



## **CS MAGOHA SHOULD STOP TARGETING LGBTIQ+ LEARNERS**

**Nairobi, 15<sup>th</sup> February, 2022**

On February 14<sup>th</sup> 2022, in Nairobi County, Education Cabinet Secretary is quoted as saying, "I said if you are a homosexual in a boarding school and you are hopping from a bed of another student to another, your rights end there." This quote was part of a more extensive speech where he uses homophobic and stigmatizing language to give context to his discrimination, homophobia, biphobia and transphobia of LGBTIQ+ students in his comments from December 30<sup>th</sup>, 2021. Worryingly, the CS has now added sexualization of LGBTIQ+ children to his repertoire.

Since his last utterances, the CS continues to violate Article 10 (2b), Article 27(4) and Article 28 of the Constitution of Kenya. It is immensely worrying that the CS continues on his homophobic/biphobic/transphobic campaign. He seemingly does not know the implications of his statements on the targeted learners. From his remarks, the CS insinuates that LGBTIQ+ learners spend their time in school harassing other students. In reality, LGBTIQ+ learners are often the subjects of targeted abuse and harassment from students, teachers, and school administration. These students are often targeted for suspension and expulsion based on fabricated charges. Imani Kimiri, the Head of Legal Affairs at NGLHRC, said, "Statements like these embolden school administrators and act as a justification for violence against students who are perceived to LGBTIQ+, further exacerbating an already terrible situation."

The CS' ongoing campaign against LGBTIQ+ learners constitutes state-sponsored Homophobia, and the focus on LGBTIQ+ children is worrying. The overt targeting of a vulnerable population by a government agency should be concerning to all Kenyans, as too the complete disregard for the word and spirit of the Constitution of Kenya. Worst of all is the targeted sexualized language in this statement. Therefore, we demand that the CS acquaints himself with Article 10 (2b), Article 27(4) & Article 28 of the Constitution of Kenya. Furthermore, the CS could take this opportunity to educate himself on the context and situation for LGBTIQ+ children and inform policy regarding non-discrimination in schools. Further, the CS should be guided by the Principle of the Best Interest of the child and the provisions of Article 53 (1b) of the Kenyan Constitution. Finally, we demand that the CS takes back his comments as they serve primarily as tools of oppression against LGBTIQ+ students.



**National Gay and Lesbian  
Human Rights Commission**  
*Equality. Dignity. Freedom*

The National Gay and Lesbian Human Rights Commission (NGLHRC) is an independent human rights institution working for legal and policy reforms towards equality and full inclusion of sexual and gender minorities in Kenya.

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