living in Enugu, survey response 61.

*Yes, I have attended LGBTQ-themed events. Before 2014, I didn't attend many events, so I may not have many details. However, attending queer events post-2014, I have to be more aware of the host, security framework, who the guests are, where this event is held, etc. In all, I am more cautious and cautious about security and looking over my shoulders all the time. I don't feel 100% safe in these events, regardless of who is hosting it.<sup>102</sup>*

As Oghogho stated:

*In 2014, I was not yet at the age to attend such gatherings. Events affiliated with the LGBTQ+ community have traditionally been kept low-key for safety and security purposes. Due to the implementation of the SSMPA, my social life has been greatly restricted. The fear of being apprehended and coerced into paying fines has kept me from attending any unplanned or unrestricted gatherings, as authorities often target them.<sup>103</sup>*

## LGBTQI+ People's Experiences with Violence and Harassment Leading to Extortion

Activists and organisations have documented multiple forms and rising instances of blackmail, 'kito,' extortion, and kidnapping targeting LGBTQI+ people since 2015.<sup>104</sup> For example, TIERS' 2022 human rights violations report documented 545 cases impacting 561 people, including 150 extortion cases, 143 blackmail, 127 kidnapping and 127 assault cases, among others.<sup>105</sup> In this survey, we asked: "Between 2014 and now, have you experienced any form of extortion, intimidation, theft, blackmail, kidnapping, or any violence or harassment that caused you to spend some money based on your sexual orientation, gender identity, gender expression and or sex characteristics?" We limited this to the ten years after the introduction of the SSMPA to aid in assessing the impact of the law on marginalised populations of LGBTQI+ people. In particular, we wanted to evaluate how the law impacts the economic well-being of LGBTQI+ people in terms of monies paid to blackmailers, extortionists, kidnappers and the like, in addition to expenses incurred in losing housing, livelihood and education or being denied employment due to their minority sexual and or gender identities.

<sup>102</sup> Alex, 31-year-old gender nonbinary individual living in Akwa Ibom, survey response 55.

<sup>103</sup> Oghogho, 23-year-old cisgender lesbian woman, survey response 71.

<sup>104</sup> See TIERS' human rights violations reports from 2014 to 2023 here: <https://theinitiativeforequalrights.org/resources/>.

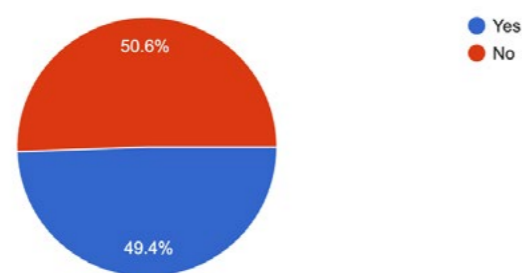
<sup>105</sup> 2022 Report on Human Rights Violations Based on Real or Perceived Sexual Orientation, Gender Identity/Expression and Sex Characteristics (SOGIESC) in Nigeria, [https://theinitiativeforequalrights.org/wp-content/uploads/2023/01/PRESS\\_2022-Violations-Report\\_20Dec21.pdf](https://theinitiativeforequalrights.org/wp-content/uploads/2023/01/PRESS_2022-Violations-Report_20Dec21.pdf) page 18.

All respondents answered this question, with 44 people (49.5% of respondents) confirming they had experienced at least one form of these violations and 45 people (50.6%) saying they had not, as shown in the chart.

Chisom was harassed after going to meet up with a person he was connected

14. Between 2014 and now, have you experienced any form of extortion, intimidation, theft, blackmail, kidnapping, or any violence or harassment...ty, gender expression and or sex characteristics?

89 responses



to by a friend: "On getting there, they [the person he went to meet and others] ganged up on me, beat me, took my money, took my iPhone XR. They flogged me till I had so many bruises on my body. Then they pushed me out, collecting everything I had [on me]."<sup>106</sup> Ibrahim had a similar experience with a person he met on Tinder in 2016:

*On getting to the address, which was actually a deserted church, two guys attacked me and robbed me of all the belongings I had with me – my phone, my bus fare and my ATM card. I was forced to transfer all the money (80k) [naira] in my account to a Union Bank account given to me. They recorded it all while beating me, and I just wanted it all to end. Finally, I was allowed to go home because I promised not to be gay anymore. I had to trek all the way back home because anyone I stopped on the way to help me with bus fare either thought I was up to no good or I was a thief that got caught. I got home and I told my parents that I was attacked on a quiet street while trying to visit my friend and I tried to fight back, hence the bruises on me...*<sup>107</sup>

Many respondents have lost money to the actions of these perpetrators, individuals and groups of individuals or state actors like the police:

*Anyawu: "My friends and I got stopped by members of the Nigerian*

<sup>106</sup> Chisom, 22-year-old bisexual or pansexual person living in Anambra, survey response 83.

<sup>107</sup> Ibrahim, 25-year-old cisgender gay man living in Lagos, survey response 32.

*Police Force during their routine checks. My phone was taken, and they saw a text between me and a love interest. We were extorted of 50,000 naira."*<sup>108</sup>

*Duncan: "I was kitoed/set up by men pretending to be [queer]. I had 60k [60,000 naira] in my account. I was held against my wish, gang beaten, and my money was withdrawn."*<sup>109</sup>

*Chubundu: "Since I was kitoed, the money my father and I spent over it and the issues surrounding it is about four million naira."*<sup>110</sup>

*Sylvia: "I was asked to pay 150k just because the security operative on a search operation saw gay porn and nudes on my phone."*<sup>111</sup>

*Emeka went to Port Harcourt for a party and was accosted by area boys: "From one area boy to two, from two to a community – They slapped, beat, punched, took my valuables (my slippers, phone, and the last money I had in my account up to 17k [17,000 naira] or more). One [of the attackers] later helped me with 1k [1,000] after much pleading with him, telling him that I came from Owerri. To date, I've not set foot in that horrible city."*<sup>112</sup>

*Mathew was tricked into sending nude pictures of themself to someone who propositioned them on Facebook. "He began to use these pictures and screenshots of our chat to request money. If I didn't pay, he'd send them to my family and post them on Facebook. I sent him 30,000 naira three times because he repeatedly threatened me. Before he stopped the blackmail, I had given him 90,000 naira."*<sup>113</sup>

*Nike: "I was first cornered by some guys who, according to their words, wanted to know if I was a man or not and wanted to know how tight my asshole was. They extorted the sum of 169,000 [naira] from me. Secondly, I was arrested and extorted by police officers of the sum of 20,000 [naira]."*<sup>114</sup>

Some respondents also shared incidents occurring before 2014, highlighting

<sup>108</sup> Anyanwu, 25-year-old cisgender gay man living in Imo, survey response 2.

<sup>109</sup> Duncan, 33-year-old cisgender bisexual man living in Rivers, survey response 18.

<sup>110</sup> Chibundu, 42-year-old cisgender gay man living in Anambra, survey response 49.

<sup>111</sup> Sylvia, 30-year-old transgender bisexual or pansexual woman living in Imo, survey response 35.

<sup>112</sup> Emeka, 24-year-old cisgender gay man living in Imo, response 38.

<sup>113</sup> Mathew, 25-year-old gay person living in Abuja, survey response 40.

<sup>114</sup> Nike, 24-year-old transgender and intersex woman living in Lagos, survey response 64.

the existence of discrimination primarily based on social bias.

Alex:

*My first experience of physically violent homophobia happened in 2013 on my way back from my best friend's house. Two guys approached me, held me, and started beating me, kicking me and calling me 'homo'. They took my phone and a backpack I was with. In 2014,*

***I was kitoed twice in a similar pattern; A person I met on gay dating sites (Manjam and Grindr resp.), invited me over and abused me physically and verbally. They took everything from my account: my phone, clothes, everything! One of the events left me with a broken left arm, scars all over my back and an infected finger from a bite.***<sup>115</sup>

Obiora met someone on 2go in 2012 and went to meet him in his location. He was accosted by the person with a group of men in a lonely bush path area and told they were a gang that attacked LGBTQI+ people. They beat Obiora and took his money and phone: "I managed to escape and slept over at a church close by since it was happening late in the evening. I couldn't estimate the cost of what I lost to date because I was traumatised after the incident."<sup>116</sup>

### LGBTQI+ People and Experiences with Sexual Harassment

TIER's 2020 report on human rights violations based on SOGIESC documents that the SSMPA contributed "significantly to a climate of impunity for crimes committed against LGBT+ people, including physical and sexual violence."<sup>117</sup> These documented cases also include 61 cases of rape or attempted rape in 2019, 26 sexual assault cases reported in 2021, and 122 sexual assault cases reported in 2023.<sup>118</sup> In the survey, we asked the question: "Between 2014 and

<sup>115</sup> Alex, 31-year-old gender nonbinary individual living in Akwa Ibom, survey response 55.

<sup>116</sup> Obiora, 32-year-old queer person living in Lagos, survey response 39.

<sup>117</sup> TIERs, "2020 Human Rights Violations Report Based on Real or Perceived Sexual Orientation, Gender Identity/Expression and Sex Characteristics (SOGIESC)", <https://theinitiativeforequalrights.org/wp-content/uploads/2020/12/2020-Human-Rights-Violations-Report-based-on-SOGIESC.pdf>, page 10. Also see TIERs, "Social Perception Survey on Lesbian, Gay, Bisexual, and Transgender Persons' Rights in Nigeria, 2022", <https://theinitiativeforequalrights.org/wp-content/uploads/2023/03/SOCIAL-PERCEPTION-SURVEY-ON-LESBIAN-GAY-BISEXUAL-AND-TRANSGENDER-PERSONS-RIGHTS-IN-NIGERIA-1.pdf>, page 11.

<sup>118</sup> TIERs and Education as a Vaccine, "Gender and COVID-19 in Nigeria: Impacts on LGBTQI People," <https://theinitiativeforequalrights.org/wp-content/uploads/2021/02/Gender-and-COVID-19-in-Nigeria-PART-2.pdf> page 2; TIERs, 2021 Report on Human Rights Violations Based on Real or Perceived Sexual Orientation, Gender Identity/Expression and Sex Characteristics (SOGIESC) in Nigeria, <https://theinitiativeforequalrights.org/wp-content/uploads/2022/01/2021-Human-Rights-Violations-Report.pdf>, page 19; TIERs, "2023 Report on Human Rights Violations Based on Real or Perceived Sexual Orientation, Gender Identity/Expression and Sex Characteristics (SOGIESC) in Nigeria," <https://theinitiativeforequalrights.org/wp-content/uploads/2024/03/2023-Human-Rights-Violation-Report-2.pdf>, page 20.

now, have you experienced any forms of sexual violence or harassment based on your sexual orientation, gender identity, gender expression and or sex characteristics? If yes, could you share the details of what happened?" We limited this to the ten years after the introduction of the SSMPA to aid in assessing the impact of the law on marginalised populations of LGBTQI+ people.

Bennie reported in the survey that a neighbourhood "bad guy" raped them after hearing rumours that Bennie is gay: "He came back in the morning to demand money saying that I injured him and gave him an infection whereas he was the one who injured me and gave me HIV. He exhorted 50,000 naira from me, and I had to spend 35,000 naira treating myself."<sup>119</sup> Richard had been outed to their family and evicted. They also shared that: "When I was homeless, [touts] sexually assaulted me on the streets of Lagos."<sup>120</sup> While working as a salesperson. Toma shared that "a well-known lecturer touched my private parts whenever he came to the shop I was working in."<sup>121</sup>

Noah was "raped by someone I called a friend just because I refused to date because I was a lesbian and a virgin."<sup>122</sup>

### LGBTQI+ People's Experiences with Arbitrary Arrests and Detentions

LGBTQI+ organisations in Nigeria have extensively documented the extent and impacts of mass and individual arbitrary arrests and detentions of sexual and gender minorities since 2015.<sup>123</sup> This is not to say that raids did not occur before the SSMPA. On the contrary, police raids and mass arrests of LGBTQ people have been ongoing for decades. In June 2000, there was a news report on a raid in Kano by the police "in what appeared to be a redemption of its promise to fish out all homosexuals in Kano."<sup>124</sup>

After the SSMPA's introduction, there seems to be an increase in the frequency of these raids and the impunity exhibited by law enforcement in violating the rights of LGBTQI+ people. For example, TIERs' 2023 human rights violations report states that "raids, illegal stops and searches, arbitrary arrests and extortion by Hisbah, Police and other law enforcement agencies are a rapidly increasing trend in Nigeria as observed over the past four years."<sup>125</sup> In 2018,

<sup>119</sup> Bennie, 32-year-old gender nonconforming individual living in Enugu, survey response 61.

<sup>120</sup> Richard, 27-year-old gay individual living in Ebonyi, survey response 59.

<sup>121</sup> Toma, 30-year-old transgender woman living in Benue, survey response 54.

<sup>122</sup> Noah, 26-year-old transgender man living in Akwa Ibom, survey response 42.

<sup>123</sup> See TIERs' human rights violations reports from 2014 to 2023 here: <https://theinitiativeforequalrights.org/resources/>.

<sup>124</sup> Tajudeen Suleiman, "Police Raid Kano For Gays," P.M NEWS, Friday, June 2, 2000 - Page 6 <https://archivi.ng/search/fyil24oBCApQwdEH5Vnl>.

<sup>125</sup> 2023 Report on Human Rights Violations Based on Real or Perceived Sexual Orientation, Gender Identity/

police arrested and paraded the Egbeda 57 and tried them in two separate courts for two years because the court acquitted them.<sup>126</sup> In addition, in 2023 alone, there were mass arrests conducted by the police in Kano, Delta, Bauchi and during a health training in Edo State.<sup>127</sup> Multiple human rights violations also take place during these arrests and detentions – like in Delta, where “the detainees were forcefully coerced to have their anus and rectum examined, with pictures taken by the police officers.”<sup>128</sup>

In this survey, we asked: *“Between 2014 and now, have you been arrested and/or detained by the police or any other law enforcement agency due to your sexual orientation, gender identity, gender expression and or sex characteristics? If yes, could you share the details of what happened?”* We limited this to the ten years after the introduction of the SSMPA to aid in assessing the impact of the law on marginalised populations of LGBTQI+ people.

According to Malik, a bisexual cisgender man living in Lagos, “I was stopped by the police who forcefully went through my phone and found some content which led me to the station, but I was able to format my phone before we got to the station hence why there was no more evidence at the time we got to the police station, and I was later granted bail.”<sup>129</sup> Contrary to legal requirements, bail is not free for anyone in Nigeria, much less LGBTQI+ people who are already marginalised by the law. For instance, after being arrested, the police detained Chibundu for five days and only released him “on bail” after his father paid some money.<sup>130</sup>

David was blackmailed by someone who threatened to release videos of them having sex together.<sup>131</sup> When David refused to give the blackmailer the money he demanded, they got into an altercation, and the police arrested them both: “After three days, I finally bailed myself out with 40,000 naira from the police and I went back home.”<sup>132</sup>

Several other cases of violence by state actors are documented in the

Expression and Sex Characteristics (SOGIESC) in Nigeria, <https://theinitiativeforequalrights.org/wp-content/uploads/2024/03/2023-Human-Rights-Violation-Report-2.pdf>, page 18.

126 TIERs, “The Justice System: A Timeline of The Egbeda 57 Case,” 2020 Human Rights Violations Report Based on Real or Perceived Sexual Orientation, Gender Identity/Expression and Sex Characteristics (SOGIESC) in Nigeria, <https://theinitiativeforequalrights.org/wp-content/uploads/2020/12/2020-Human-Rights-Violations-Report-based-on-SOGIESC.pdf>, page 28.

127 2023 Report on Human Rights Violations Based on Real or Perceived Sexual Orientation, Gender Identity/Expression and Sex Characteristics (SOGIESC) in Nigeria, page 18.

128 2023 Report on Human Rights Violations Based on Real or Perceived Sexual Orientation, Gender Identity/Expression and Sex Characteristics (SOGIESC) in Nigeria, page 23.

129 Malik, 26-year-old bisexual cisgender man living in Lagos, survey response 4.

130 Chibundu, 42-year-old cisgender gay man living in Anambra, survey response 49.

131 David, 28-year-old cisgender gay man living in Enugu, survey response 53.

132 As above.

annual human rights violations reports by TIERs in partnership with other organisations.<sup>133</sup>

## Impacts of Discrimination and Violence on LGBTQI+ People’s Mental Health

Previous research indicates that the SSMPA and the hostile climate for LGBTQI+ people in Nigeria cause “mental and emotional trauma.”<sup>134</sup> Compared to heterosexual populations, homosexual people experience more mental health concerns due to their experiences with discrimination.<sup>135</sup> In the survey, we asked: “Have any of these experiences of violence or discrimination based on your sexual orientation, gender identity, gender expression and or sex characteristics led to any mental or psychological impacts? If so, please share.”

After experiencing physical beatings, extortion and violence stemming from a betrayal of trust, Chisom reported that “I developed PTSD. I couldn’t go out for days. I couldn’t trust anyone anymore. I start shaking whenever I remember it. I can’t just explain more about it. But it did a lot [to me].”<sup>136</sup> For Tobi, he expressed that “I feel depressed for being gay and think of suicide sometimes.”<sup>137</sup> Tobe also shared that “after each encounter [with discrimination or violence], I always retract to a solitary mood. This mood is often compounded with self-hate and suicidal thoughts. The gravity of the impact is based on the gravity of the incidents.”<sup>138</sup> Suicidality among LGBTQI+ people, especially young people, has been reported to be much higher than for non-LGBTQI+ people.<sup>139</sup>

Some LGBTQI+ people, like Ricky, also experience hypervigilance due to the hostility from society: “I have to be very careful and make a mental note of safety whenever I am outside. I have to act a certain way. I am always on guard to avoid being outed”<sup>140</sup> Some respondents shared that these

133 See TIERs’ human rights violations reports from 2014 to 2023 here: <https://theinitiativeforequalrights.org/resources/>.

134 Human Rights Watch, “Tell Me Where I Can Be Safe”: The Impact of Nigeria’s Same Sex Marriage (Prohibition) Act,” 20 October 2016, <https://www.hrw.org/report/2016/10/20/tell-me-where-i-can-be-safe/impact-nigerias-same-sex-marriage-prohibition-act>.

135 Olumide Makanjuola, Morenike Oluwatoyin Folayan and Olakunle Ayokunmi Oginni, “On Being Gay in Nigeria: Discrimination, Mental Health Distress and Coping” July 2018, *Journal of Gay & Lesbian Mental Health* 22(4), pages 1–22.

136 Chisom, 22-year-old bisexual or pansexual person living in Anambra, survey response 83. According to the American Psychiatric Organization, “Posttraumatic stress disorder (PTSD) is a psychiatric disorder that may occur in people who have experienced or witnessed a traumatic event, series of events or set of circumstances.” See for more information: “What is Posttraumatic Stress Disorder (PTSD)?” <https://www.psychiatry.org/patients-families/ptsd/what-is-ptsd>.

137 Tobi, 30-year-old cisgender gay man living in Lagos, survey response 23.

138 Tobe, 29-year-old cisgender gay man, survey response 33.

139 Newport Academy, “New Research on LGBTQ Teen Suicide Rates,” 27 February 2024, <https://www.newportacademy.com/resources/mental-health/lgbt-suicide-rates/>.

140 Ricky, 32-year-old cisgender gay man living in Abuja, survey response 43.



experiences interfered with their relationship with sex and their bodies; they deal with depression or anxiety, have PTSD, have gone to therapy, and have tried to adopt coping mechanisms.<sup>141</sup> Mark shared that they have overcome depression “with great personal effort ... and sometimes I slip into anxiety, and I have a lot of panic attacks. I can’t go to people’s houses, go out at night, travel to certain places, watch certain movies, or do many things because of fear.”<sup>142</sup>

In general, our survey sought to determine the overall effects the SSMPA has on LGBTQI+ people’s lives. We asked – “Do you think that the SSMPA has had other impacts on your life or livelihood as an LGBTQI+ individual? If yes, in what ways?”

Thomas, a 36-year-old cisgender bisexual man, shared that the existence of the SSMPA “has enabled and empowered overzealous security personnel to harass and unlawfully detain and arrest LGBTQI persons even based on mere assumption.”<sup>143</sup> According to Chisom, the SSMPA “has stopped me from living freely – I can’t explore and express my feelings. I can’t create my kind of content. I can’t pursue my kind of work. I can’t date freely.”<sup>144</sup> For Malik, “one of the impacts of the SSMPA is that it has really hindered me from fully expressing myself because I have to be careful about almost everything to prevent any form of discrimination, harassment and violence attack.”<sup>145</sup> In Tunde’s words, the law prevents him from “living as a complete member of the society.”<sup>146</sup>

One other respondent shared that the SSMPA has contributed to insecurity for LGBTQI+ people: “No place feels safe anymore, and the fact that you can’t seem to be too careful these days is frightening.”<sup>147</sup> As Faith shared, “I do not feel safe anywhere within the country, especially in the South-east region.”<sup>148</sup> In Adegoke’s words, the law has “made me live my life in fear.”<sup>149</sup> According to Mide, “the SSMPA has largely restricted my ability to associate freely with like-minded people and prevented me from experiencing a non-toxic relationship with family, friends, colleagues and partners.”<sup>150</sup> The law significantly impacts the freedoms of LGBTQI+ people as it “makes me not to be free,” causes “[me] not to be able to express myself fully,” and “there’s no freedom of expression

141 Survey responses 6, 17, 19, 39, 42, 45, 46, 49, 50, 51, 54, 55, 57, 59, 60, 61, 71, 75, 77.

142 Mark, 26-year-old gay man living in Enugu, response 74.

143 Thomas, 36-year-old cisgender bisexual man living in Ebonyi, survey response 3.

144 Chisom, 22-year-old pansexual person living in Anambra, survey response 83.

145 Malik, 26-year-old bisexual cisgender man living in Lagos, survey response 4.

146 Tunde, 28-year-old cisgender gay man living in Kano, survey response 5.

147 Monday, 28-year-old cisgender gay man living in Imo, survey response 6.

148 Faith, 27-year-old cisgender gay man living in Anambra, survey response 80.

149 Adegoke, 37-year-old cisgender gay man living in Ogun, survey response 87.

150 Mide, 25-year-old gender nonbinary person living in Lagos, survey response 8.

of my sexuality.”<sup>151</sup> Adeyemi says, “[There is a] lack of freedom to express myself and be myself. I have become good at hiding my sexual identity and expression.”<sup>152</sup> Femi, a cisgender gay man, experiences a “lack of freedom to be my real self at work, in family gatherings, among friends, and in public [as well as a] lack of real social connection, sometimes leading to severe loneliness.”<sup>153</sup>

 *You’re constantly reminded that ‘na 14 years in jail o.’*<sup>154</sup>

## Findings from Key Informant Interviews: LGBTQI+ Organizing, Rights and the Overall Context

We interviewed thirteen LGBTQI+ people with varying sexual and gender minority identities, specific expertise, and lived experiences within Nigeria. This section discusses the findings from our interviews.

### LGBTQI+ Rights Organizing Before and After 2014

*“There have always been movements. There have always been people forced underground who make alliances and build their networks. There have always been [queer] people in the community.”*<sup>155</sup>

### LGBTQI+ Organizing and Community Building

Olumide M., former executive director at TIERS and current director of programs at Initiative Sankofa d’Afrique de l’Ouest (ISDAO), described the state of organising for LGBTQI+ rights before the enactment of the SSMPA. According to him, around the early 2000s, “there were a few organisations here and there, including ICARH, one of the oldest LGBTQ organisations in Nigeria. But mostly, what we had was a lot of community organising.”<sup>156</sup> Mohammed S.,

151 Tosin, 34-year-old gender nonconforming individual living in Lagos, survey response 16; Paul, 23-year-old cisgender gay man living in Lagos, survey response 13; Gabriel, 28-year-old cisgender gay man living in Lagos, survey response 17.

152 Adeyemi, 29-year-old cisgender gay man living in Niger, survey response 28.

153 Femi, 28-year-old cisgender gay man living in Lagos, survey response 30.

154 Chibuzor, 23-year-old gender nonconforming person living in Abuja, survey response 24.

155 Interview with Ayodele O., lesbian and nonbinary feminist activist and writer in Nigeria based in south-west Nigeria, May 2024.

156 Interview with Olumide M., former executive director at TIERS and director of programs at Initiative Sankofa d’Afrique de l’Ouest (ISDAO), virtual, May 2024; ICARH is the International Centre for Advocacy on Right to Health, founded in 1999: <https://icarh.org/about/>.

an LGBTQI+ rights activist and founder of an organisation based in the north-east, agrees with this perspective, sharing that, during the years before 2014, organising in the north was influenced by the prevailing religious ideals of Islam, and so “we were working covertly in the community, keeping all of our activities hidden and only targeted at the rights-holders we were working for.”<sup>157</sup> According to Michael A.,

[LGBTQ+ organising] was not as visible as it is now, even with many activists [then]. Some feminists, like Dorothy Aken’Ova, led the movements alongside other people. There was organising with pockets of activists in different groups – until the law took us by surprise in the sense that we did not prepare for it.<sup>158</sup>

According to Rashidi W., before the SSMPA was enacted,

*varied physical activities were going on compared to now, concentrating on sexual and reproductive health and rights. Then, you would find a lot of institutions working around HIV as an entry point to policy change regarding sexual orientation and gender identity. Almost all the organisations in the country were gay men-led.*<sup>159</sup>

Olumide M. recalls that most of LGBTQ+ organising began with programming targeted at preventing HIV until “people began to realise the needs – the need to engage on sexual and reproductive rights, the need to engage the police, the need to advance conversation and that’s when things moved to organisational structures. The movement came out of the community.”<sup>160</sup> Michael A. adds that organisations had some “HIV programming and a few gender programs, but they were in only a handful. Donors were limited, and the few donors that funded [in Nigeria] were very interested in HIV intervention.”<sup>161</sup> Odi A. explained that before this period, most funders had no interest in protections against human rights violations: “All they cared about was the public health angle, and we kept insisting that it intersects if we are providing services to a marginalised group of people.”<sup>162</sup>

However, Rashidi W., who has been organising within the movement since 2003, also adds that:

You would find that before 2014, our work was much more service-oriented, thereabouts, providing drugs, ARV, to be specific, getting people into care and

<sup>157</sup> Interview with Muhammed S., LGBTQI+ rights activist, executive director and founder of an LGBTQ+ organisation with focus in north-eastern Nigeria, May 2024.

<sup>158</sup> Interview with Michael A., LGBTQI+ rights activist, executive director and founder of an LGBTQ+ organisation with focus in eastern Nigeria, May 2024.

<sup>159</sup> Interview with Rashidi W., executive director of Equality Triangle for Health and Peoples Development Initiative based in south-southern Nigeria, May 2024.

<sup>160</sup> Olumide M.

<sup>161</sup> Michael A.

<sup>162</sup> Odi A.

continuing them in care, freeing people from the claws of police detention, addressing both homophobia and institutionalised homophobia, and gradually beginning to play with international mechanisms around human rights protections based on sexual orientation and gender identity. So, I would say before 2014, almost all the organisations that existed before that time were running HIV/AIDS programs majorly, with just a few delving into human rights protection broadly.<sup>163</sup>

In 2006, Reverend Jide Macaulay founded the House of Rainbow in Lagos:

I am a gay man. I am Nigerian, I am a Christian, and I’m also a pastor. I’m also someone who is living with HIV. All of those things combined motivated me to create this space for the lesbian, gay, bisexual, and transgender community in Nigeria. I had conversations with people about how the church ostracised and discriminated against us, and many [queer] people expressed interest in an inclusive church in Nigeria. House of Rainbow delivered on being the first and only openly gay church in Nigeria.<sup>164</sup>

When TIERS was founded in 2005, its founders, “a group of friends still in school carried out a labour of love and began to seek connections with funders.”<sup>165</sup> The organisation started with a sub-grant from the Population Council on an HIV prevention initiative. It provided “sexual health education, HIV prevention, education and treatment. Eventually, in 2008, we started doing human rights work with funding from AJWS,” including advocacy against the bill enacted as the SSMPA.<sup>166</sup> TIERS partnered with Heartland Alliance, ICARH, and other LGBTQ+ organisations in Port Harcourt, Calabar and Kano on a project funded by the United States Agency for International Development (USAID) in 2009.<sup>167</sup>

Activists in this period also worked in lobbying against a same-sex marriage bill introduced in 2006, which was defeated before the government passed the SSMPA in 2014:

*There were many physical fights and representation offline, but we did not have the apparatus we have right now to engage more broadly as we are doing. We were finding our feet as a movement and as organisations. [Organisational] LGBTQ activism was [relatively] new to*

<sup>163</sup> Rashidi W.

<sup>164</sup> Interview with Reverend Jide Macaulay, LGBTQI+ rights activist, founder of LGBTQI+-inclusive church House of Rainbow in Nigeria, and priest in the Anglican Church, United Kingdom, May 2024; Also see CNN, “Gay Christians in Nigeria,” 17 July 2008, [https://www.youtube.com/watch?v=ccVgySv\\_hYg](https://www.youtube.com/watch?v=ccVgySv_hYg).

<sup>165</sup> Olumide M.

<sup>166</sup> Olumide M.; AJWS- American Jewish World Service. See Joseph Sewede Akoro, “New Law May Impact on LGBT Rights Advocacy in Nigeria,” TIERS, 24 April 2014, <https://theinitiativeforequalrights.org/new-law-may-impact-on-lgbt-rights-advocacy-in-nigeria/>.

<sup>167</sup> Olumide M.

the country.<sup>168</sup>

House of Rainbow became a haven for religious queer people, and it still is, despite no longer having a physical congregation in the country.<sup>169</sup> During this period as well, the art scene was a place of refuge for queer people, especially gay men in Lagos. As Olubiyi S., founder and executive director of Improved Sexual Health and Rights Advocacy Initiative (ISHRAI), shared, “gay men – the popular term then was men who have sex with men (MSM) – used to gather at the National Art Theatre in Lagos to meet with people as well as get HIV testing and prevention/care services.”<sup>170</sup> At this time, as Kanyinsola B. explained,

*“Much of the harassment or violence against community members was from family members or other people in the locality. The National Theatre was a safe space for queer people to hang out on Sundays, so we would centre our outreach services there. But the theatre is also a public space. People – including family members – would barge in to find their relatives, or queer people would run into family members who came to see movies at the theatre or were just chilling by the bar. And when that happened, it was always – ‘What are you doing with these gay people?’”<sup>171</sup>*

Odi A. explained more about the context at this time:

**Other than the social and cultural norms that were not accepting of queer people, organising was a lot easier, and it was easier to navigate the social context. There was no huge legal context to battle at the time”.**<sup>172</sup>

Olumide M. shared:

**At the time, community organising, especially for young queer people, brought about shared love, shared spaces and solidarity. People were finally finding somebody else who looked and felt like them. It was emotional and probably the most powerful thing the community had.”<sup>173</sup> Olubiyi S. shared that “community organisation was safer at the time because exposure was limited. People could express themselves in those spaces [more than now].”<sup>174</sup>**

<sup>168</sup> Rashidi W.

<sup>169</sup> Reverend Macaulay.

<sup>170</sup> Interview with Olubiyi S., 37-year-old LGBTQI+ rights activist, executive director and founder of ISHRAI, an organisation based in south-western Nigeria, May 2024.

<sup>171</sup> Interview with Kanyinsola B., LGBTQI+ rights activists and human rights programs officer at TIERS with focus in Lagos, south-west Nigeria, May 2024.

<sup>172</sup> Interview with Odi A., LGBTQI+ rights activist with organisations focusing on north-central Nigeria, May 2024.

<sup>173</sup> Olumide M.

<sup>174</sup> Olubiyi S.

Nonetheless, activists were striving to be visible through advocacy efforts:

*“[We had] correspondences with policymakers and spoke directly with lawmakers at the National Assembly, trying to make them understand the impact of the law [then a bill]. After that time, the fear that the 2014 bill [the SSMPA] resonated, you know, sparked a lot of changes in how we conduct advocacy and, with the rise in the use of technology, how we propagate our messaging. Many of us created online spaces for engagement, increasing the visibility of LGBTQI+ issues. People came out and spoke more on their platforms or burner accounts, and [the result was] increased awareness of the impact of the SSMPA and the discriminatory repressive laws. LGBTQI+ organisations also proliferated after this. Before 2014, maybe we had a handful, but you can count more than a hundred of us right now.”<sup>175</sup>*

According to Rashidi W., activists at the time collaborated to engage in advocacy against the 2006 Bill:

*“We did a lot of work in the media. I remember spending two weeks in Niger State developing policy briefs for every sector of Nigerian society: religious leaders, policymakers, media practitioners, students, LGBTQ persons themselves. You know, it was so broad that we left no stone unturned. Writing and submitting petitions to the National Assembly leaders was also one of the things we used to do in those days.”<sup>176</sup>*

Organizing also changed with rising anti-LGBTQ+ rhetoric in the media and politics:

*“There was a lot of community organizing before the Obasanjo regime started the anti-gay law [and propaganda] in 2006. There were already structured organisations by 2012/2013, just before the SSMPA was signed. The movement was growing, and advocacy efforts were shaping up. There was still community organising in addition to structured programming, advocacy work and some funding.”<sup>177</sup>*

Olumide M. urges organisations to consider and acknowledge the impacts of community organising and “keep them separate because the community will always be there whether the organisation is there or not. **The community will always continue to organise, with or without formal institutions.”<sup>178</sup>**

<sup>175</sup> Rashidi W.

<sup>176</sup> Rashidi W.

<sup>177</sup> Olumide M.

<sup>178</sup> Olumide M.

In 2009, TIERS “started a community centre in Ikeja, Lagos for queer people to relax, be safe and be free.”<sup>179</sup> The organisation also sought to increase visibility and awareness of LGBTQ+ issues in Nigeria and attended the first-ever Pan-Africa ILGA conference in South Africa:

*This opened up opportunities for the organisation, and people became aware that things were happening in Nigeria [affecting the rights of sexual and gender minorities] and we got funding through this. I can't say it was easy because we had to show our work.*<sup>180</sup>

In 2008, Muhammed S. and other activists in the North-East began conducting informal sensitizations to educate people on their rights and safety, given the arrests that were happening, in addition to their growing HIV sensitization programming:

*“It was not until later in 2010 that we started attending events outside the region and began to get more sensitization, which we also adopted in our spaces. But it wasn't formal. We were just motivated to do the work because of the contexts that we were in.”*<sup>181</sup>

In Lagos, Kanyinsola B. shared that the programming efforts in the 2010s before 2014 also focused on community education:

*We used to go to locations within communities and educate communities about sexual health and rights – condom usage, safe sex tips, safety and security tips and a bit of human rights issues, including getting help when needed.*<sup>182</sup>

Still, the police conducting mass arrests or reporting queer people to the police then was not standard:

*“People would harass you on the road when they see that you're a feminine ‘man’ or a masculine ‘woman.’ They would call you all sorts of names, and they could even throw a stone at you. But it never got to the police [whether from the abuser or victim]. We felt people hated us because of our sexual orientation, and we just had to deal with it.”*<sup>183</sup>

### **Breaking into Structured Organisations Amidst Challenges**

At this time, there was no solid institutional support for human rights

<sup>179</sup> Olumide M.

<sup>180</sup> Olumide M.

<sup>181</sup> Muhammed S.

<sup>182</sup> Kanyinsola B.

<sup>183</sup> Kanyinsola B.

programming. Thus, Odi A. and his peers working in the North-Central had to build a social network of human rights organisations and lawyers providing pro bono service for the community.

*“We started working with TIERS, INCREASE and identifying the needs of the people whose rights we wanted to protect – safety and security issues, socioeconomic disempowerment, of course, based on the SSMPA. People were losing their jobs and homes. People had been kicked out of their homes and religious spaces. So, yes, several things changed [for individuals and organisations].”*<sup>184</sup>

In 2018, Muhammed S.'s organisation, Hope Alive Health Awareness Initiative “formally started a movement for human rights education in our space. Other activists, especially Dorothy Aken'Ova, supported us, and we collaborated to respond to human rights violations, especially after the SSMPA was introduced.”<sup>185</sup>

Across the country, TIERS engineered discourse on LGBTQI+ rights through events like its annual symposium on human rights.<sup>186</sup> For many organisations and activists in northern Nigeria, prevailing social biases, in addition to the laws, prevent this sort of public organising, according to Muhammed S.<sup>187</sup> Generally, however, with the SSMPA, LGBTQI+ organisations could not register legally, and most had to seek registration under the umbrella of a youth-led organisation. “This restriction impacts advocacy initiatives in combating discrimination and challenging oppressive laws.”<sup>188</sup>

Although this provision preventing LGBTQ+ organisations from registering has been nullified by a 2022 court decision, no groups have tested this by attempting to register openly.

In addition to the challenges imposed by the SSMPA preventing LGBTQI+ organisations from operating freely, Olubiyi S. explained that they are “subjected to intimidation and surveillance by anti-LGBTQI+ actors and state authorities, which creates a climate of fear and uncertainty.”<sup>189</sup> Without the freedom to carry out advocacy, LGBTQI+ movement building is hampered, institutions and organisations cannot grow, and rights-holders bear the brunt of the hostile situation. For instance, House of Rainbow had to shut down due

<sup>184</sup> Odi A.; Dorothy Aken'Ova founded The International Centre for Reproductive Health and Sexual Rights (INCREASE) in 2000: [https://increase.org/connectingthedots/imi\\_team/dorothy-akenova/](https://increase.org/connectingthedots/imi_team/dorothy-akenova/).

<sup>185</sup> Muhammed S.

<sup>186</sup> Olumide M.; BellaNaija, “The Initiative for Equal Rights Held its Annual Symposium Themed ‘Human Rights, Sexuality & The Law,’” 14 December 2017, <https://www.bellanaija.com/2017/12/the-initiative-for-equal-rights/>.

<sup>187</sup> Muhammed S.

<sup>188</sup> Olubiyi S.

<sup>189</sup> Olubiyi S.

to the attacks against it. According to Macaulay, with the enactment of the SSMPA and the continued unsafety towards him in Nigeria, having experienced several attacks on his home and person, "I couldn't return to Nigeria, which is why I remain very vocal in support of the community, to remind LGBTQ+ Nigerians that they are not alone."<sup>190</sup>

#### Increasing Visibility and Allyship Through Online Advocacy

According to Michael A., LGBTQI+ institutions have been visible and impacted social perception and allyship to the extent that; "now there are people who openly defend LGBTQI+ people and talk about the situation [our populations] face, even when there are a lot of attacks. In the past, everyone would be afraid of condemnation."<sup>191</sup>

Olumide M. buttressed that:

"Twitter [now X] became one of the most significant developments for the community because it created a space and platform for the community to [freely] express themselves. You could be online anonymously - nobody will know your face. It created that online community, and enabled visibility. The pushback we're seeing now results from the fact that there is more visibility. More people are standing up firm and living their [queer] lives."<sup>192</sup>

Vincent E. has adopted social media to normalise positive behaviours around masculinity and queerness to a (young) Nigerian audience. As he shared,

*"I started posting content showing my best friend and me – a platonic relationship. But, most Nigerians are not used to [publicly] seeing two guys showing affection for each other. The homophobic comments started coming. But I'm the last person anybody wants to bully online. I kept posting the content in a form of 'fuck you, there's nothing you can do.' Then, people started asking to see my 'boyfriend' when I posted other content. I would say I'm doing my part in putting this in their faces so that, at some point, what is already normal feels normal to everyone. The homophobic comments have reduced drastically, and more people share positive comments on my posts now."<sup>193</sup>*

In addition, in Michael A.'s words:

*"There is more transgender visibility now. Before 2014, we could only talk of one trans person, but now you can see the level of visibility of*

<sup>190</sup> Reverend Macaulay

<sup>191</sup> Michael A

<sup>192</sup> Olumide M.

<sup>193</sup> Vincent E.

*the trans community. With intersex people, we were not seeing much visibility as even though most people claimed to be working for all LGBTQI+ populations, the focus was on gay and bisexual men, and the LBQTI was not visible. But now, that visibility is happening."<sup>194</sup>*

According to Ayodele O., "The community now is so powerful because in addition to choosing families and [honouring] their diverse identities, people are able to speak out and say, 'this is my identity'." Rashidi W. shared that:

*"Social media has helped us blow [the lived experiences and discrimination] into the open. Before the adoption of social media, some issues would not even come to our attention as organisations if they happened in places with no LGBTQ+ organisations serving the needs of people. Information is flowing at a swift rate now."<sup>195</sup>*

Michael A. also restated that "allies are vital, and the [existence] of the SSMPA has helped us improve on gaining allies over time. More people see that this is not merely a bedroom situation but a human rights discussion."<sup>196</sup>

### Social Lives of LGBTQI+ People and Interference from State and Non-State Actors: Then and Now

Discussing the social lives of LGBTQI+ people and the ability to live in public spaces unfortunately consistently intertwines with encroachment from state and non-state actors, as this report also shows. Despite this situation, queer people have strived to create spaces for queer joy, community and harmony.

#### Creating Space for Queer Joy

In the early 2000s, there were people who threw parties every month for the community. "We called it a party, but if you think about it, they were just creating safe spaces for queer people."<sup>197</sup> Then and now, parties for queer people are attacked by hoodlums or the police: "We could go to a party this weekend, and hoodlums will attack us at that party, beat some of us, collect our phone, attack us. The following weekend, if we tell them that there's a party [somewhere else], people will show up. Everybody will still show up."<sup>198</sup> Olubiyi S. also recalls parties happening in a location in Lagos "on the island that no longer exists. Queer people used to go there to connect and socialise, but with increasing discrimination, the place had to shut down. There were more social gatherings at the time compared to what we have now."<sup>199</sup>

<sup>194</sup> Michael A.

<sup>195</sup> Rashidi W.

<sup>196</sup> Michael A.

<sup>197</sup> Olumide M.

<sup>198</sup> Olumide M.

<sup>199</sup> Olubiyi S.

“People just connected even though there were not a lot of mobile phones as this was a luxury. But if you said to one person in the morning that there was going to be an event, by evening, your whole place is full.”<sup>200</sup> Olubiyi S. recollected that queer people used to have “parties in Lagos and Ibadan and people came from different parts of the country just to party in these places.”<sup>201</sup>

Sweat It Out, an “underground” electronic dance music scene, has become one space for queer people to experience fun.<sup>202</sup> For Olumide M., attending “Sweat It Out” for the first time was so nostalgic as it brought back memories of what community gatherings looked like in 2004 and 2005. Massive with many people just feeling great, being happy and connecting.”<sup>203</sup>

Queer communities also organise “Group Therapy,” a social event, and several other safe spaces within the context to have fun and experience community.<sup>204</sup> Attending his first LGBTQI+-themed party in 2022, Vincent E. shared that:

*“I didn’t even know I was attending a queer party. My friend invited me and got us tickets. When I got there, I was like, wait, this party is gay! Everybody was just vibing, and in my head, I was like – this is it. This is it.”*<sup>205</sup>

### Partying While Queer: An Exercise in Balancing Risk and Safety

Young queer people have sustained the culture of creating fun in a seemingly hopeless situation. As Olumide M. describes it, several factors have contributed to changing the way queer people participate in community organising. In addition to modernization, “the social environment has changed, there are a lot of activities and arrests by the police, and people don’t want to exposure to hurt, attacks or arrest.”<sup>206</sup> While protecting themselves, young queer people also “just want to be free and freely express themselves with dressing.”<sup>207</sup> But there are risks involved.

*“If you take a cab to a party and a police officer stops you – the next*

<sup>200</sup> Olumide M.

<sup>201</sup> Olubiyi S.

<sup>202</sup> The Lagos Weekender, “Weekender Spotlight: ‘Sweat It Out,’ The Underground EDM Scene You Must Have Heard About,” 28 April 2023, <https://thelagosweekender.com/weekender-spotlight-sweat-it-out-the-underground-edm-scene-you-must-have-heard-about/>.

<sup>203</sup> Olumide M.

<sup>204</sup> Group Therapy <https://ra.co/events/1868328>; <https://ra.co/events/1912053>.

<sup>205</sup> Interview with Vincent E., 26-year-old pharmacist and TikTok influencer based in south-southern Nigeria, May 2024.

<sup>206</sup> Olumide M.

<sup>207</sup> Kanyinsola B.

*thing they’ll ask is, ‘Why do you have makeup on? ‘Search his phone.’ And then they are pointing a gun at you to have access to your phone and probably read your chats. So, you get the closest hotel to the venue and just go to the party from there. Or if you have to go from home, you keep your clothing in your bags and when you get there, find the convenience and dress up for the party.”*<sup>208</sup>

Kanyinsola B. stated that parties were not as safe anymore, and everyone had to lay low. “People harbouring friends felt the need to send their friends away because there was so much fear for personal safety. It was very scattered and chaotic.”<sup>209</sup> However, according to Harry I., queer people have always lived in fear within these social settings:

*“Before 2014, there was fear when you were in queer spaces that someone might find you out, something might happen, or the neighbours might hear. But I think that after the SSMPA was passed, there was a heightened level of fear and a highly heightened level of caution that people had to take or that I had to take whenever I was in queer spaces.”*<sup>210</sup>

Nowadays, in the ten years after the SSMPA was introduced, police raids and attacks on gatherings with queer people are rampant. However, according to Olumide M.,

*“It’s not exactly new. What has changed is that back then, a lot of the attacks were by hoodlums and local vigilantes, with some police in rural or low-income areas. Things started changing when the police realised they could make money from attacking parties and we started getting police attacking parties, and when they arrest you, you have to bail yourself and bribe them. When SSMPA was signed in 2014, it validated people’s intentions. It enabled both government entities and hoodlums to attack parties. What we have right now after SSMPA is a validation of the law enabling police to brutally attack people and also enabling society to validate their attacks.”*<sup>211</sup>

### The Financial Impacts of Queerphobia

These impact on queer people’s safety, comfort and their finances as they have to spend more money.<sup>212</sup> In a country with extreme poverty and class divides, the dwindling economy and rising inflation also affect LGBTQI+ people’s social lives and community organising. Olumide M. explained that “there are different social standards. The way people organise community

<sup>208</sup> Kanyinsola B.

<sup>209</sup> Kanyinsola B.

<sup>210</sup> Interview with Harry I., award-winning journalist and communications professional, May 2024.

<sup>211</sup> Olumide M.

<sup>212</sup> Kanyinsola B.

events in Victoria Island, Ikoyi or Lekki will not be the same way someone else will organise in Asaba or Warri.<sup>213</sup> As he shared, mass arrests have targeted primarily people with lower socio-economic standing, like in Egbeda, Lagos, Bauchi and Warri.<sup>214</sup> Kanyinsola B. put it this way:

*"The Nigerian society will have you work tirelessly to be rich because, as a queer person, some areas are not safe for you to stay, and this is a common thing. You cannot [safely] live in places like Şomolu, where you would always run into [area] boys who will keep beating you up and extort you."*<sup>215</sup>

Rashidi W. also explained that the likelihood of violation of queer people's rights increases based on where they live, their gender identities and expression – "if effeminate as a cisgender man or transgender person or nonbinary person or if masculine as a cisgender woman. The risks increase based on identifiers."<sup>216</sup> In contrast, organisations have held LGBTQI+-themed events in other locations, including the premier of the movie "We Don't Live Here Anymore" in 2018, with no incidents because "it was in a nice, lush area."<sup>217</sup> The societal reliance on classism can help 'protect' queer people with this social capital. Vincent E. relayed that the party he attended in 2022 had police protection: "There were police vans outside, and bouncers at the gate. It was [a party with] maximum security. And it was hosted in a massive space and not hush-hush at all."<sup>218</sup> In cases like this, as long as organisers can sort law enforcement officials, they would protect for the duration of the event.<sup>219</sup>

Muhammed S's finances are also impacted by moving from place to place and with "the increased arrests as I have to use personal funds to bail people out of jail."<sup>220</sup> Meanwhile, poverty disproportionately impacts LGBTQI+ people in countries like Nigeria: LGBTQI+ people are poor, and it's not just about money. There is poverty from experiencing trauma, , from the lack of security and safety to the lack of economic power. As Ayodele O. also shared:

*"The law goes to the highest bidder, and there's no [real] justice for people of marginalised identities. In Nigeria, people also suffering from economic insecurity and fuel scarcity seek to attack the most vulnerable. Who are the most vulnerable? Queer people."*<sup>221</sup>

213 Olumide M.

214 Olumide M.; 2023 Report on Human Rights Violations Based on Real or Perceived Sexual Orientation, Gender Identity/ Expression and Sex Characteristics (SOGIESC) in Nigeria, page 18.

215 Kanyinsola B.

216 Rashidi W.

217 Olumide M.; BellaNaija, "The Initiative for Equal Rights Premieres New Film 'We Don't Live Here Anymore,'" 19 October 2018, <https://www.bellanaija.com/2018/10/tope-oshin-movie-we-dont-live-here-anymore-premiere/>.

218 Vincent E.

219 Bribe or pay law enforcement

220 Muhammed S.

221 Ayodele O.

Exemplifying the existence of police attacks on queer gatherings in low- and middle-income areas, Olumide shared that in 2007:

*"I remember attending a party in Ikeja, and a fight happened between a sex worker and a gay guy. The police showed up, and it was a [a lot]. I ran from Allen to Maryland [about eight kilometres] and slept under a car left at a mechanic's place by the road. I was under the repair car for four hours and panicking."*<sup>222</sup>

In another instance, hoodlums attacked a party with queer people in Ejigbo, Lagos State:

*"As I was dancing on the dance floor, I saw a glass bottle flying over my head – hoodlums had attacked the party. We all just started running. I ran with one guy who had rented a room, and they were trying to enter the room. We removed the covering for the ceiling maintenance hole and helped each other into the ceiling. I was in the ceiling for three hours. When they burst in shouting Where dem dey!? They thought we had escaped through the window... two weeks later, I was at another party in Okokomaiko."*<sup>223</sup>

According to Olumide M., "the attacks [on queer parties and gatherings] were always there. There was one in Mushin where everything was going well until we heard gunshots. In 2014, too, TIERS went to provide HIV testing services at a party in Ikota, Lagos, and local vigilantes attacked the party."<sup>224</sup> Kanyinsola B., in his early twenties at this time, confirmed that: "I cannot count the number of times I've been beaten at parties."<sup>225</sup> According to Mohammed S., an LGBTQI+ rights activist and founder of an organisation based in the North-East, the arrests of queer people at social gatherings before 2014 were happening but not as rampant or as frequent as they are now:

*"There were arrests in the north, even in Bauchi in 2007. The method by police was to say any form of gathering of queer people is a marriage, especially if there is a cake. But they didn't rely on any law to do this precisely because it is hard to rely on the Shariah law that prescribes the death sentence. With the SSMPA, it is straightforward because, according to them, even if they don't kill the victim under Sharia law, at least there is the option of 14 years imprisonment."*<sup>226</sup>

222 Olumide M.

223 Olumide M.

224 Olumide M.

225 Kanyinsola B.

226 Interview with Muhammed S., 41-year-old LGBTQI+ rights activist, executive director and founder of an LGBTQI+ organisation with focus in north-eastern Nigeria, May 2024.

### Arbitrary Arrests of LGBTQI+ People Then and Now

Despite the widespread acceptance of religion in Nigeria, Reverend Macaulay and members of House of Rainbow still suffered a plethora of attacks for their perspectives and SOGIESC identities:

**“My life was at risk. Yes, there were multiple times that I was attacked and beaten on the streets of Lagos. There was one time that I was assaulted at the airport by some random person, and members of my community were attacked on the streets. Many of them were fired from their jobs, evicted from their homes, and disowned by their family. House of Rainbow was not prepared for the backlash that we experienced. We didn’t have protection from the government, the local people, or anyone. Unfortunately, our biggest enemy was the Anglican church in Nigeria. And I think people will find it surprising that I have become an Anglican priest [in the UK].”<sup>227</sup>**

As Remi M. explained, “the SSMPA engineered mass arrests – more than existed before 2014 – as law enforcement realised how much they could extort [from LGBTQI+ people]. It became this game of licensed extortion for them.”<sup>228</sup> Rashidi W. also opined that there were high numbers of arrests before the SSMPA, but:

*After the SSMPA, we began actively documenting the abuses and violations. We became proactive in providing data-driven evidence to address policy changes [related to SOGIESC]. We have just gotten better at documenting and raising these issues via technological platforms that have made our work reach those beyond us. All the problems – arrests, people shut out of employment because of effeminacy or sexual orientation, and so on. These issues were all present then, and, in the days when Nigeria had a high burden of HIV infections, there was [widespread] discrimination based on HIV status coupled with discrimination based on sexual orientation. If we had documented [the experiences with violations] before 2014, we would have been able to know the margin of difference to act as even more robust evidence to influence policy actions.”<sup>229</sup>*

In April 2014 also, Walter U., who was publishing stories that humanised queerness and protested the SSMPA, decided to establish “Kito Diaries,” a blog catering to “only queer people” after he narrowly escaped falling victim to a perpetrator.<sup>230</sup> Through this platform, Walter U. documents stories about

<sup>227</sup> Reverend Macaulay.

<sup>228</sup> Remi M.

<sup>229</sup> Rashidi W.

<sup>230</sup> Interview with Walter U., television producer and founder of Kito Diaries based in south-eastern Nigeria, May 2024. “Kito” is a long-running form of blackmail, extortion and violence targeted at queer people by perpetrators who catfish LGBTQI+ on dating and social media apps. Learn more here: <https://kitodiaries.com/>.

people who have perpetrated violence through Kito to act as a protective warning for people who may fall prey.<sup>231</sup> According to him, the team fact-checks all the information posted to ensure accuracy and properly guide people.<sup>232</sup> However, the Kito Diaries team does not trust the police to act against any of the perpetrators as the police’s actions towards queer people generally and the team, including Walter U. in the course of this work, have been threatening:

“I’ve had the police work with someone we were exposing [for kito actions], and the police were threatening me. It doesn’t ordinarily occur to me to involve the police in these issues, given their behaviour towards queer people. In some cases where cases need the force of the uniform, I’ve had a few queer police officers who try to intervene, but there are no random calls to a police station for help.”<sup>233</sup>

A significant impact of the SSMPA is that it has enabled the biases and actions of violent perpetrators to act with impunity. As Olumide explained, “You could see videos of a queer person being beaten naked and paraded, and people will be singing and videoing and recording. The law enables this. And instead of the police to rescue the victim, they instead validate the action – you no know say law dey.”<sup>234</sup>

Olumide M. emphasised that:

*“People were discriminated against before 2014 everywhere – in schools, with blackmail, and so on – I don’t think there’s an issue now that we didn’t see before. We [TIERS] used to be regular customers at the police station in Ojuelegba, Lagos, because of arrests, and it was rampant. The police searched people’s phones, and if they found suggestive content, they arrested them. The thing that happened after the law was that it became a lot more pronounced. People used the law as a solid excuse for their actions. That’s the only thing that has changed.”<sup>235</sup>*

As Muhammed S. shared, it is common for the police to arrest and detain queer people in northern Nigeria on trumped-up or false charges: “Usually, they try to falsify that one of the people arrested is underage so they can combine issues of sexual assault against minors with homosexuality. We deal with cases of people imprisoned for years – five years, in one case.”<sup>236</sup> In parts of the north-central, including Benue, Odi A. shared that:

<sup>231</sup> Walter U.

<sup>232</sup> Walter U.

<sup>233</sup> Walter U.

<sup>234</sup> Olumide M.

<sup>235</sup> Olumide M.

<sup>236</sup> Muhammed S.



**“The passage of the law put us in a bit of a frenzy. People were taking laws into their own hands. We had vigilantes [attacking LGBTQ+ people] different from the police. These local ‘social structures’ were the policing units in the local communities where we organised and did our work. It became a lot more difficult for us to organise, have meetings, carry out HIV and STI testing services, and so on. We even had up to twelve members of staff beaten up and extorted of monies meant to give to community members for their transport fare.”** <sup>237</sup>

Notwithstanding, according to Olumide M.,

*“The most significant change we will always need is social change. If people, area boys, hoodlums and the like don’t attack queer people and the police arbitrarily arrest and attack people, you’d have people to challenge the police. You’d have people to ask questions and to ask for proof from the police – what makes the party a gay party? Having a party with all male attendees won’t be enough. With social change, even when you rent a venue to host a queer party, the people in the hotel or venue won’t have an issue with it.”* <sup>238</sup>

Odi A. expressed in agreement that the SSMPA

*“Added to the social and cultural biases that already existed. But I don’t think that the removal of the SSMPA or the non-existence of the SSMPA would have had that cultural shift or societal bias that still exists. And lots of people are living their lives afraid of those cultural biases and social discrimination and not so much of the SSMPA. Dealing with SSMPA is very important, but also dealing with those social and cultural biases is something that is very, very important. The SSMPA just backs up what already existed – all the religious biases, cultural biases and societal discrimination that already existed.”* <sup>239</sup>

Generally, some perspectives appear to be changing. TIERs’ recurring social perception survey reports a decrease in support for the SSMPA and an increased acceptance of LGBTQ+ people.<sup>240</sup> Online, Vincent E. opines, “I feel

<sup>237</sup> Odi A.

<sup>238</sup> Olumide M.

<sup>239</sup> Odi A.

<sup>240</sup> For example, “The 2019 poll recorded a 30% level of acceptance, while the 2022 study documents a 34% level of acceptance of a family member who is LGBTQ+.” See TIERs, Social Perception Survey on Lesbian, Gay, Bisexual, and Transgender Persons’ Rights in Nigeria, 2022, <https://theinitiativeforequalrights.org/wp-content/uploads/2023/03/SOCIAL-PERCEPTION-SURVEY-ON-LESBIAN-GAY-BISEXUAL-AND-TRANSGENDER-PERSONS-RIGHTS-IN-NIGERIA-1.pdf>, pages 7 and 8.

like people are more welcoming. People are getting more relaxed.”<sup>241</sup>

### Impacts of the SSMPA on Individuals: Economic Impacts, Livelihoods, Health and Safety

LGBTQI+ people have been forced into unsafe situations by the legal and social context, and

“A lot of people as young as 14 are forced into selling sex, exposed to HIV, and their lives are derailed with no homes and no education. And yet, we do not have the documentation or statistics for people affected – no numbers to show how many LGBTQ+ people have died by suicide because of the hopelessness enforced by the system.” <sup>242</sup>

Remi M. expressed that one of the aims of the SSMPA is

**“to drive hopelessness, to push the narrative that the actions of police and other people are sanctioned by law; therefore, you [queer people] have no remedy as the law cannot take care of you.”** <sup>243</sup>

According to Olubiyi S., the SSMPA “has exposed queer to victimisation, invasion of privacy, outing on social media, discrimination in employment and loss of jobs because people are queer and cannot conform to what society expects them to be.”<sup>244</sup> According to Olumide M., “My life would be different [without the SSMPA]. I would be freer and not just free; I wouldn’t feel threatened. [Presently], I feel threatened by the law. Whatever you do, you must ensure you don’t expose yourself to the law. It impacts how I live and express who I am, even with my social privileges.”<sup>245</sup> For Michael A., “If not for the law, I may be living in civil union with my partner, but it has made it very hard for us to find love. Everybody is negatively affected. The law affects the way people are loved or love themselves.” <sup>246</sup>

Without the SSMPA, Harry I. stated that:

**“It would have been great. It would have been fun. It would have been different. And Nigeria would have been different. You know, a lot of [queer] people with talent and capacity and who know how to dream big are not in Nigeria anymore because of the SSMPA. It would have been different, for sure. It would have been just a joyful place to be because there’s joy in our culture. But it’s not, and it is**

<sup>241</sup> Vincent E.

<sup>242</sup> Remi M.

<sup>243</sup> Remi M.

<sup>244</sup> Olubiyi S.

<sup>245</sup> Olumide M.

<sup>246</sup> Michael A.

sad. It really is.”<sup>247</sup>

### The Need for Personal Safety

For Muhammed S., his safety is a priority concern: “I am always careful, especially now, because it seems as if they are hunting LGBTQ people. I live far away from where I work, and I always change where I live occasionally. It’s not easy, but I need to do it to protect myself in the environment.”<sup>248</sup>

Remi M.’s safety is also paramount as they strive to protect their space and limit interactions with people they don’t know: “I’m careful, and I recognize that there’s no real safety anywhere, whether online or in person. So, I stick to my clique of people I’ve known for years.”<sup>249</sup> For Michael A., the SSMPA “has made me safeguard myself and my environment and be cautious of the people around me. It has created that impact on me and the need to play it down, as the leader of my organisation, for safety reasons.”<sup>250</sup> Kanyinsola B. explained that queer “individuals have now learnt to be responsible for their safety,” to be vigilant and take every possible precaution.<sup>251</sup> For Walter U., who exposes criminals and gangs that target LGBTQI+ people – and these gangs operate out of specific locations – his safety is also paramount:

*“The crew of this gang that operates at Berger [Lagos state] came to my Instagram and bombarded me with messages threatening me. Another day, I passed by Mile 2 and saw the faces of some people we had exposed. They didn’t see me, but I was so shaken I jumped into a bus just passing by. I’ve realised that there are some places I can no longer go to in Lagos. I used to be much more afraid, but I’ve shared the platform login details with the person I work with. If anything happens to me, he could continue. I wouldn’t want what we do to die simply because I’m no longer there. But yes, I get a lot of threats from people exposed on Kito Diaries.”<sup>252</sup>*

Notwithstanding his efforts to protect himself, having a platform like Kito Diaries

*“comes with a lot of responsibility and focus and exposes you to people who want to take you down. It got me outed in 2018, leading to my eviction from the house where I was living. My landlady came to me and said see what was brought to my attention. I don’t want to cause*

247 Harry I.

248 Muhammed S.

249 Remi M.

250 Michael A.

251 Kanyinsola B.

252 Walter U.

*you trouble, so just quietly leave my house and find another place.”<sup>253</sup>*

### Enforced Criminality and Ostracization: Loss, Abuse and Discrimination

As Olumide M. aptly explains, ‘the SSMPA, the law, makes you feel like a criminal. You always have to remember that you’re living in a country where you’re not legally recognised as a person, a citizen, even though you’re making contributions to the system.’<sup>254</sup> As a result, Olumide M. has structured his life in defiance of cis-heteronormativity and institutionalised homophobia in various ways, including participating in queer parenting through surrogacy: Through my life, I am defying these stereotypes, changing perspectives and dismantling stereotypes. I want to live my life for people to see [learn, and change].”<sup>255</sup>

Rashidi W. stated that the SSMPA mainly affects people who are living in poverty and or living in underserved and grassroots areas of the country: “Where one lives, one’s educational status, religious background, standing in the community and so on combine to determine how the SSMPA impacts people’s lived realities.”<sup>256</sup> Reverend Macaulay described the situation for queer people suffering parental abuse:

*“Our parents abuse us physically, emotionally, and spiritually. We’re often neglected. There are too many stories from my community, House of Rainbow, where parents have stopped paying school fees, have stopped giving them money for food, kicked them out of the home, ostracised them, and set them up for punishment and beating in the society. Come on. And it’s too harsh a reality for anyone in Nigeria.”<sup>257</sup>*

In the South-West, Kanyinsola B. also shared that:

**“People lost their homes in the period when the law was first introduced [and are still losing homes due to their identities]. Our landlady at the time said she was not renting to anybody who is feminine because ‘the government is looking for people who harbour those people, and she is not ready to go to jail. It was and is an unfortunate situation.”<sup>258</sup>**

Walter U. also has people reach out to Kito Diaries seeking help after they have been outed and or thrown out of their homes:

253 Walter U.

254 Olumide M.

255 Olumide M.

256 Rashidi W.

257 Reverend Macaulay.

258 Kanyinsola B.

*“People always rally around to help. It’s something I love about the community. I’ve had people send someone needing food, medicine and money to get by. As long as it’s LGBTQ+–community related, people reach out for help, and in my capacity, I do help.”<sup>259</sup>*

### **Mental Health Crises**

For many queer people in Nigeria, according to Olubiyi S., these multiple forms of discrimination and the inability to get jobs are “causing mental health breakdowns, giving rise to drug abuse, increasing exposure to STDs... and some of our work includes building up people’s self-esteem and empowering them to negotiate for better, including within sex work.”<sup>260</sup> Remi M. explained that “the hopelessness from the law causes a lot of damage and the system does not provide the barest minimum of support for queer people to unpack the damage.”<sup>261</sup> As Harry I. stated,

*“[These struggles] definitely impact your mental health. We are constantly pushing through pain. But if you have to navigate a society that criminalises your existence, you definitely will have some form of mental health issues because of that. There’s a lot of anxiety you would have. Something [bad] might happen, or it might not happen, but you are constantly living your life thinking something will happen. You have this anxiety and PTSD even when you leave the space. You don’t know where to show your whole self – do I need to hide part of who I am? These are the lines and questions you will have to navigate continually. It will always impact you. No matter how you try, it’s always going to be there.”<sup>262</sup>*

Agreeing with this perspective, Reverend Macaulay stated that

*“The LGBTQI+ community is on a time bomb of mental health crises. [Meanwhile], we need time to train queer people to handle this crisis – the lesbian, gay, bisexual, and transgender pastors and priests. We need time for people to study queer and inclusive theology. We need time for protection, for ending conversion therapy.”<sup>263</sup>*

Olubiyi S. shared that, like most queer people, “I just want to be myself. I suffered a lot of psychological traumas because of familial and societal expectations of [heterosexual] marriage. Still, I focus on being myself and using my passion to help the community.”<sup>264</sup> For Walter U., getting involved in

<sup>259</sup> Walter U.

<sup>260</sup> Olubiyi S.

<sup>261</sup> Remi M.

<sup>262</sup> Harry I.

<sup>263</sup> Reverend Macaulay.

<sup>264</sup> Olubiyi S.

community advocacy because of the SSMPA helped affirm his queer identity:

*“Being exposed to people’s stories, their wins and losses, their successes and failures, and all sorts of experiences kind of structures you. It affects you in ways that you would not ordinarily be stricken if you were just on your own, existing as another average community queer Nigerian living in Nigeria.”<sup>265</sup>*

### **Institutional and Organisational Impacts**

#### **Changing Rights-holders Needs, Changing Organisational Focus**

Remi M. shared that in 2020, they realised more of the nitty-gritty of the implications of the SSMPA, which organisations had to cater to:

*“Suddenly, there were higher requests [by queer people] for accommodation. More and more people were losing their homes and their livelihoods. We noted an increase in homelessness and an increase in people not having access to education because they have to leave home to fend for themselves. The situation is tough for LGBTQI+ people.”<sup>266</sup>*

According to Kanyisola B., these concerns were happening even before 2014 and the SSMPA enactment

*“However, many existing organisations didn’t have the resources to cater to that, and the issues were not documented. Now, people experience the same problems but are much more aware of where and how to find help and are more empowered with information. In contrast, there was so much misinterpretation and fear when the law was first introduced. Despite this, we cannot run away from the fact that harassment and violence against queer people skyrocketed because people felt that they now had the government’s backing to perpetrate harm against queer people.”<sup>267</sup>*

Seeking to respond to some of these pressing needs, House of Rainbow “established a homeless shelter in Ibadan in 2012, and that homeless shelter ran until 2015 when we could no longer support it.”<sup>268</sup> In eastern Nigeria, Michael A. disclosed that the more rampant issues affecting LGBTQI+ people within at least five years, which LGBTQI+ organisations have to respond to, are “evictions, landlord interference, evictions from the home of young LGBTQ persons living with their parents. Employment discrimination occurs in fewer instances, usually based on HIV status and instances where people are tested with coercion or without their consent, or denial of employment

<sup>265</sup> Walter U.

<sup>266</sup> Remi M.

<sup>267</sup> Kanyinsola B.

<sup>268</sup> Revered Macaulay.

opportunities.”<sup>269</sup>

### Response to Increasing Pushback

In Olumide M.’s perspective, the anti-LGBTQ laws constitute some of the pushback which happens because of progress made by the movement and community: “And the only way is to consider – what more can we do to discomfort them? Our role is to discomfort the people who discomfort us.”<sup>270</sup>

Reverend Macaulay opined that, to do this,

**/// We need protection [and support] so that we can better organise our community because those who are proposing all these laws, those who are hating and ostracising the LGBTQI+ community, are well organised and incredibly well funded.”<sup>271</sup>**

For Remi M., having the SSMPA has “given me purpose because now I feel the need to do more. It makes me focus on doing meaningful work, which is the starting point.”<sup>272</sup> Michael A. opined that we must occupy mainstream spaces to transform perspectives and represent LGBTQI+ people’s interests in these settings. Through participating in traditional politics in his town, “I’ve gained chieftaincy title, and by doing this, I have gotten into that part of the decision making, traditional decision-makers. So I cannot be in the space, and then LGBT issues are brought in, or people want to be killed because they are gay, and then I keep quiet.”<sup>273</sup>

According to Michael A.,

*“Part of the impact of the SSMPA is to make us think outside the box and see that everything is not one way. There are other ways [to advocacy]. Instead of attacking [institutions only] from the outside, we also need to invade those spaces, sit on those spaces so while your people are outside fighting, we are also inside fighting.”<sup>274</sup>*

To this end, Reverend Macaulay queried:

*Where are the openly gay magistrates and judges? Where are the openly gay police officers? Where are the openly gay celebrities in Nigeria? Where are the openly gay pastors in Nigeria? We need to occupy places. And when we occupy places, we’re not overthrowing, we’re not overtaking, we just want to make the life of queer people*

<sup>269</sup> Michael A.

<sup>270</sup> Olumide M.

<sup>271</sup> Reverend Macaulay.

<sup>272</sup> Remi M.

<sup>273</sup> Michael A.

<sup>274</sup> Michael A.

*better, more plausible. It’s essential for the movement in Nigeria [for us] to take ownership within the military, civil society, entrepreneurship, [everywhere].”<sup>275</sup>*

### Clampdown? Institutional and Movement Building

The impacts of the SSMPA are far-reaching, according to Olubiyi S.; “here, in this part of the world, you cannot legally change your gender or [be free]. You cannot register [your LGBTQ+ organisation]. You cannot [legally] provide services for the community. You cannot get married to a person of the same sex. You know, it’s ridiculous. It’s ridiculous.”<sup>276</sup> Regarding the hampered ability to provide services, Kanyinsola B. shared that:

*“We could no longer do community outreaches [as we used to] because it became more unsafe. In 2015, we had a meeting [outreach event] at the University of Lagos, thinking that people have the freedom to gather as students and it’s a free space. We conducted this outreach only for [some] boys to come in and just started beating and asking us, “What the hell are you people doing here? Don’t you know this is against the provisions of Nigerian law? They beat us, and people were quite injured. They called the school authorities to come, but we didn’t even want that to happen. We were scared of being the first experiments of the law, and we just wanted it to end. We tried to find a way to get out of the situation.”<sup>277</sup>*

Presently, any outreaches targeting LGBTQI+ rights-holders are in private rented apartments, which means “more money spent.”<sup>278</sup> However, activists cannot just try to meet target rights-holders in just any place as “it means we have to consider populations we cannot control or account for. If we want it to be for us, we must create our safe spaces.”<sup>279</sup> Harry I. added that on the part of people accessing services,

**/// the SSMPA made it a lot harder for people to access services from [LGBTQ+] organisations that were providing specific health and social services because of the fear that something might happen, and the place might be raided, people might ask for information, whatever fear it was. So, it [the law] didn’t just affect the social scenario; it affected how we access the services**

<sup>275</sup> Reverend Macaulay.

<sup>276</sup> Olubiyi S.

<sup>277</sup> Kanyinsola B.

<sup>278</sup> Kanyinsola B.

<sup>279</sup> Kanyinsola B.

that will benefit our health in the long run.<sup>280</sup>

As Odi A. explained, one significant effect of the enactment of the SSMPA is the invisibility it enforced on the movement:

*"I would have loved to see our organisations being registered openly and legally as queer organisations. We have many [LGBTQI+] organisations with names that do not reflect their activities and purpose and very general objectives that do not speak to the core of their work. I would love to see us change that in Nigeria."*<sup>281</sup>

On movement-building,

[The SSMPA brought awareness to the country and] opened up room as donors got interested. They started coming into the country to support the lives of LGBTQ+ people. Unlike before, this situation created visibility and promoted inclusivity for the existing community. [Before the SSMPA], the movement had the face of HIV intervention, but now, we see the face of human rights [programming and advocacy] take the lead.<sup>282</sup> Still, Reverend Macaulay expressed that "HIV interventions were – and are – very important in the work through House of Rainbow."<sup>283</sup> As he explained:

*"I was diagnosed with HIV in 2003, three years before we started House of Rainbow in Nigeria. It was a blessing to be able to support many people and tell gay men, especially that their HIV diagnosis is not a punishment for their homosexuality [contrary to the widespread homophobic narrative targeted at gay and bisexual men]. We created messaging for people living with HIV as champions for stopping HIV transmission. The people that are transmitting HIV are those that are untested and who are not taking precautions. It's not people who are already positive and on preventive medication."*<sup>284</sup>

Having a law such as the SSMPA in Nigeria meant an increased occurrence of human rights violations or an increased awareness of this and, therefore, recognition of human rights of sexual and gender minorities. Michael A. added that before 2014:

<sup>280</sup> Harry I.

<sup>281</sup> Odi A; As earlier stated, it remains to be seen if the court decision nullifying those relevant sections of the SSMPA will be respected by the agencies responsible for registering organisations such as the Corporate Affairs Commission.

<sup>282</sup> Michael A.

<sup>283</sup> Reverend Macaulay.

<sup>284</sup> Reverend Macaulay.

*"Most of the existing organisations would have a health focus and 'health' in their name – to cover up and reflect the health interventions we were doing at the time. But now, organisations are focusing on LGBTQ+ gender programming and mainstreaming human rights advocacy into their work. This is a great impact of the SSMPA."*<sup>285</sup>

However, the law also stifles movement building. Organisations cannot engage fully with the public, institutional, and government bodies as they need to transform Nigerian society holistically. Thus, "public advocacy by an organisation in certain ways can lead to harm, and the organisation will start suffering. So, you have to calm down [and plan properly]."<sup>286</sup>



<sup>285</sup> Michael A.

<sup>286</sup> Michael A.

## Conclusion

The research indicates that while anti-LGBTQI+ laws have long existed in Nigeria, the enactment of the SSMPA a decade ago marked the beginning of intensified fear, tension, discrimination, and both subtle and overt acts of stigma and violence against queer individuals. These repercussions have permeated nearly all aspects of the lives of LGBTQI+ persons. To transform negative social perception about sexual and gender diversity in this context, LGBTQI+ rights activists and organisations must continue to engage in strategic advocacy efforts, awareness raising and building a sustainable movement.



## Recommendations

### To the National Assembly

- Repeal the Same Sex Marriage (Prohibition) Act in its entirety.
- Repeal sections 214, 215 and 217 of the Criminal Code concerning provisions criminalizing sexual acts between consenting adults of the same sex.
- Repeal sections 284 and 405 of the Penal Code Act with respect to provisions that criminalize sexual acts between consenting adults of the same sex and diverse gender identities and expressions.
- Domesticate ratified international and regional human rights instruments protecting all sexual and gender minorities in Nigeria.
- Enact legislation prohibiting discrimination, hate crime and hate speech based on sexual orientation, gender identity, gender expression and sex characteristics in accessing health services, education, employment, housing and other social services in Nigeria.
- Urge the States' Houses of Assembly to repeal anti-homosexuality, anti-lesbianism and anti-crossdressing laws.

### To the Presidency

- Adopt Resolution 275 – Resolution on Protection against Violence and other Human Rights Violations against Persons based on their real or imputed Sexual Orientation or Gender Identity – ACHPR/Res.275(LV)2014.
- Comply with all observations by the African Commission on Human and Peoples' Rights on discrimination based on sexual orientation, gender identity, gender expression and sex characteristics in Nigeria.
- Formally acknowledge and publicly condemn human rights violations against LGBTQI+ people in Nigeria.
- Fund the National Human Rights Commission in documenting and responding to human rights violations based on sexual orientation, gender identity, gender expression and sex characteristics.
- Include specific measures for addressing health needs based on sexual orientation, gender identity, gender expression and sex characteristics in all national health plans and policies.

### To the National Human Rights Commission

- Train all commission staff and members on inclusive reporting and knowledge focusing on sexual orientation, gender identity, gender expression and sex characteristics.
- Document, report and respond to human rights violations based on sexual orientation, gender identity, gender expression and sex characteristics.

### To the Nigerian Police Force

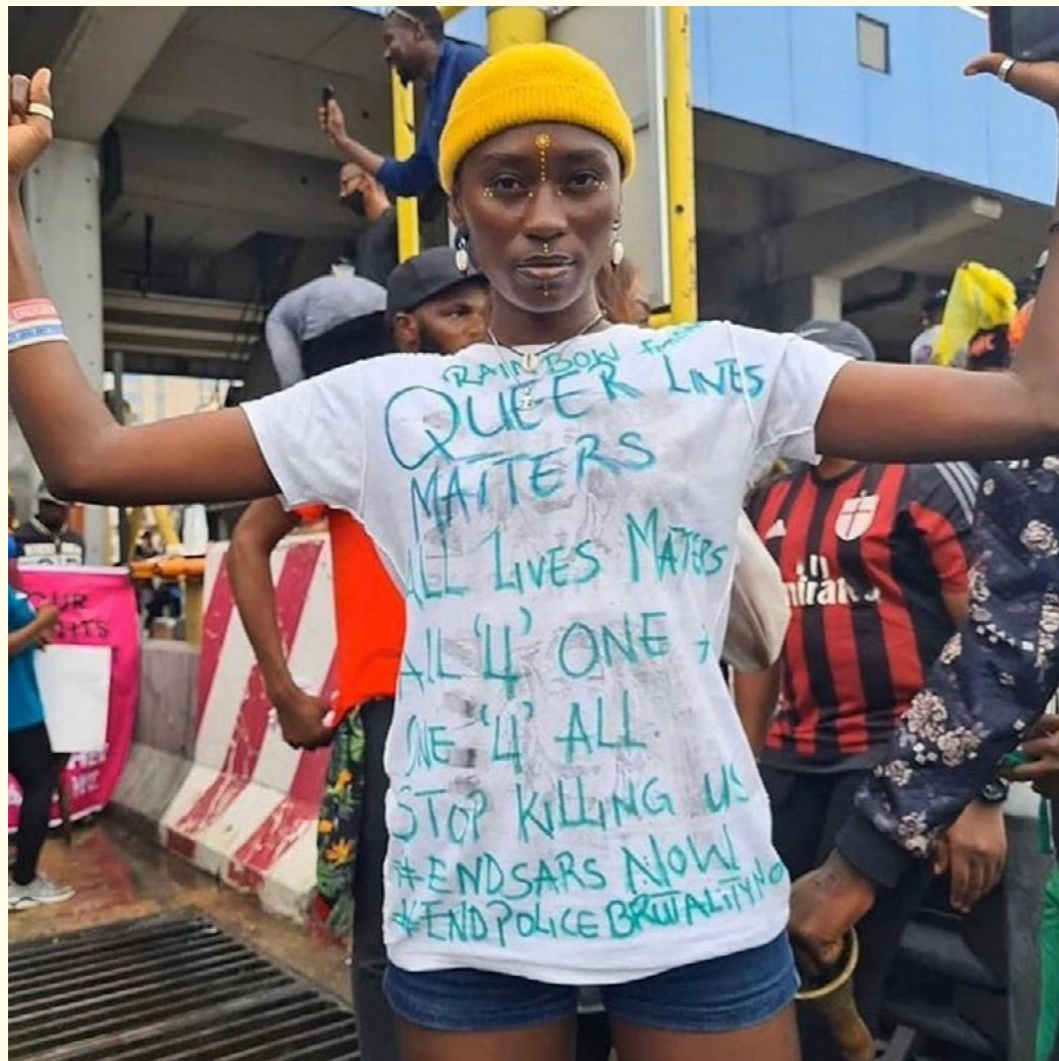
- End profiling, arbitrary arrests, detention and prosecution of people based

on real or imputed sexual orientation, gender identity, gender expression and sex characteristics.

- End raids on social gatherings of people and media trials of groups of real or perceived LGBTQI+ people in Nigeria.
- Investigate and prosecute all human rights violations based on real or imputed sexual orientation, gender identity, gender expression and sex characteristics.

#### To Individual and Institutional Donors

- Prioritise flexibility and sustainability in funding objectives and needs with LGBTQI+ organisations in Nigeria.
- Support advocacy and community-building efforts that promote LGBTQI+ rights and well-being.



#### About CHEVS

CHEVS is a youth-led organisation dedicated to the advancement of the rights and welfare of communities of young LGBTQI+ persons and Sex workers through advocacy directed towards effecting social change and inclusion in societies across West Africa.

We work collaboratively and intersectionally to build solidarity across youth movements in West Africa to realise the human rights and liberation of young persons in the region.

Website: [www.chevs.org](http://www.chevs.org)

Email: [info@chevs.org](mailto:info@chevs.org)



## About TIERS

The Initiative for Equal Rights (TIERS) is an LGBTQI+-led organisation, working to create a society where human rights are guaranteed regardless of status, identity, orientation and affiliation. We exist to protect, uphold and promote the rights and humanity of LGBTQI+ persons in Nigeria through advocacy, strategic litigation, legal representation, empowerment, education, and the provision of safe platforms of convergence.

Website: [www.theinitiativeforequalrights.org](http://www.theinitiativeforequalrights.org)

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