

I. Executive Summary

1. This submission identifies shortcomings in Tanzania’s human rights laws and practices related to its treatment of lesbian, gay, bisexual, and transgender (LGBT) people and identifies recommendations to improve the lives of LGBT Tanzanians. LGBT Tanzanians face widespread discrimination. The submission focuses on three areas identified by LGBT Tanzanians that require the Tanzanian Government’s immediate attention: police treatment of LGBT Tanzanians, access to health care, and the right of LGBT youth to education.¹
2. Police officers routinely violate the human rights of LGBT individuals by arbitrarily arresting them or subjecting them to physical violence. Criminalization of homosexual conduct enables these violations. Tanzania should repeal all laws criminalizing homosexual conduct and should reject additional laws that would criminalize “promotion” of homosexuality. Police training and accountability measures are also recommended.
3. LGBT individuals often face obstacles to health care and health information. They fear disclosing their sexual orientation to health care providers, and health care providers refuse services to LGBT individuals. Further, anti-LGBT discrimination harms efforts to combat HIV/AIDS. Tanzania should require public health workers to receive comprehensive diversity training, including education on the rights of LGBT people, and should establish LGBT-friendly health facilities.
4. LGBT youth are denied education because they are expelled solely based on sexual orientation or gender identity. Tanzania should ensure that laws and policies provide adequate protection for LGBT students.

II. Background

5. During Tanzania’s first Universal Periodic Review in 2011, Tanzania received several recommendations regarding its treatment of LGBT people. Sweden, Spain, and Slovenia urged Tanzania to repeal criminal provisions based on sexual orientation, with Sweden and Spain recommending a broader commitment to fight discrimination based upon sexual orientation and gender identity, including through public awareness campaigns.² Tanzania did not support these recommendations.
6. The Committee on Economic, Social and Cultural Rights in 2012 voiced concern that Tanzania has not adopted a comprehensive anti-discrimination bill and recommended that Tanzania “take steps to combat and prevent discrimination and societal stigma, in particular against persons with disabilities, persons with albinism, persons living with or affected by HIV/AIDS, lesbian,

¹ LGBT Tanzanians face discrimination in nearly every aspect of their lives, and human rights defenders working on LGBT issues are vulnerable to heightened harassment. See, e.g., Guardian On Sunday, IPP Media, *Gay sex big deal in Tanzania*, 20 Sept. 2015, available at <http://www.ippmedia.com/?l=84485> (last visited 21 Sept. 2015). Due to length restrictions, the scope of this stakeholder report is limited to the issues of police violence and harassment, access to health care, and the right to education.

² United Nations General Assembly, *Report of the Working Group on the Universal Periodic Review: United Republic of Tanzania*, A/HRC/19/4 (8 December 2011) ¶ 87.1–3.

gay, bisexual and transgender (LGBT) individuals and persons belonging to disadvantaged and marginalized groups, and ensure their enjoyment of the rights enshrined in the Covenant, in particular access to employment, social services, health care and education.”³ The Committee also recommended that Tanzania decriminalize homosexuality.⁴

7. In 2009, the Human Rights Committee called for measures to decriminalize sexual conduct between consenting adults of the same sex and to promote anti-discrimination practices.⁵
8. In March 2015, the Committee on the Rights of the Child recommended that Tanzania “[e]nsure the full enrolment of all children in education[.]”⁶ The Committee also called on the Government of Tanzania to “[e]nsure access to proper HIV services and community health services for all children, regardless of their sexual orientation,” and to “[e]ngage in public-education campaigns to combat discriminatory attitudes towards children on the grounds of their sexual orientation.”⁷
9. Tanzania rejects proposals from the international community to eliminate laws criminalizing same-sex relations and to combat discrimination against LGBT Tanzanians, asserting that homosexuality goes against traditional, cultural, and religious rights.⁸

III. Domestic and International Legal Framework

A. Tanzania’s international human rights obligations

10. Tanzania has acceded to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights, and it has ratified the Convention on the Rights of the Child and the African Charter on Human and Peoples’ Rights, among other human rights treaties. Tanzania’s prohibition on homosexual conduct and its failure to respect, protect, and promote the rights of LGBT Tanzanians violate the rights to non-discrimination, privacy, and freedom of expression recognized in those treaties and in the Universal Declaration of Human Rights.

³ United Nations Committee on Economic, Social and Cultural Rights, *Concluding observations on the initial to third reports of the United Republic of Tanzania*, E/C.12/TZA/CO/1-3 (13 December 2012) ¶ 5.

⁴ *Id.* ¶ 6.

⁵ Human Rights Committee, *Concluding observations for the United Republic of Tanzania*, CCPR/C/TZA/CO/4 (6 August 2009) ¶ 22.

⁶ United Nations Committee on the Rights of the Child, *Concluding observations on the combined third to fifth periodic reports of the United Republic of Tanzania*, CRC/C/TZA/CO/3-5(3 March 2015) ¶ 61(a).

⁷ *Id.* ¶ 57.

⁸ United Nations General Assembly Human Rights Council, *Report of the Working Group on the Universal Periodic Review: United Republic of Tanzania*, A/HRC/19/4 (8 December 2011) ¶ 84.

B. The Tanzanian Constitutions recognize the rights to non-discrimination, privacy, and freedom of expression

11. Both the current and proposed constitutions contain language respecting the principle of non-discrimination.⁹ They also recognize the right to privacy¹⁰ and the right to freedom of expression.¹¹

C. Existing and proposed laws violate the rights of LGBT Tanzanians

12. Tanzania's legal system imposes some of the harshest penalties on homosexual conduct in all of Africa. Homosexual conduct has been illegal on mainland Tanzania since the implementation of the Tanzanian Penal Code in 1945.¹² Homosexual conduct has been illegal under the Zanzibar Penal Code since 1934.¹³

13. In March 2014, Tanzanian MP Ezekiel Wenje from the Chama cha Democrasia na Maendeleo party made known his intent to propose legislation further restricting the rights of homosexuals in Tanzania. Though Tanzania already has severe criminal penalties for conduct between consenting homosexual adults (between 20 years to life in prison), the bill would further penalize actions that "promote" homosexuality. Though the legislation has stalled in the Tanzanian Parliament, its impact on Tanzanian LGBT people cannot be understated, and such legislation would violate Tanzania's human rights obligations.

⁹ Under the current Constitution, "no law enacted by any authority in the united republic shall make any provision that is discriminatory either in itself or in its effect." Article 24 of the Draft Constitution states that there may be no law under which "certain categories of people are regarded as weak or inferior and are subjected to restrictions or conditions whereas persons of other categories are treated differently." Draft Constitution, Art. 24(5).

¹⁰ Tanzania Constitution Art. 16(1); Draft Constitution Art. 27(1). The right to privacy in the Draft Constitution is broader than in the current Constitution. The current Constitution states that "every person is entitled to...the privacy of his matrimonial life." Tanzania Constitution Art. 16(1). In contrast, the Draft Constitution states that "every person is entitled to...the privacy of his home." Draft Constitution, Art. 27(1). Both constitutions allow the Tanzanian government to determine the scope of privacy protections. Tanzania Constitution Art. 16(2); Draft Constitution Art. 27(2).

¹¹ Tanzania Constitution Art. 18; Draft Constitution Art. 29. The Draft Constitution makes clear that every person has the freedom of "opinion and expression of his ideas...communicating and...has the right of not being interfered with in communications." Article 29 qualifies this right, noting that the freedom of expression may be curtailed if the expression is "propaganda about war...or any other affair that may negatively affect the Nation." Draft Constitution, Art. 29.

¹² Tanzania Penal Code of 1945 (as amended by the Sexual Offences Special Provisions Act, 1998), Sections 138A, 154-155. The Sexual Offences Special Provisions Act of 1998 updated certain sections of the penal code, but kept the prohibitions on homosexual conduct.

¹³ Tanzania's heavy reliance upon its British based penal code stands in stark contrast to its neighbors—most of which have penal codes that impose significantly lower penalties on homosexual conduct or no penalties at all. Kenya, Zambia, and Malawi each have penalties of up to 14 years in prison for homosexual conduct, and Uganda's criminal code mandates life imprisonment. Though homosexual conduct is illegal in Burundi, penalties only range from 3 months to 2 years. Homosexual conduct is legal in Mozambique, Rwanda, and the Democratic Republic of the Congo.

IV. Promotion and Protection of Human Rights

A. *Tanzanian police violate the rights of LGBT people with impunity*

14. LGBT individuals in Tanzania face significant challenges in interacting with the police. Because homosexual conduct is criminalized, police officers harass and demean LGBT people with impunity. In order to charge a person with violating the law criminalizing homosexual conduct, the police must catch an individual in (or attempting) the sex act¹⁴—a rare occurrence. Due to this obstacle to formal prosecution, police harass LGBT individuals as an informal means of punishment. Moreover, the current police practice of detaining LGBT people solely on the basis of sexual orientation violates international norms regarding arbitrary arrest.¹⁵
15. Examples of police abuses include: forcibly detaining individuals without charge, blackmailing LGBT individuals for release, corrective rape/and or sexual violence, beating LGBT individuals while in custody, and dismissing or disregarding complaints brought by LGBT people about harassment from others.
16. Police routinely use violence as a weapon against the LGBT community. Human Rights Watch reports that one individual not only was beaten while in police custody, but when he needed care for the resulting injuries, the hospital refused to treat him until he acquired a specific form from the police. When he went back to the police station to get the required form, he was rebuffed, and he was ultimately forced to bribe a doctor to get care.¹⁶
17. LGBT Voice has collected many similar stories of police torture, abuse, and arbitrary charges. Police arrested one transgender man in his own home and then required him to pay US\$300 to be released after extensive physical torture over the course of three days, all the while telling him that he needed to “live like women!”¹⁷ Another man recounted how the police repeatedly arrested him and held his passport for “converting people into homosexuality,” at the same time requesting bribes for his release.¹⁸
18. A gay man in Dar es Salaam reported that he was arrested and the police falsely charged him with armed robbery.¹⁹ The police requested a bribe of 600,000 Tshs²⁰ for his release.
19. A gay man in Morogoro reported that an undercover police officer tried to seduce him and when he rebuffed the officer’s advances, the officer falsely accused him of stealing a motorcycle.²¹ The case was dropped after the man gave the police officer a bribe of 800,000 Tshs.²²

¹⁴ Tanzania Penal Code of 1945 (as amended by the Sexual Offences Special Provisions Act, 1998), Sections 154-155.

¹⁵ Francois Ayissi et al. v. Cameroon, Working Group on Arbitrary Detention, Opinion No. 22/2006, A/HRC/4/40/Add.1 at 91 (2006).

¹⁶ Human Rights Watch, *“Treat Us Like Human Beings”: Discrimination against Sex Workers, Sexual and Gender Minorities, and People Who Use Drugs In Tanzania* (2013).

¹⁷ Personal interview with LGBT Voice Tanzania. The victim’s identity is being withheld.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ Approximately US\$300.

20. A lesbian in Dar es Salaam who had a relationship with a graduate student was arrested and falsely charged with convincing a student to quit school for her personal gain.²³ She was later released after paying police a bribe of 4,000,000 Tshs.²⁴

Recommendations:

21. We suggest these recommendations for the Tanzanian Government:

- “Repeal criminal provisions against persons based on their sexual orientation,”²⁵ as Slovenia recommended during the 2011 UPR.
- Reject additional draft laws that would criminalize the alleged “promotion” of homosexuality.
- Draft and implement formal, written policies for local police on police conduct and non-discrimination on the basis of sexual orientation and gender identity. Define what conduct constitutes grounds for arrest and seizure under Tanzanian law.
- Specifically, issue a directive that allows authorities to detain an individual only if there is proof that they have engaged in activity that violates the law, and expressly prohibit detention based solely upon the perceived sexual orientation or gender identity of an individual.
- Provide mandatory training to the police with regard to the policies outlined above, including due process and proper police conduct.
- Establish civilian police review boards to conduct independent and impartial investigations of identified criminal offenses allegedly committed by police and to monitor the effectiveness of police training.²⁶
- Require police officers to display their name or other identifying information on their uniforms so victims can identify police officials who violate their human rights.
- Establish independent investigation within the police force to root out corruption and bribery.
- Investigate and charge officers who are reported to have engaged in harassment, bribery, and arbitrary detention of individuals based upon their actual or perceived sexual orientation or gender identity.

B. Discrimination limits LGBT individuals’ access to health care and harms efforts to fight HIV/AIDS

22. Due to widespread discrimination based on sexual orientation and gender identity, LGBT individuals in Tanzania often struggle to access health care and health information. In its Third National Multi-Sectoral Strategic Framework for HIV and AIDS (NMSF III), the Government

²¹ Personal interview with LGBT Voice Tanzania. The victim’s identity is being withheld.

²² Approximately US\$400.

²³ Personal interview with LGBT Voice Tanzania. The victim’s identity is being withheld.

²⁴ Approximately US\$2,000.

²⁵United Nations General Assembly Human Rights Council, *Report of the Working Group on the Universal Periodic Review: United Republic of Tanzania, A/HRC/19/4* (8 December 2011) ¶ 87.3.

²⁶ A model of a successful police civilian review system is the Independent Police Investigative Directorate in South Africa. Additional information can be found at <http://www.ipid.gov.za/>.

of Tanzania recognized the barrier that anti-LGBT discrimination can pose to health care access: “Stigma and discrimination against MSM [men who have sex with men] remains high, posing a significant challenge to outreach and delivery of friendly health services.”²⁷ Indeed, LGBT Voice estimates that over 2 million LGBT Tanzanians lack access to quality health services.²⁸

23. Anti-LGBT discrimination in the health sector includes denial of services, verbal harassment and abuse, and violations of confidentiality.²⁹ In particular, health care providers deny treatment to openly LGBT individuals seeking treatment for sexually transmitted infections (STIs) and HIV/AIDS.³⁰ Hostility from health care providers drives gay men outside of the health care system, depriving them of both services and information.³¹

24. In response to this discrimination, many LGBT Tanzanians choose to hide their sexual orientation or gender identity from their health care providers.³² Such nondisclosure, however, may prevent health care providers from addressing needs specific to LGBT patients. For example, a recent study assessing HIV and STIs among gay men in Tanzania found that they often do not disclose their sexual orientation to health care providers, hindering detection of rectal STIs.³³

25. For example, a 27-year old gay man from Dar es Salaam reports: “I went to Mwananyamala Hospital (a government facility) for HIV testing. During the pre-counseling, I came out as gay to the health staff (counselor) and immediately he condemned me saying that it was my fault to catch the virus because of my behavior of practicing anal sex. The counselor used abusive words and told me that I have to suffer both punishments being HIV positive and also going to hell because of my sins. That made me leave the Centre without testing. I developed a negative attitude and decided not to go for HIV anymore until my friend from LGBT Voice helped me go to user friendly Centre [private] and was tested positive. I am now on treatment.”³⁴

²⁷ United Republic of Tanzania, Prime Minister’s Office, *Tanzania Third National Multi-Sectoral Strategic Framework for HIV and AIDS (2013/14-2017/18)* (November 2013).

²⁸ LGBT Voice, *Health Care Access*, <http://lgbtvoicetz.org/health-care-access/> (last visited 6 August 2015).

²⁹ Human Rights Watch, *“Treat Us Like Human Beings”: Discrimination against Sex Workers, Sexual and Gender Minorities, and People Who Use Drugs In Tanzania* (2013).

³⁰ Canada: Immigration and Refugee Board of Canada, *Tanzania: Treatment of sexual minorities by society and government authorities; recourse and protection available to those who have been subject to ill treatment (2007-July 2014)*, 8 August 2014, TZA104923.E; Human Rights Watch, *“Treat Us Like Human Beings”: Discrimination against Sex Workers, Sexual and Gender Minorities, and People Who Use Drugs In Tanzania* (2013).

³¹ George Ayala et al., *Social Discrimination Against Men Who Have Sex With Men (MSM): Implications for HIV Policy and Programs* (May 2010).

³² Canada: Immigration and Refugee Board of Canada, *Tanzania: Treatment of sexual minorities by society and government authorities; recourse and protection available to those who have been subject to ill treatment (2007-July 2014)*, 8 August 2014, TZA104923.E.

³³ Ross MW, Nyoni J, Ahaneku HO, et al., *High HIV seroprevalence, rectal STIs and risky sexual behaviour in men who have sex with men in Dar es Salaam and Tanga, Tanzania*, *BMJ Open* 2014;4:e006175.doi:10.1136/bmjopen-2014-006175.

³⁴ Personal interview with LGBT Voice Tanzania. The victim’s identify is being withheld.

26. LGBT individuals decline to seek health care due to fear of revealing criminal conduct to health care providers.³⁵ Similarly, health care providers cite the criminalization of same-sex sexual conduct as a basis for denying services to LGBT people.³⁶ Moreover, criminalization perpetuates stigma, and stigmatization prevents lawmakers from addressing LGBT-specific health needs.³⁷
27. In addition to obstructing health care access generally, anti-LGBT discrimination undermines efforts to fight HIV/AIDS. NMSF III recognizes men who have sex with men (MSM) as a population “at high risk for exposure to HIV or for transmitting HIV.”³⁸ In fact, multiple sources recognize that the rate of HIV/AIDS among MSM is higher than that of the general population of Tanzania.³⁹
28. Criminalization of same-sex conduct in Tanzania hurts all Tanzanians, because it hinders efforts to fight the harm that HIV/AIDS inflicts on all populations. Criminalization encumbers HIV/AIDS-related public health campaigns and research.⁴⁰ The International Lesbian Gay Bisexual Trans and Intersex Association recognizes that anti-LGBT discrimination drives LGBT people “underground,” impeding implementation of effective HIV/AIDS-related education programs.⁴¹ Criminalization also harms outreach efforts by NGOs that do not wish to violate Tanzanian laws.⁴² Around the world, countries that criminalize same-sex conduct demonstrate higher rates of HIV among gay men than those that do not criminalize such conduct.⁴³
29. A gay man from Mwanza stated: “I was very sick and some of my friends advised me to have an HIV test. I went to the nearest Centre where almost everyone knew me. A queue of people were pushing me away because they never wanted me near them. An officer came out and told me to

³⁵ United Nations Human Rights Office of the High Commissioner, *Born Free and Equal: Sexual Orientation and Gender Identity in International Human Rights Law*, HR/PUB/12/06 (2012).

³⁶ *Id.*

³⁷ *Id.*

³⁸ United Republic of Tanzania, Prime Minister’s Office, *Tanzania Third National Multi-Sectoral Strategic Framework for HIV and AIDS (2013/14-2017/18)* (November 2013).

³⁹ Human Rights Watch has indicated that HIV prevalence among MSM in Dar es Salaam is as high as 40 percent. Human Rights Watch, *“Treat Us Like Human Beings”: Discrimination against Sex Workers, Sexual and Gender Minorities, and People Who Use Drugs In Tanzania* (2013). Tanzania’s NMSF III cites a study in which 41 percent of 271 Tanzanian MSM tested seropositive for HIV. United Republic of Tanzania, Prime Minister’s Office, *Tanzania Third National Multi-Sectoral Strategic Framework for HIV and AIDS (2013/14-2017/18)* (November 2013). Further, a 2014 study found that MSM in Dar es Salaam had an HIV rate 2.5 times that of the general population. Ross MW, Nyoni J, Ahaneku HO, et al. High HIV seroprevalence, rectal STIs and risky sexual behaviour in men who have sex with men in Dar es Salaam and Tanga, Tanzania. *BMJ Open* 2014;4:e006175.doi:10.1136/bmjopen-2014-006175.

⁴⁰ Human Rights Watch, *“Treat Us Like Human Beings”: Discrimination against Sex Workers, Sexual and Gender Minorities, and People Who Use Drugs In Tanzania* (2013).

⁴¹ Itaborahy, LP & Zhu, J, *State-Sponsored Homophobia: A world survey of laws: Criminalisation, protection and recognition of same-sex love* (8th ed. 2013); see also UN Office of the High Commissioner for Human Rights, *Born Free and Equal: Sexual Orientation and Gender Identity in International Human Rights Law*, HR/PUB/12/06 (2012).

⁴² Human Rights Watch, *“Treat Us Like Human Beings”: Discrimination against Sex Workers, Sexual and Gender Minorities, and People Who Use Drugs In Tanzania* (2013).

⁴³ George Ayala et al., *Social Discrimination Against Men Who Have Sex With Men (MSM): Implications for HIV Policy and Programs* (May 2010).

find another place to go, because I was not welcome in that hospital because of my behavior. I had no choice but to leave the Centre ashamed and I planned to commit suicide. My friend learned about my plan before I poisoned myself and called [name withheld] who helped me go through that moment, he also referred me to a user friendly facility.”⁴⁴

30. Even the Tanzanian Government acknowledges that criminalization of same-sex conduct complicates Tanzania’s response to HIV/AIDS: “Given the criminalization of consensual adult homosexual intercourse, the multi-sectoral national response requires significant cooperation from all key stakeholders to ensure that MSM are reached with HIV and AIDS services.”⁴⁵

Recommendations

31. We suggest these recommendations for the Tanzanian Government:

- Require all public health care workers to receive comprehensive diversity training, including training on sexual orientation, gender identity, and the rights of LGBT people.
- Establish and identify LGBT-friendly health care facilities where LGBT people will feel free and comfortable to access services.
- Create a working group, including representatives of NGOs serving LGBT people, to amend the National Multi-Sectoral Strategic Framework for HIV and AIDS to establish that reducing the transmission of HIV among gay men is a central part of the national AIDS strategy and develop an implementation strategy to meet this objective.
- Advance national Standards of Practice for providing health care to LGBT individuals. These standards should include:
 - Prohibit discrimination in the delivery of services to LGBT clients and their families.
 - Require visible posting of non-discrimination policies and inclusion of policies in organizational brochures and informational and promotional materials.
 - Establish comprehensive and easily accessible procedures for clients to file and resolve complaints alleging violations of these policies.
 - Designate of one or more persons within each health care provider to ensure compliance with the Standard of Care.
 - Require all reception, intake, and assessment staff to be familiar with providers within the health care organization with expertise in and sensitivity to LGBT issues, and appropriately convey this information to patients.
 - Provide comprehensive ongoing training for direct care staff to identify and address basic health issues within their field of expertise that may particularly affect LGBT clients.
 - Develop a comprehensive resource list for appropriate referrals for special gay, lesbian, bisexual, and transgender health concerns.

⁴⁴ Personal interview with LGBT Voice Tanzania. The victim’s identify is being withheld.

⁴⁵ United Republic of Tanzania, Prime Minister’s Office, *Tanzania Third National Multi-Sectoral Strategic Framework for HIV and AIDS (2013/14-2017/18)* (November 2013).

- Develop written confidentiality policies which explicitly include sexual orientation and gender identity, indicating that such information is to be considered highly sensitive and treated accordingly.⁴⁶
- Develop a public outreach and education campaign directed toward the LGBT community that educates LGBT Tanzanians on proper HIV/AIDS prevention and identifies LGBT-friendly health care resources.⁴⁷

C. Right to Education for LGBT Youth

32. The Yogyakarta Principles recognize that “[e]veryone has the right to education, without discrimination on the basis of, and taking into account, their sexual orientation and gender identity.”⁴⁸ Yet across Tanzania, secondary schools expel students solely on the basis of their perceived sexual orientation or gender identity.
33. LGBT Voice is aware of at least 73 LGBT youth who were expelled during their second or fourth years of secondary school because they were suspected to be either gay or lesbian, even though there was no evidence to prove that these students were involved in same-sex conduct. Most of these youth were also rejected by their families and are left to fend for themselves.

Recommendations:

34. We suggest these recommendations for the Tanzanian Government⁴⁹:
- Ensure that laws and policies provide adequate protection for LGBT students against all forms of social exclusion and violence within the school environment, including expulsion, suspension, bullying, and harassment.
 - Take all necessary legislative or administrative action to ensure that discipline in educational institutions is administered without discrimination or penalty on the basis of a student’s actual or perceived sexual orientation or gender identity.
 - Establish a disciplinary appeal process that allows students expelled from school on the basis of their actual or perceived sexual orientation or gender identity to challenge the expulsion.
 - Mandate that all school administrators and teachers receive training on diversity topics, including sexual orientation and gender identity, and appropriate standards for expulsion and student discipline.
 - Implement the Committee on the Rights of the Child’s 2015 recommendations concerning human rights violations based on sexual orientation.⁵⁰

⁴⁶ These recommendations are based on standards developed by the GLBT Health Access Project. More information on these standards are available at: <http://www.glbthealth.org/CommunityStandardsofPractice.htm>

⁴⁷ See, e.g., Republic of Kenya, Ministry of Education, Science and Technology, *Education Sector Policy on HIV and AIDS* (2d ed. 2013),

<https://www.usaid.gov/sites/default/files/documents/1860/Final%20policy%20HIV%20and%20AIDS%202013.pdf>

⁴⁸ International Commission of Jurists and the International Service for Human Rights, *The Yogyakarta Principles* (March 2007), available at <http://www.yogyakartaprinciples.org/>.

⁴⁹ Additional recommendations can be found in The Yogyakarta Principles discussed above.

⁵⁰ United Nations Committee on the Rights of the Child, *Concluding observations on the combined third to fifth periodic reports of the United Republic of Tanzania*, CRC/C/TZA/CO/C-5 (3 March 2015) ¶ 57(e).