

**LIVELIHOOD RECONSTRUCTION: A CASE OF UGANDAN QUEER  
REFUGEES LIVING IN NAIROBI'S WESTLANDS CONSTITUENCY  
(2013-2021)**

**BY**

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**REG.NO: C50/30879/2019**

**A RESEARCH PROJECT SUBMITTED IN PARTIAL FULFILLMENT OF  
REQUIREMENTS FOR THE AWARD OF MASTER OF ARTS DEGREE IN ARMED  
CONFLICT AND PEACE STUDIES, DEPARTMENT OF HISTORY AND  
ARCHEOLOGY, UNIVERSITY OF NAIROBI**

**2023**


## DECLARATION

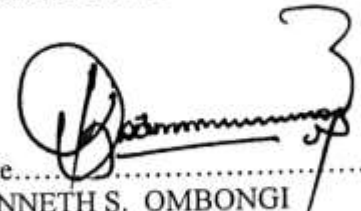
This research proposal is my original work and has not been submitted in any other University or college for any academic reward.

Signed..........Date.....*8<sup>th</sup> December, 2023*.....  
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## SUPERVISORS' APPROVAL

This Research Project has been submitted for examination with our approval as University supervisors.

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## **DEDICATION**

This project paper is dedicated with unconditional love to my husband, Timothy Ndambuki for the encouragement, support and patience;

My daughters Kayleigh, Kimberly and Khelani, just because something is hard, it does not mean it is impossible;

My parents Bishop Dr. Charles and Dr. Florence Kivevo for their prayers and continuous support.

## ACKNOWLEDGEMENT

First and foremost, I thank the Almighty God for His Grace, good health, sustenance and His steadfastness from the beginning of this academic journey to the end.

I will forever be indebted to my supervisors Dr.Gona and Dr.Ombongi for their optimism in me, their input and encouragement. I thank Dr. Ombongi for going to great lengths such hosting online meetings, meeting twice a week, inviting me to seminars and constantly reminding me that if others have gone through this path and excelled, I can also excel with consistency and hard work. All hail to you. Dr. Gona, your encouragement from the word go, your vast knowledge in refugee hood and LGBTQI+ topic helped me in molding my project. Thank you for your constructive critics and going out of your way to send me informative articles and constant encouragement. I take my hat off to you.

This work was made easy with the help of Mokaya, Fidelis and Naomi as well as all the Non-Governmental Organizations including GALCK that opened doors for me during my field work. I also appreciate all the LGBTQI+ respondents that took part in my project and told of their experiences and journey of livelihood reconstruction as queer refugees.

I am eternally grateful to the lecturers in the department of History and Archelogy for their critiques and guidance throughout my journey. In the sense of beholden, I thank Mr. David Masika for his encouragement, guidance and help.

Finally, my heartfelt gratitude goes to my family for their patience and love. My siblings for their prayers and my mum (R.I.P), your belief in me and your love for education will always be the best heirloom you left behind.

## **ABSTRACT**

This project paper attempts to explore the livelihood reconstruction process utilized by Ugandan queer refugees living in Westlands constituency, Nairobi. The Ugandan queers crossed into Kenya after Ugandan Members of Parliament passed the Anti-Homosexuality Bill in 2013. Following the horrific killings, torture and detention of Homosexual Ugandans, some were forced to jump international border lines into Kenya. This law hastened the severance of their bond with the state. Their presence in Kenya, where the laws did not recognize LGBTQI+ rights, was still in a perilous situation, given the xenophobia and homophobic attitudes the queer Ugandan refugees encountered. Despite these obstacles, the study observes that these refugees were able to overcome them creatively rebuilding their lives by engaging in baking, soap making, computer skills, prostitution and by using digital market places for trading in stock exchange (money markets), buying crypto currency and setting up digital shops. These findings form a vitally important summation to the developing literature on refugees, gender diversity and livelihoods aimed at increasing knowledge in refugees' studies.

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## LIST OF ACRONYMS

AHA	Anti-Homosexuality Act
AIDS	Acquired Immune Deficiency Syndrome.
ASIC	Application-Specific Integrated Circuits
AU	African Union.
BDSM	Bondage, Discipline, and Sado-Masochism
CBI	Cash Based Interventions
CBK	Central Bank of Kenya
CMA	Capital Markets Act
DRA	Department of Refugee Affairs
FGD	Focused Group Discussions.
HIAS	Hebrew Immigrant Aid Society
HIV	Human Immunodeficiency Virus.
IGAD	Intergovernmental Authority on Development.
ILGA	International Lesbian, Gay, Bi-sexual, Trans and intersex Association
KCRP	The Kenya Comprehensive Refugee Program
KICA	Kenya Information and Communication Act
KSH	Kenya Shilling
LGBTQI	L-Lesbian-Gay-Bi-sexual-Transgender-Queer, I-Intersex.
NPSA	National Payments Systems Act
OUA	Organization of African Unity.
RAB	Refugee Affairs Board

RAC	Refugee Affairs Committee
RCK	Refugee Consortium of Kenya
RSD	Status Determination Process
SIPD	Support Initiatives for People with Congenital Disorders
SMUG	Sexual Minorities Uganda
SOGIESC	Sexual Orientation, gender identity, gender expression and sex characteristics.
UN	United Nations.
UNHCR	The United Nations High Commissioner for Refugees.
US	United States
USCIS	United States Citizenship and Immigration Service
USD	United States Dollar
VSLA	Village Savings and Loan Association



## DEFINATION OF TERMS

### Refugee

According to the 1951 Convention relating to the Status of Refugees, a refugee is someone who: Has a well-founded fear of persecution because of his/her Race, Religion, Nationality, Membership in a particular social group, or Political opinion; Is outside his/her country of origin; and Is unable or unwilling to avail him/herself of the protection of that country, or to return there, for fear of persecution. The Organization of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa, a regional treaty adopted in 1969, added to the definition found in the 1951 Convention to include a more objectively based consideration, namely, any person compelled to leave his/her country owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality. <sup>1</sup>Andrew Shacknove defines a refugee as an individual who is fleeing life threatening conditions. He further notes that these or this individual(s) has crossed an international frontier because of a well-founded fear of victimization.<sup>2</sup>

### Livelihood

A person's **livelihood** (derived from *life-lode*, "way of life" which may initiate "means of securing the basic necessities (food, water, shelter and clothing) of life".<sup>3</sup>Livelihood is defined as a set of activities essential to everyday life that are conducted over one's live span. Such activities could include securing water, food, fodder, medicine, shelter, clothing. <sup>4</sup>According to the oxford dictionary, an individual's livelihood involves the capacity to acquire aforementioned necessities in order to satisfy the basic needs of themselves and their household. The activities are usually carried out repeatedly and in a manner that is sustainable and providing of dignity.<sup>5</sup>

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<sup>1</sup> UNHCR: submitted by African group and Latin American group 1992. <https://www.unhcr.org/publications/persons-covered-oau-convention-governing-specific-aspects-refugee-problems-africa>. Accessed 8th November 2023

<sup>2</sup> Andrew Shacknove, "Who Is a Refugee: *Ethics*" *Vol.* 95, no. 2 (University of Chicago: Chicago 1985): 274–84.

<sup>3</sup> Wedgwood Hensleigh, "On False Etymologies", *Transactions of the Philological Society* 6, (March 1855): 68.

<sup>4</sup> Ibid

<sup>5</sup> Blaikie P., Cannon T., Davis I., Wisner B. *At Risk: "Natural Hazards, People's Vulnerability, and Disasters"*. (New York, NY: Routledge, 2004)250-266

## Reconstruction

Merriam Webster defines reconstruction as the re-creation or reimagining of something from the past and one has to make extensive changes. The Cambridge dictionary states that reconstruction involves building something again after it has been destroyed or damaged. Collins dictionary gives synonyms such as re-build, restore or revamp.

## Homosexual

Homosexuality is romantic attraction, sexual attraction, or sexual behaviour between members of the same sex or gender. As a sexual orientation, homosexuality is "an enduring pattern of emotional, romantic, and/or sexual attractions" to people of the same sex. It "also refers to a person's sense of identity based on those attractions, related behaviours, and membership in a community of others who share those attractions." <sup>6</sup>Along with bisexuality and heterosexuality, homosexuality is one of the three main categories of sexual orientation within the heterosexual–homosexual continuum <sup>7</sup>

In Africa, the vocabulary used to describe same-sex relations in traditional languages, predating colonialism, is further proof of the existence of homosexuality in precolonial Africa. For example, the Shangaan of southern Africa referred to same-sex relations as “*inkotshane*” (male-wife).<sup>8</sup> Basotho women in present-day Lesotho engaged in socially sanctioned erotic relationships called “*motsoalle*” (special friend) and in the Wolof language, spoken in Senegal, homosexual men are known as “*gor-digen*” (men-women). However, the context and experiences of such relationships did not necessarily mirror homosexual relations as understood in the West.<sup>9</sup>

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<sup>6</sup> American Psychological Association “*Sexual orientation, homosexuality and bisexuality*”. ( 8 August 2013). Accessed 20th Dec 2019

<sup>7</sup> Lau Mann, et al, *The social organization of sexuality: Sexual practices in the United States*. (Chicago: University of Chicago Press, 1994).

<sup>8</sup> Sylvia Tamale, Homosexuality is not un-African, Aljazeera America April 26<sup>th</sup> 2014.

<sup>9</sup> Ibid

## LGBTQI

### L-Lesbian.

The word *lesbian* is used to define women in relation to their sexual identity or sexual behaviour, regardless of sexual orientation,<sup>10</sup> or as an adjective to characterize or associate nouns with female homosexuality or same-sex attraction.<sup>11</sup> It is not definite when the word "lesbian" was first used to describe women who love other women, but the first usage can be traced back to the 1800s.<sup>12</sup> It came into popular use in the lesbian feminist era of the 1960s and 1970s.<sup>13</sup>

In the African context, women marrying women or cross-gender roles have been recorded in over 40 African societies. The Hausa people of Sudan have a term equivalent to lesbian, *kifi*. Among the Nkundo people in Congo, a woman who has sexual attachment to another female is known as *yaikya bonsango*. In Tanzania, lesbians are referred to as "*Wasagaji*". Authors such as Kristen Alsaker<sup>14</sup>, Jean Cadigan<sup>15</sup>, Florence Majani<sup>16</sup>, Cecelia Nyamweru<sup>17</sup> and Rev. Kapyka Kaome<sup>18</sup> agree that women to women marriage practices were and are still very common in Africa. These practices have been there before colonization of the African States. Kapyka Kaoma notes that these practices were sometimes not sexual and were for the purposes of bearing children, peace keeping and a symbol of wealth. In West Tanzania, this practice was known as *nyumba ntobhu*<sup>19</sup>. The Kenyan Abakuria referred to this practice as *ubusino*<sup>20</sup>. The Nuer of South Sudan refer to this practice as *Louedu*<sup>21</sup>. The Kipsigis referred to this practice as *kituuchi toloch*. The Igbo of Nigeria refer to this practice as *Onye*<sup>22</sup>

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<sup>10</sup> Bonnie Zimmerman, *Encyclopedia of Lesbian and Gay Histories and Cultures*, ed. Bonnie, (Garland Publishing, 2000). 748

<sup>11</sup> Ibid

<sup>12</sup> Rich Adrienne. "Compulsory Heterosexuality and Lesbian Existence." *Signs* 5, no. 4 (1980): 631–60.

<http://www.jstor.org/stable>. Accessed 13th January 2023

<sup>13</sup> Atkins, Gary L. "Chautauqua's of Feminism and Lesbianism." In *Gay Seattle: Stories of Exile and Belonging*. Seattle: University of Washington Press, 2003.

<sup>14</sup> Kristen Alsaker, "African Women Take Wives" (Nordic African Institute: Sweden 1997) 93-108

<sup>15</sup> Jean Cadigan. "Woman-to-Woman Marriage: Practices and Benefits in Sub-Saharan Africa." *Journal of Comparative Family Studies* 29, no. 1 (1998): 89–98. <http://www.jstor.org>. Accessed 13th January 2023

<sup>16</sup> Florence Majani, *Tanzania: Marriage of Convenience*, Mail and Guardian. November 13th, 2014

<sup>17</sup> Cecelia Nyamweru, "Some Traditions of Akamba of Kenya" 2021, 110-119

<sup>18</sup> Kapyka Kaoma, *Christianity, Globalization, and Protective Homophobia: Democratic Contestation of Sexuality in Sub-Saharan Africa*. Basingstoke: Springer, 2017.

<sup>19</sup> Florence Majani, *Tanzania: Marriage of Convenience*, Mail and Guardian. November 13th, 2014

<sup>20</sup> Rachel Spronk Culture, Health & Sexuality (An International Journal for Research, 2005) 3-7

<sup>21</sup> Eileen Jensen. "Woman-Marriage." (Cambridge University: London 1974) 11–37

<sup>22</sup> Chantal Zabus, *Out of Africa: Same Sex desire* (Boybell and Brewer: London) 32-43

**G-Gay** It is a term that primarily refers to a homosexual person or the trait of being homosexual.<sup>23</sup>In most circles, the term is used to define men who are sexually attracted to other men. The word gay can be dated in English during the 12th century from Old French *gai*, which was deriving ultimately from a Germanic source.<sup>24</sup>During the 1890's, the word primarily meant bubbly, blithe, dazzling and flamboyant. The word was frequently used with this essence in valedictory and literature.<sup>25</sup> By the late 17<sup>th</sup> century, the use of the word gay to mean "homosexual" was often an extension of its application to prostitution.<sup>26</sup>

In Africa, same sex relations between men was not uncommon. In precolonial northern Congo, Azande warrior-men routinely married boys who operated as temporary wives. The practice was institutionalized to the extent that the warriors paid bride price to the parents of the boys. When these boys became warrior-men, they too married "boy-wives."<sup>27</sup> Among the Hausa of Nigeria, *yan dauda* is a term used to describe effeminate men and male wives. Among the Khoikhoi of South Africa, *koetsire* is a term used to refer to men who are sexually receptive to other men.<sup>28</sup> Among the Yoruba, *adofuro* is a euphemism used to describe someone or an intersex person who has anal sex. Chibados or Imbangala people of Angola is the term used to describe male wives' relationship.<sup>29</sup> Among the Uganda's *Mdoko Dako* is the term used to describe male wives. In Swahili speaking nations they refer to gay individuals as *shoga* for a singular individual and *mashoga* for plural. Although these terms are used derogatorily today, they are not new, rather, they are as old as the cultures where they are used.<sup>30</sup>

**B-Bisexuality** is romantic attraction, sexual attraction, or sexual behaviour toward both males and females, or to more than one sex or gender.<sup>31</sup> It may also be defined as romantic or sexual attraction to people of any sex or gender identity, which is also known as pansexuality.<sup>32</sup>In 1859, anatomist Robert Bentley Todd first used the term 'bisexuality' to refer to the possession of 'male' and

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<sup>23</sup> Gay and Lesbian Alliance Against Defamation. "GLAAD Media Reference Guide – Transgender glossary of terms" Accessed 3<sup>rd</sup> Jan 2020

<sup>24</sup> Douglas Harper, "Gay". Online Etymology dictionary. <https://www.etymonline.com/word/gay>. Accessed 14/01/2023

<sup>25</sup> Ibid

<sup>26</sup> Ibid.

<sup>27</sup> Ifi Amadiume, *Female Husbands and Male Daughters*, (Zed Books: London 2015)93-101

<sup>28</sup> Bright Alozie, "Did Europe Bring Homophobia in Africa?", *Black Perspectives*. 21<sup>st</sup> October 2021.

<sup>29</sup> Ibid

<sup>30</sup> Ibid.

<sup>31</sup>. American Psychological Association, "*Understanding Bisexuality*" 2019 accessed 3rd Jan 2020

<sup>32</sup> Carroll Jannell, *Sexuality Now: Embracing Diversity*. (Cengage Learning:2015) 322.



‘female’ physical characteristics in the same body.<sup>33</sup> Presently understood as being intersex. This meaning was taken up by nineteenth-century sexologists – scientists and psychologists studying sex and sexuality, including Henry Havelock Ellis and Richard von Krafft-Ebing who explored evolution and speculated about “the latent organic bi-sexuality in each sex”, noting that “at an early stage of development, the sexes are indistinguishable”.<sup>34</sup>

**T-Transgender** people have a gender identity or gender expression that differs from their sex assigned at birth.<sup>35</sup> Some transgender people who desire medical assistance to transition from one sex to another identify as transsexual.<sup>36</sup> Transgender – often shortened as trans– is also an umbrella term: in addition to including people whose gender identity is the opposite of their assigned sex (trans men and trans women). It may include people who are not exclusively masculine or feminine (people who are non-binary or genderqueer, including bi-gender, pangender, gender fluid, or a gender) .<sup>37</sup> Other defining terms of transgender also include people who belong to a third gender, or else conceptualize transgender people as a third gender.<sup>38</sup>

Traditionally, Ugandans were largely accepting of trans and gay people. For example, the Lango people accepted trans women – male assigned people called *jo apele* or *jo aboich* who were believed to have transformed at conception into women by the androgynous deity Jok, and who adopted women's names, dress, and face-decorations, grew their hair long, simulated menstruation, and could marry men.<sup>39</sup> The same applied to the Karamojong and Teso.<sup>40</sup> The Lugbara people had roles for both trans women (*okule*) and trans men (*agule*).<sup>41</sup>

**Q-Queer-** Entering the English language in the 16th century, *queer* originally meant "strange", "odd", "peculiar", or "eccentric." It might refer to something suspicious or "not quite right", or to a person with mild *Queer* is an umbrella term for sexual and gender minorities who are not heterosexual.<sup>42</sup> Originally meaning "strange" or "peculiar", *queer* came to be used pejoratively

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<sup>33</sup> Robert Bentley Todd, *The Physiological Anatomy and physiology of man* (Hard press 2012)(15-27

<sup>34</sup> Henry Ellis and Richard Krafft,” *Modern Sexuality*”2012

<sup>35</sup> Atilio Terry, *Oxford Textbook of Palliative Social Work*. (Oxford University Press:2011),380.

<sup>36</sup> Ibid.

<sup>37</sup> Thomas Bevan, *The Psychobiology of Transsexualism and Transgenderism* (2014),42

<sup>38</sup> Gay and Lesbian Alliance Against Defamation. "GLAAD Media Reference Guide – Transgender glossary of terms"

<sup>39</sup>Deborah Kintu, “The Ugandan morality crusade: the brutal campaign against homosexuality and pornography under Yoweri Museveni”. (Jefferson: North Carolina 2018) 29

<sup>40</sup> Ibid

<sup>41</sup> Komane, Kago “Analysis: Gay-bashing in Africa is 'a colonial import’ . Daily Maverick. June 25<sup>th</sup> 2019

<sup>42</sup> Joshua Garson *“Must Identity Movements Self-Destruct: A Queer Dilemma”*. (Chicago Press: Chicago 1995) 390–407.

against those with same-sex desires or relationships in the late 19th century derangement or who exhibits socially inappropriate behaviour.<sup>43</sup> In 1894, the word queer was used by John Douglas a British noble man who put Oscar Wilde in a trial because he was in a romantic relationship with his son. During the trial, letter addressed to the court by John Douglas was read and he was refereeing to homosexuals as “snob queer” and the word queer was adopted by the general public to mean homosexual. In 1914, Partridge dictionary included the word to mean or refer to homosexuals.<sup>44</sup>In the 1980’s and 1990’s activists reclaimed this word by identifying themselves as Queer.

**I-Intersex** people are individuals born with any of several variations in sex characteristics including chromosomes, gonads, sex hormones, or genitals that, according to the UN Office of the High Commissioner for Human Rights, "do not fit the typical definitions for male or female bodies".<sup>45</sup> Such variations may involve genital ambiguity and combinations of chromosomal-genotype and sexual phenotype other than XY-male and XX-female.<sup>46</sup> Intersex people were previously referred to as hermaphrodites or "congenital eunuchs".<sup>47</sup>

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<sup>43</sup> Robb Graham. *Strangers: Homosexual Love in the Nineteenth Century*. (W. W. Norton & Company:2005). 262.

<sup>44</sup> Partridge Dictionary 524

<sup>45</sup> Juan Méndez et al, Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment,2016,3-8

<sup>46</sup> Ehrhardt, Anne A. Juan Méndez et al, “*Boy & Girl: Differentiation and dimorphism of gender identity from conception to maturity*”. (USA: The Johns Hopkins University Press:1972).

<sup>47</sup>Domurat Dreger, *Hermaphrodites and the Medical Invention of Sex*. (USA: Harvard University Press:2001)

# CHAPTER ONE

## 1.0 INTRODUCTION

The persecution of persons based on their sexual orientation and gender identity is a new phenomenon in refugee studies. Several asylum claims have been made by lesbian, gay, bisexual, transgender and intersex individuals from Uganda to Kenya in the period between 2013 and 2021. According to the United Nations Refugee Agency, approximately 400 LGBTQI+ Ugandans sought asylum in Kenya between November 2013 and February 2015. The overwhelming majority of those identified were in their late teens or early twenties and identified as gay men.<sup>48</sup> From March 2015 to February 2016 the figure increased to 750 LGBTQI+ registered by the UNHCR.<sup>49</sup> In addition to asylum seekers, there were also reports from other service providers that some LGBTQI+ Ugandans were relocating temporarily to Kenya, both legally by passing through an official border checkpoint and illegally.<sup>50</sup> Between March 2016 to 2019, this has necessitated greater awareness among decision-makers of the specific experiences of queer asylum-seekers and a deeper examination of the sustainable livelihoods involved.<sup>51</sup>

Reconstruction of livelihood by Ugandan queer refugees in this study connotes that the queer refugees rebuild their livelihood from starting a fresh in a new environment. It also means that queer refugees put effort in order to restore a livelihood that one had before their asylum status. These livelihoods could either be passion based, experimental or as a means to survive. This study will endeavour to analyse the livelihood reconstruction process by among the Ugandan Queer refugees living in Nairobi's Westland's constituency. In order to decipher the livelihood undertaking of the queer refugees, the study will focus on the genesis of the reconstruction, reasons behind the reconstruction, responsible parties before and after the reconstruction and the challenges faced by these individuals while reconstructing their livelihoods. This paper through literature review, will state the problem of study, determine objectives and research questions and analyse a theoretical framework of the study. This paper will detail a qualitative applied research

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<sup>48</sup> Gitta Zomorod, "*Responding to LGBT forced migration in East Africa*", May 2016.

<sup>49</sup> Nita Bhalla, "U.N. moves LGBT+ refugees to safe houses after Kenya camp attacks". Thomson Reuters Foundation, December 13<sup>th</sup> 2018

<sup>50</sup> Ibid

<sup>51</sup> Ibid

initiative focusing on building the knowledge based on livelihood reconstruction of urban LGBTQI+ Ugandan refugees living in Westlands constituency in Nairobi County and identifying potential economic strategies and approaches they have employed in achieving self-reliance.

## 1.1 Background of The Study

Grounded in Article 14 of the Universal Declaration of human rights 1948, which acknowledges the right of persons to seek asylum from persecution in other countries, the United Nations Convention relating to the Status of refugees, adopted in 1951, is the centerpiece of international refugee protection today. The Convention was validated on 22 April 1954, and it has been subject to only one amendment in the form of a 1967 Protocol, which removed the geographic and temporal limits of the 1951 Convention. The 1951 Convention, as a post-Second World War instrument, was originally limited in scope to persons fleeing events occurring before 1 January 1951 and within Europe. The 1967 Protocol removed these limitations and thus gave the Convention universal coverage. In contrast to earlier international refugee instruments, which applied to specific groups of refugees, the 1951 Convention inscribes a single definition of the term “refugee” in Article 1. The emphasis of this definition is on the protection of persons from political or other forms of persecution. A refugee, according to the Convention, is someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion. The Convention is both a status and rights-based instrument and is undergirded by a number of fundamental principles, most notably non-discrimination, non-penalization and non-refoulement. Convention provisions, for example, are to be applied without discrimination as to race, religion or country of origin.<sup>52</sup>The regional legal instrument (OAU) governing refugee protection in Africa adopted the 1967 definition of refugee on 10 September 1969 at the sixth ordinary session of the Organization of African Unity, now African Union (AU). The definition entered into force on 20 June 1974 after ratification by one-third of the Member States.

Extensive research on the refugees that are Lesbians, Gay, Bi-sexual, Transgender, Queer and Intersex (LGBTQI) focus on the asylum-seeking processes and how their rights are constantly violated either by the officials that are handling their cases at the refugee camps, by fellow refugees, immediate family members or even their country of origin because of their sexual orientation.<sup>53</sup> Other studies about the LGBTQI+ that have been done focus on the health care of

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<sup>52</sup> Zetter and Rudel, “*Against all odds: Refugee reintegration in Kenya*”, (Chumir Foundation: Canada, 2017)18-34

<sup>53</sup> Fisher Betsy, *Refugee Resettlement: A Protection Tool for LGBTI Refugees: Persecution, Asylum and Integration*, (2019)275-297

the LGBTQI+ especially on Sexually transmitted diseases especially HIV/AIDS, which is considered higher among the minority group as compared to the rest of the population.<sup>54</sup> This is mainly because of the penal laws that criminalize same-sex activities that drive this population underground, elevating their risk of HIV and preventing them from accessing healthcare, including HIV services. It is agreeable that the health and well-being of the LGBTQI is very important for both the refugee and the host country. This is because for the individual to fully function, they must be in good health and at in the best mind-set meaning that the issues associated with health care are addressed through counselling and medication which is hard for most LGBTQI to access. If they access health care it is to the advantage of the host country because they pay for some of these services. An individual who has a clean bill of health physically, mentally and socially, is able to blend in the community effectively and earn a living as compared to an employee who is ill and cannot perform duties assigned to them.

There is research about the mounting resource pressure faced by the international community. First, the needs of LGBTQI+ individuals differ from the rest of community and more often than not are neglected. They routinely encounter continued harm during the onset of an emergency situation,<sup>55</sup> while in transit and upon arrival in places of asylum. This harm may include but not limited to condemnation, prejudice, sexual and gender –based violence, abuse by or lack of protection from security forces, arbitrary detention, re foulment and barring from ingress to vital amenities.<sup>56</sup> Secondly, on arrival to the host countries, they may face similar or elevated imperil of homophobic vehemence from both nationals of the host country as well as from other displaced persons. These risks are intensified by other factors such as xenophobic hostility, misogyny, irregular migration footage and socioeconomic ostracism.<sup>57</sup>

Laws prohibiting same-sex sexual acts in Uganda were first put in place under British colonial rule in the 19th century. Those laws were enshrined in the *Penal Code Act 1950* and retained following independence. Section 145 on unnatural offences that indicates that any person who has carnal knowledge of any person or animal against the order of nature commits an offence and is liable to imprisonment. Section 146 on attempt to commit unnatural offences. Any person who attempts to

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<sup>54</sup>Gregory Herek, *AIDS, Identity, and Community: The HIV Epidemic and Lesbians and Gay Men*, (CA: SAGE Publications,1995) 51-135

<sup>55</sup> Martin Conway, “Same Memory System”, (City Press: London,2004),491-529

<sup>56</sup> Ibid

<sup>57</sup> Global Roundtable on protection and solutions for LGBTIQ+ People in forced displaced (2021)7

commit any of the offences specified in section 145 commits a felony and is liable to imprisonment for seven years. Lastly, section 148 on Indecent practices stipulates that any person who, whether in public or in private, commits any act of gross indecency with another person or procures another person to commit any act of gross indecency with him or her or attempts to procure the commission of any such act by any person with himself or herself or with another person, whether in public or in private, commits an offence and is liable to imprisonment for seven years. On the 13<sup>th</sup> day of October 2009, Ugandan members of Parliament David Bahati instigated the Anti-Homosexuality Act which would draw out the offence of same-sex relationships in Uganda and introduced the death penalty for serial delinquents. Persons or organizations that encourage queer rights would be attenuated or incarcerated, or both. Persons “in sovereignty” would be required to report any offence under the Act within 24 hours or face up to three years’ detention. This law was later revised in 2013 to include life immurement instead of the capital punishment. The study will intend to understand the process of rebuilding the livelihoods of Uganda queer refugees living in Westlands constituency in Nairobi.

Amongst the country’s burgeoning urban populations especially Nairobi’s Westlands constituency, are refugees fleeing conflict and persecution due to their sexual orientation arriving in a city that is already overpopulated, has inadequate infrastructure and stretched public services where they seek out a means to survival.<sup>58</sup> Most Queer individuals seek the anonymity that the large urban area provides not to mention the access to other forms of humanitarian assistance and the possibility of third country resettlement. Kenya’s camp-centered refugee policy has proven to be difficult to enforce, especially when unregistered refugees arrive directly in urban areas.<sup>59</sup> This means that a greater number of people need support than the official number suggests. Flare-up of host communities bring about tensions in the camp which led to perception of unfair treatment and neglect although somewhat mitigated by shared cultural identity. That is why on the 25<sup>th</sup> day of March 2017, the IGAD heads of states signed the Nairobi Declaration and Plan of Action on durable solutions for refugees. Structured on those adherences, the probe of viable alternatives to

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<sup>58</sup> William Brass, *Population Dynamics of Kenya*. (National Academy Press: Washington Dc 1993), 10-17

<sup>59</sup> Koichi Koizumi, *Urban Refugees*. (Routledge: New York 2015), 187-205

encamp socio-economic incorporation and homogenization within hosting communities with commendatory outcomes for both displaced and the host.<sup>60</sup>

Westlands Constituency is an electoral constituency in Kenya and one of the seventeen constituencies in Nairobi County.<sup>61</sup>The constituency is situated within Westlands Sub-county, formerly Westlands District. The constituency has an area of 72.4 kilometer.<sup>62</sup>The area has some of the high suburb areas such as Runda, Lakeview, Muthaiga, Kitisuru which is northwest of the central business district of Nairobi and Highridge/Parklands which is located approximately five kilometers by road, north-northwest of the central business district of Nairobi , as well as slum areas like Kangemi which is bordered on the north by the middle class neighborhoods of Loresho and Kibagare and Westlands on its west.<sup>63</sup> Its southern border connects with Kawangware, another large slum and its eastern border connects to Mountain View, another middle class enclave.<sup>64</sup>Kangemi likely has more than 200,000 residents.<sup>65</sup> While it is a multi-ethnic slum, the largest group of residents consists of the Luhya tribe. Githogoro, Deep-sea, Mji Wa Huruma, Kaptagat, Kibagare, Ndumboini, Maasai and Suswa.<sup>66</sup>

Westlands constituency is multi-ethnic, ethno cultural and the people practice religious pluralism. The LGBTQI+ individuals residing in Westlands constituency are either self-employed or employed in the informal sector or they are employed in the formal sector because they lack employment papers<sup>67</sup>. The constituency has a liberal space that accepts the LGBTQI+ individuals especially because of the high population of foreigners who accommodate and do not mind these individuals. There are blighted areas in the constituency that offers cheap housing and because of posh neighborhoods, there is access to informal work for the Queer individuals.<sup>68</sup> Some Non-Governmental Organizations that support and fund Queer refugee livelihoods such as Hebrew Immigrant Aid Society(HIAS) and the United Nations High Commissioner for Refugees (UNHCR).In spite of humanitarian assistance by Non-Governmental bodies, most immigrants live

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<sup>60</sup>The IGAD kampala declaration on jobs, livelihoods, and self-reliance: From declaration to reality. *Nature News*. Nature Publishing Group, <https://www.nature.com/articles/s41599-019-0370-2> .Accessed 21/01/2022

<sup>61</sup> <https://www.westlandsconstituency.co.ke/> .Accessed 15/11/2022

<sup>62</sup> Ibid

<sup>63</sup> Ibid

<sup>64</sup>[https://en.wikipedia.org/wiki/Westlands\\_Constituency](https://en.wikipedia.org/wiki/Westlands_Constituency). Accessed 15/11/2022

<sup>65</sup> <https://westlands.ngcdf.go.ke> .Accessed 15/11/2022

<sup>66</sup> Ibid

<sup>67</sup> Meier Rauch, *Leading issues in Economic Development*, (New York: Oxford University press 2000) 317,7th edition

<sup>68</sup> Nita Bhalla, "Openly" Thomson Reuters Foundation April 13<sup>th</sup> 2020



on the edge of extreme poverty with no or extremely restricted opportunities to access education, work and eventually become self-reliant.<sup>69</sup> This study intends to explore the livelihood reconstruction amongst the Ugandan refugee LGBTQI+ persons living in Westlands constituency.

This project paper is categorized into six chapters. Chapter one configures the preliminary segment which explains the purpose of organization of this research. The second chapter covers the historical background to the study. It focuses on the queer refugees past livelihoods and their reasons to plight to Kenya and becoming refugees. The third, fourth and fifth chapters answers the specific objectives of the study which cover the challenges, experiences and their ingenious ways of surviving in Nairobi. The sixth chapter summarizes the findings.

## **1.2 Statement of Research Problem**

The protracted refugee situation in host nations necessitates the LGBTQI+ individuals to engage in meaningful life including getting employed, or practicing what they were doing before their displacement other than idling, which results in wasted human capacity and deprivations of human dignity. On 17<sup>th</sup> December, 2013, the Ugandan parliament passed a revised anti-homosexuality bill with a punishment of life imprisonment instead of the death penalty for exasperated homosexuality and the new law was promulgated in February 2014 which forced a large number of queer persons to seek asylum in Kenya which meant that the number of Ugandan LGBTQI+ persons was high according to the UNHCR Statement on the situation of LGBTQI+ refugees living in Urban areas published on March 25<sup>th</sup> 2021. Therefore, the risk of excess supply of skills and a low service demand was high.<sup>70</sup> A large number of sexually and gender diverse refugees works to the disadvantage of the LGBTQI+ persons because not all will obtain meaningful work and therefore some are forced to be entrepreneurial in order to achieve self-reliance while others live from hand to mouth so as to provide for their basic needs.<sup>71</sup> This in turn promotes dependency on families and friends in their country of origin or dependency on fellow LGBTQI+ persons that are already earning a living. It also leads to a high dependency on aid that is being provided by the

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<sup>69</sup> The IGAD kampala declaration on jobs, livelihoods, and self-reliance: From declaration to reality. *Nature News*. Nature Publishing Group, 9th December, 2019. <https://www.nature.com/articles/s41599-019-0370-2> .Accessed 21st January, 2022

<sup>70</sup> Gregory Makiw, *Principle of Economics*, (Cengage Learning: Canada 2013)357-418

<sup>71</sup> Adele Granier, "Implementing Refugee Resettlement Through Secrecy: A Case of Africa" (Laval University: Canada 2021)3-8

Non-Governmental Organizations. There is therefore a continuous need for the queer persons to seek work alternative jobs and engage in businesses as they adjust to the new environments, they find themselves in.<sup>72</sup>

Whereas refugee issues have been extensively studied and analyzed, the aspect LGBTQI+ livelihoods reconstruction have not received much academic attention. Studies focus on advocacy against anti-discrimination policies, epidemiology and traumas they have experienced. Scholars also focus on livelihoods of women, men, youth and disabled. However, little is known on LGBTQI+ livelihood reconstruction process. Despite the strict anti-gay laws, homophobia and xenophobia, the LGBTQI+ refugees live on. It is these means of survival through the reconstructing process of their livelihoods that this study is concerned about. Sexually and gender diverse Ugandan refugees have deployed elastic approaches to survive in their new environments. Generally, the existing literature on LGBTQI+ refugees has a global focus on the hardships this group of refugees face while reconstructing their livelihoods. Beyond disparaging these individual's/persons engagements, effort has not been put into understanding the livelihood reconstruction process of making a living in a foreign land where sexual orientation is also frowned at. In view of the above, the study seeks to ascertain the livelihood reconstructed process means used by the Ugandan LGBTQI+ refugees; the challenges they go through and their response to the harsh conditions in the Urban area.

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<sup>72</sup> Ibid

### **1.3 Objectives of The Study**

The objectives of this study were:

1. To investigate previous livelihoods of the Ugandan LGBTQI+ refugee persons living in Westlands constituency in Nairobi County.
2. To assess the reasons behind livelihood reconstruction of Ugandan LGBTQI+ refugees living in Westlands constituency in Nairobi County.
3. To examine the livelihood paths taken by the Ugandan LGBTQI+ refugee persons living in Westlands constituency in Nairobi County.

### **1.4 Research Questions**

The research questions of this study were:

1. What are the previous livelihoods of the Ugandan LGBTQI+ refugee persons living in Westlands constituency in Nairobi County?
2. Why are the Ugandan LGBTQI+ refugees living in Westlands constituency in Nairobi County reconstructing their livelihoods?
3. What LGBTQI+ refugee livelihoods have been reconstructed and how has this changed or improved their wellbeing while living in Westlands constituency in Nairobi County?

## **1.5 Justification of Study**

This study examines the livelihood rebuilding process of queer Ugandan refugees in an urban setting. The discourse of gender diverse individuals and livelihood rebuilding after displacement in a hostile host community against LGBTQI+ individuals are challenged. The urban context propels the queer individuals to be crafty in order to survive. There is paucity of academic literature that focuses on queer refugee livelihoods. This study therefore addresses a gap in literature about how a category of refugees can rebuilt their lives.

Refugees are multi-faceted individuals with varying and concerns. The uniqueness of each LGBTQI+ refugee is distinct from one another regardless of the group they relate or belong. Beyond categorizing refugees based on gender, race, occupation, class, age and so on, it behoves international refugee organisations consider how to help refugees live better lives, which includes assisting them rebuild their livelihoods. This study is an attempt to build on the literature of livelihood reconstruction of queer refugees.

The motivations for wishing to restart life as a refugee are as crucial as their needs for protection services and other necessities. As a result, it is critical that studies like this one be conducted to better understand how refugees, particularly queer ones, are doing this in order to help others borrow a leaf from them.

## **1.6 Scope and Limitation**

Westlands constituency is the study area and is within Westlands sub-county, formerly Westlands district.<sup>73</sup> It is the first stop into the city from Uganda by road. The area has a multi-cultural composition which makes it unique from the other constituencies. The availability of Non-Governmental Organizations that support the Ugandan LGBTQI+ refugee livelihoods made the area ideal for the study. The study's time frame extends from 2013 to 2021. The year 2013 covers the turmoil of queer refugees into Kenya after the Anti-Homosexuality Act was passed in December by the Ugandan members of Parliament. The study set bound for 2021 because of the

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<sup>73</sup> County Governments Act No. 17 of 2012. [http://www.kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/CountyGovernmentsAct\\_No17of2012.pdf](http://www.kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/CountyGovernmentsAct_No17of2012.pdf) Accessed 7th November, 2023.

dynamics and effects that covid 19 brought into the country. Because of the pandemic, the Ugandan livelihoods were affected and needed another reconstruction.

The study aimed to capture the experience of the Ugandan LGBTQI+ refugee persons and the progressive methods they used to cope up with their hardship situations. Several factors however, limited the study. The Queer individuals were difficult to identify and access as they were hidden and afraid to disclose their identity or status due to laws in the host country that criminalizes same-sex relationships, discrimination and stigma. This challenge was solved by using snow balling sampling to find respondents. This sampling technique helped in accessing the queer Ugandan refugees by relying on connections and referrals. The researcher used an introductory letter at the Gay and Lesbian coalition of Kenya. (GALCK) and the agents introduced her to LGBTQI+ Ugandans that were willing to take part in the study and they introduced other Ugandan queers that also took part in the study.

Another challenge was that some queer Uganda refugees did not want to meet in open places because they were afraid of being attacked by locals. LGBTQI+ practices are illegal in Kenya and can result in 14-year prison sentence. This challenge was overcome by both the researcher and respondents agreeing to conduct online interviews through google meet and zoom. Other respondents preferred to come to the interview venue accompanied by other queers for security reasons. This was an added advantage because the researcher got to interview other queers that had come to the interview venue.

## **1.7 Literature Review**

The relationship between sexuality and the decision to migrate is a severely understudied aspect of migration often assumed to be exclusively driven by income gaps between origin and destination countries. This results in the extreme vulnerability and specific challenges of LGBTQI+ migrants to be mostly ignored. The study of refugee livelihoods has attracted the attention of many scholars. Several scholars have tried to explain factors that both lead to inevitability of livelihood reconstruction as well as sexual orientation especially those that are refugees as a result of their sexuality. Highlighted by these published works include; discrimination at work places, lack of work permits, criminalization of same-sex relationships,

sexual exploitation in exchange for work as well as Gender based Violence. Additionally, this study will add how queer Ugandan refugees have devised quick-witted means of survival in Westlands, Nairobi.

While reviewing a collection of essays on refugees, Lee Badgett found out that works on refugee livelihoods in regard to LGBTQI+ communities has been circumscribed with a primary focus on advocacy for anti-discrimination efforts, such as public laws and private employer policies and practices that provide formal workplace opportunities.<sup>74</sup> Badgett deals with the refugee gender parity in general and does not examine in any detail how the same refugees being discriminated have overcome sexism/prejudice. This study will therefore find out which anti-discrimination efforts have been put in place through employer policies to enable the Ugandan queer individuals in Westlands to adopt to the reconstructed livelihoods. The study will investigate further to find out whether such strategies influenced the choice of livelihoods for the Ugandan queer persons residing in Westlands constituency.

Scholars such as Franklin Kameny<sup>75</sup>, John Howard,<sup>76</sup> Lisa Johnston,<sup>77</sup> and John D'emilio<sup>78</sup> use biographical portraits of members of the early organizations to trace persecution of LGBTQI+ individuals, especially during the McCarthy Era<sup>79</sup> which showed how marginalization led to movements which have been instrumental in the shaping of Solidarity amongst the LGBTQI+ community in the present. These scholars however have not discussed how the dependence of the movements promotes poverty amongst its members. Members depending on the funds given to them by donors is only a temporary solution to the Queer individuals which in turn leads to high dependency on funds or aids for their upkeep and when they are not able to fund them or there is delay of funds these individuals end up depressed and some commit suicide. The paper will investigate whether the Ugandan Queer refugees receive funding by Non-Governmental Organisations and other humanitarian Organisations and how this has helped or undermined the quest for livelihood reconstruction.

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<sup>74</sup> Lee Badgett et al, *Effective Strategies to Improve Livelihoods of LGBTI People*. (U.S.A: University of Massachusetts,2021),3-5

<sup>75</sup> Ibid

<sup>76</sup> John Howard, *Men like That: A Southern Queer History* (The University of Chicago: London,1999),78-126

<sup>77</sup> Lisa Johnston, "Resources in LGBTQ History: Post War" vol. 57 (1969)3

<sup>78</sup> John D'emilio, *Sexual Politics* (Columbia University: London,2016)61-87

<sup>79</sup> Starrs Landon, "Maarthyism and the Second Red Scare" Vol 2 (2015)4

Michelle Davis <sup>80</sup> further points out that sexual exploitation occurs to men by men because men rarely talk about sexual exploitation and sexual violence. Michelle focuses male sexual assaults by other refugees in a camp setting. However, not much is discussed about how other LGBTQI+ persons that do not identify as gay are sexually exploited or assaulted. Johnson and Anderson<sup>81</sup> on the other hand discuss how the lesbians are sexually assaulted and exploited. Their main focus is on refugee lesbian prostitutes in economic hardship areas of Mid and South Western universities. The current study will therefore fill this laguna by adding another dimension of sexual exploitation on how the Ugandan queer are not victims to sexual exploitation but are the perpetrators of sexual exploitation but not only do they exploit other queers but heterosexual persons as well.

Alexandra Rowe in the journal of African history suggests that the association of homosexuality as something “Western” is echoed throughout the ex-common wealth nations, particularly in Africa where anti-gay attitude is part of their culture while colonization has been the tool used to spread of fundamentalist ideas.<sup>82</sup> Christian attitudes from the Nineteenth and twentieth centuries meant that much of Africa lost its previous cultural attitudes towards sexual orientation and gender identity and were forced to adopt new values.<sup>83</sup> The question therefore is how has the religious homophobic tendency influenced the manner in which livelihood reconstruction among the queer group been undertaken? This paper further investigated how instrumental movements have been in shaping livelihoods of Ugandan Queer persons in times of adversity.

Colin Andrews examines the economic exclusion of sexually and gender diverse refugees through alleviation programs that try to strategize and improve inclusion through governance in International Non-Governmental organizations that deal with LGBTQI+ persons.<sup>84</sup> One key issue that author discusses is the accessibility for livelihood opportunities by trans- gender women. He argues that many transgender women have access to employment opportunities however not in their desired gender. The accumulated economic effects of employment discrimination and other forms of exclusion are evident in measures of income and poverty.<sup>85</sup> This paper will seek to study

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<sup>80</sup> Michelle Davies, "Male sexual assault victims: A selective review of the literature and implications for support services." *Aggression and violent behavior* 7, no. 3 (2002): 203-214

<sup>81</sup> Johnson Davis and Peter Anderson, "Tactics of sexual coercion: When men and women won't take no for an answer". (*Journal of Sex Research*:2003) 78-86

<sup>82</sup> Alexandra Rowe, "The Purge of Christians at Mwangi's Court: A Reassessment of This Episode in Buganda History." *The Journal of African History* 5, no. 1 (1964): 55-72

<sup>83</sup> Busango Dlamini, *Homosexuality in the African Context*, (Taylor and Francis: England 2006),128-136

<sup>84</sup> Colin Andrews, "The State of Economic Inclusion," (February 2021):16-20

<sup>85</sup> Marieka Klawitter, "Meta-Analysis of the Effects of Sexual Orientation on Earnings," Vol.54, No.1(January 2015)4-32

whether economic exclusion is a reason behind the livelihood reconstruction of the Ugandan queer refugees living in Westlands constituency in Nairobi. If so, how does this affect the livelihood reconstruction process of the Ugandan queer refugees living in Westlands constituency?

A study by Martha Tureti writing on the impact of refugees at the Kakuma Refugee Camp on the host community concluded that the impact was both positive and negative. Their presence led to improvements in the provision of services in the town and the NGOs working at the camp created jobs for the local people. On the negative side the presence of the refugees in the region led to clashes with the local community over pasture and water. Turet's work provides valuable information on the interaction of the refugees with the local community which can be both negative and positive.<sup>86</sup>Creation of jobs is a positive but barriers to accessing social security schemes such as stigmatization of gender non-normativity at a ground/grassroots level is a negative.<sup>87</sup>Furthermore, many critical documents such as passports and ration cards do not have consideration of diverse sexualities and genders. This paper will therefore examine what kind of livelihood paths the Ugandan queer persons have taken that do not require critical documents such as identity cards or passports and the challenges they experience while reconstructing their livelihoods.

Marrie Anne in *Social employment and migration* looks at approaches that are already in use to build the economic power of marginalized groups, especially women. These efforts focus on skills-building, job search strategies, business creation, and expanding bargaining power.<sup>88</sup> Little is known about the extent to which these approaches have been utilized to improve the livelihoods of LGBTI+ persons. The study will look at where a livelihood model has been promoted by the international humanitarian community to support refugees by way of enabling refugees to engage in projects that sustain their livelihood and not to relying on humanitarian hand-outs these interventions have been deem to be insufficient.<sup>89</sup> Existing data on refugee livelihood focus on women, youths, the disabled and men and give less focus on the queer community. This study will

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<sup>86</sup> Martha Turet, "The Impact of Refugees on the Host Communities: The case of Kakuma Refugee Camp" (M.A, Project paper, Department of History and Archaeology, University of Nairobi, 2005).

<sup>87</sup> Ibid

<sup>88</sup> Marrie Anne, " *LGBTI Social, Employment and Migration*," (June 2017):21-30

<sup>89</sup> Ibid



pursue a micro-level study approach by looking into the ways in which Ugandan queer refugees have reconstructed their livelihoods.

Authors such as Lindsay Stark and Ilana Jeff advocate that livelihood reconstruction and rebuilding through self-reliance by the use of a livelihood approach relief can be better to prepare displaced people for one of the durable solutions while avoiding the creations of a dependency-syndrome. They further state that the problem is that many humanitarian aid interventions no matter how well intended, are Band-Aid solutions. What approaches have the Ugandan queer refugees used to reconstruct their livelihoods and what challenges have they encountered? It will be interesting to find out which humanitarian organisations have intervened in the lives of these refugees and with what outcome. This has been accompanied by the heightened engrossment in the economic aspect of for refugee lives with scholars such as Karen Jacobseen<sup>90</sup>, Gaim Kibreab<sup>91</sup> and Naohiko Omata<sup>92</sup> foregrounding a number of cardinal cognizance on émigré livelihood strategies, constraints and investigating the role of the private sector as a salient gizmo for amplifying refugees economic activities. The question therefore is, is the topic livelihood in refugee studies the contemporary voguish discussion or is there a discernment that the conservative focus on humanitarian assistance is in sequel too finite? This study is framed in the generalised economic problems of refugees and does not look into specifics of economic challenges of sexually and gender diverse refugees.

Abdiwahab A, in a study on urban refugees' reintegration: A case study of Nairobi's Eastleigh Somali refugees, found out that urban refugees face challenges but they are free to engage in economic activities that make their survival more bearable. Most of these refugees have difficulties finding formal employment because they have no proper identification and are not issued with work permits. Because of these impediments, it is difficult for them to open bank accounts and even own property. Abdi looks at refugees that are integrated into the local urban communities and engaged in all kinds of businesses for survival.<sup>93</sup> The work provides valuable information on challenges experienced by Somali refugee. This paper will further investigate challenges

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<sup>90</sup> Karen Jacobseen, "Livelihoods in Conflict: The pursuit of Livelihoods by Refugees", No.40(February 2003):95-123

<sup>91</sup> Gaim Kibreab, *Displacement, Host Governments' Policies and Constraints on the construction of Sustainable Livelihoods*(Wiley:2003)57-67

<sup>92</sup> Naohiko Omata, *Refugee Livelihoods: Comparative Analysis of Nairobi and Kakuma Camp in Kenya*(Wiley:2020)865

<sup>93</sup> Abdiwahab Abdul, "Study of Urban Refugees Reintegration: A case study of Nairobi's Eastleigh Somali:" (M.A, Project Paper, Department of History and Archaeology, University of Nairobi, 2010).

experienced by LGBTQI+ persons while reconstructing their livelihoods in Westlands constituency in Nairobi County.

The fore stated scholarly works give the various justifications on the relationship between sexuality, refugee hood and livelihood. These scholars have not extended to show the process the queer refugees go through while reconstructing their livelihoods. The current study will thus fill the laguna by looking at how the queer émigré despite being in a host country that scoffs at queers, have managed to carry on.

## **1.8 Theoretical Framework**

The study uses two theoretical frameworks. The first theory refers to an individual's aim to endure or diminish the outcome of stressors. The theory addresses the mechanism that the Ugandan LGBTQI+ refugees use to deal with stressors of being in a foreign country, what they have left behind, the trauma's they endured in the process of fleeing their country and how they will rebuild their lives. The sustainable livelihood theory on the other hand spurs on how they find their way around the stressors and start adopting to the new life. The theory motivates thinking out of the box for one's subsistence. It encourages unconventional approaches to identifying problems and finding solutions. Therefore, the sustainable livelihood approach calls for formulating development activities through policies that are people-centred. The participation conducted involves partnership of both public and private sectors.

### **The Coping Theory**

The coping theory is a vast area of study that is classified into two independent parameters, Focus-oriented theories (trait and state) and Approach-oriented theories (micro-analytic and macro-analytic). The focus-oriented state and trait theories of coping recognize a person's internal resources and mental capacities for evaluating how well he can adapt to a situation.<sup>94</sup> On the other hand, the approach-oriented micro and macro analytic coping theories revolve around how concrete or abstract the coping mechanisms are.<sup>95</sup> The pioneers of this theory were Lazarus and Folk man and their approach was that behavioural efforts were constantly changing so as to

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<sup>94</sup> World Health Organization, "The ICD-10 Classification of Mental and Behavioral Disorders." 5<sup>th</sup> Jan, 2020

<sup>95</sup>Belsky Amy, "The New Right": *Social Order, New Rights and Civil Liberties*, (Cambridge: Polity Press 1986),167–197.

manage a specific external and internal demand that is appraised as taxing an individual. Their argument is that whenever one faces stress, they adopt to the stress differently and they employ strategies as a tool to adapt. These tools can be thoughts or certain behaviour.

In this study, queer individuals behave and cope differently depending on what strategy one chooses to employ in order to adopt. A sociable and friendly person is more likely to use solution based and communication based coping skills to adopt or reconstruct their livelihood. Most individuals in this group depend on Support system which is very positive and active in the safe houses and Westlands constituency where they reside. As indicated by Lazarus and Folk man, having someone to take your back during tough times can help to overcome and help in easing into the new strategy. Group discussions and opening up gives one new ideas and helps in adapting to life stressors.<sup>96</sup>

### **Critiques of the Theory**

As opposed to positive coping, negative coping is harmful to the wellbeing of individuals<sup>97</sup> Some examples of maladaptive coping responses that include escape and avoidance. Freud identified escape, denial and restraint as neurotic defences that absorb mental energy. Therefore, many individuals escape the reality of them having run from their home and seeking refuge in another country because of their sexual orientation hence they end up hiding who they really are and reconstructing their livelihoods.<sup>98</sup> Another maladaptive response is unhealthy comfort Zone. The comfort that one seeks in such is a perceptual error that leads to nothing more than distress. In the study for example some individuals continue with the same livelihoods that they had before but with a different vigour.<sup>99</sup>

### **Sustainable Livelihood Approach**

The term "Sustainable" refers to an individual's ability to provide for themselves in such a manner that is viably long. "Sustainability" also refers to the ability to undergo external shocks or stresses and recover from such traumas through maintaining or reconstructing one's livelihood.<sup>100</sup> The term

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<sup>96</sup> Folk man and Lazarus," *Journal of Health and Social Behavior*,1980

<sup>97</sup> Amy Bippus and Stacy Young, "*Interpersonal: Using Appraisal Theory*", (psych open: Publishing Psychology)2012

<sup>98</sup> Adam Felman" *Neuroses and Neuroticism: What's the Difference* "Medical News Today, January 9<sup>th</sup>,2018

<sup>99</sup> Nita Bhalla, " *Investigation After Gay Refugee Found Dead in Kenyan Camp*" Reuters April 13<sup>th</sup> 2020

<sup>100</sup> Olivier Serrat, " *The Sustainable Livelihoods Approach. In: Knowledge Solutions*". (Singapore: Springer 2017)21–26

reflects a concern with extending the focus of poverty studies beyond the physical manifestations of poverty to include also vulnerability, social and economic exclusion.<sup>101</sup> Sustainable Livelihood emerges at the intersection of development and environmental studies to offer a new way to think about work, especially the work of vulnerable populations notwithstanding the Sexually gender diverse Ugandan refugees living in Westlands constituency in Nairobi.

The idea was first introduced by the Brundtland Commission on Environment and Development. In 1992 United Nation's Conference on Environment and Development expanded the concept, advocating for the achievement of sustainable livelihoods as a broad goal for poverty eradication. In 1992, Robert Chambers and Gordon Conway proposed that "a livelihood should comprise of the capabilities, assets and activities required for a means of living."<sup>102</sup> This means that a sustainable livelihood can cope with and recover from stress and shocks, maintain or enhance its capabilities and assets, and provide sustainable livelihood opportunities for the next generation.

Lasse looks at the approach in three insights. The first is the realization that while economic growth may be essential for poverty reduction, hence there is no automatic relationship between the two since it all depends on the capabilities of the vulnerable to take advantage of the expanding economic opportunities. Secondly, there is the realization that poverty as conceived by the vulnerable themselves is not just a question of low income, but also includes other dimensions such as bad health, illiteracy and lack of social services. Finally, the vulnerable themselves often know their situation and needs best and must therefore be involved in the design of policies and project intended to better their lives.<sup>103</sup>

### **Strength and limitations of the Approach**

It has a flexible design and openness to changes making the Sustainable Livelihoods Approach adaptable to diverse contexts. The approach might serve as an analytical tool in order to identify development priorities and new activities prior to any development activity. Further, it might be used as a checklist or means of structuring ideas or can be applied in the form of a livelihood

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<sup>101</sup> Lasse Krantz, *"The Sustainable Livelihood Approach to Poverty Reduction"*. (Sida: Sweden 2001)1-6

<sup>102</sup> Robert Chambers and Gordon Conway, *"Sustainable Rural Livelihoods: Practical Concepts of 21<sup>st</sup> Century"* ( Institute of Development Studies: United Kingdom, 1992)3-42

<sup>103</sup> Lasse Krantz, *"The Sustainable Livelihood Approach to Poverty Reduction"*. (Sida: Sweden 2001)2-4

analysis to assess how development activities ‘fit’ in the livelihood of the sexually and gender diverse Ugandan refugees.<sup>104</sup>

The core concepts of the approach focus on the vulnerable group by involving them in all the planning processes and by respecting their opinions. This is done by adapting a holistic view to encompass all the aspects of group’s livelihoods, and by considering that they are dynamic. It focuses explicitly on short and long-term changes and allows pointing out the various processes that permanently influence one another. In addition, the approach does not contradict to other current development approaches, rather it relies on participation and pays special attention to gender specific or ecological issues. Thus, the approach provides a clear and practical perspective on how to reduce poverty and provides a good way of integrating the four pillars of development (economic, social, institutional and environmental).<sup>105</sup>

A differentiated livelihood analysis needs time, financial and human resources. Development projects often lack these conditions. The claim of being holistic inevitably delivers a flood of information hardly possible to cope with. Additionally, by improving the livelihoods of a specific group a negative effect may occur on livelihoods of others. This may lead to a normative dilemma on the decision about what to consider with priority. Reducing the livelihood perspective to a methodological tool contains the risk to look at the two things interchangeably. The approach is a simplification of the multidimensional reality of livelihoods especially when dealing with refugees that are sexually and gender diverse.<sup>106</sup>

## **1.9 Research Hypothesis**

The research hypothesis of this study are:

1. Ugandan LGBTQI+ refugee persons living in Westlands constituency in Nairobi County have previous livelihoods.

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<sup>104</sup> Kollmair Lachapelle et al, "Access to power or genuine empowerment? An analysis of three community forest groups in Nepal." *Human Ecology Review* (2002)1-12.

<sup>105</sup> Ibid

<sup>106</sup> Kollmair Lachapelle et al, "Access to power or genuine empowerment? An analysis of three community forest groups in Nepal." *Human Ecology Review* (2002)1-12.

2. Ugandan LGBTQI+ refugee persons living in Westlands constituency in Nairobi County have reasons for reconstructing their livelihoods.
3. Ugandan LGBTQI+ refugee persons living in Westlands constituency in Nairobi County have taken different livelihood paths.

### **1.10 Research Methodology**

The research methodology that was employed in this paper was qualitative in nature. This helped in identifying intangible factors such as social norms, religion, socio-economic status and gender roles. Qualitative research methodology was especially effective in obtaining cultural information about values, opinions, behaviors and social contexts of the Ugandan queer refugees for this proposal study. The study sort to explore a social phenomenon and the use of flexible, interactive style of eliciting and categorizing responses was used to describe individual experiences.

Quantitative research methodology limited the study because the style of eliciting and categorizing responses to questions by use of structured questionnaires, surveys and observation as compared to the flexible in-depth interviews and participant observation used by qualitative research methodology would restraint the proposed study. This involved doing two kinds of research: Library and Field Research.

The use of both secondary and primary data collections was tacit in this paper. The research initiative focused on building the knowledge based on livelihood reconstruction of urban queer Ugandan refugees living in Westlands constituency. This helped to identify potential economic strategies and approaches that the queer refugees have employed in achieving self-reliance. The data was gathered by visiting the following libraries: The United Nations library located in Gigiri. The library allows students with school introductory letters to access the library. The researcher accessed reports and journals on queer refugee livelihoods. The United Nations Refugee agency cushions all queer refugees, asylum-seekers, internally displaced and stateless people and works with partners to provide inclusive services including creation of livelihoods that promote self-reliance. The data helped the researcher to investigate whether the Ugandan Queer refugees receive funding by Non-Governmental Organisations and other humanitarian Organisations and how this helped or undermined the quest for livelihood reconstruction in the field research. The researcher

accessed data at the Danish Refugee council library in lower Kabete. The council's main objective is to provide sustainable solutions for refugees, displaced people and host communities. The council has published articles, journals and reports that on sustainable solutions for urban queer refugees. The data assisted the researcher to investigate the kinds of trainings that these individuals engage in. Did they pursuing livelihoods that they want to do or are they pursuing the ones available and provided for by the Non-Government Organizations?

The Jomo Kenyatta Memorial Library did not have material on the subject at hand. The library provides traditional written works on refugee livelihoods in both pre- and post-independence eras. Reference to available literature in the library was comprehensively employed. The secondary sources that were analyzed included books, academic journals, M.A projects, dissertations, newspapers, documentaries and articles on queer refugee livelihoods. Bibliographies such under the Udala tree by Chinelo Okparata gives a historic perspective of livelihood reconstruction of a refugee lesbian during the 1967 Nigerian civil war. This bibliography helped the researcher identify challenges experienced during the livelihood reconstruction process of the Ugandan refugees in her work. This book highlighted the social constructs and ideologies related to the LGBTQI+ persons in the African context. Works by Kapyra Kaoma (Christianity and protective homophobia in Africa) and Ifi Amadiume (Male daughters and Female husbands) found in the Africana section helped the researcher understand how the religious homophobic tendency have influenced the manner in which livelihood reconstruction among the queer group is shaped. Authors works such as Effective Strategies to Improve Livelihoods of LGBTI People by Lee Badgett was accessed. Badgett dealt with the refugee gender egalitarianism in work places and its effects. This book helped the researcher understand the anti-discrimination efforts that have been put in place in both public and private employer policies to enable the Ugandan queer individuals in Westlands to adopt to the reconstructed livelihoods.

Newspapers were also consulted. Newspapers offered valuable sources of information because they provided development stories as they occurred. So, the researcher unearthed from these newspapers the stories written about the queer and especially those from Uganda. Newspapers also carry special features, including those of the gay and lesbians. Once the researcher collected information from the libraries, she complimented this data with information collected from field research. Field research involved a couple of engagements; Focus Group Discussions, field note,

observation and oral interviews Focus group discussions and anecdotal reports were utilized. Organized group discussions held by Mbarara Rise foundations where the individuals openly discussed and advised each other on livelihood paths to take was helpful in understanding the how the Ugandan queers choose their livelihoods.

The data collected by oral interviews which was guided by a question guide. Using the question guide, the researcher invited the respondents to provide information on their experiences with livelihood reconstruction experiences in Westlands constituency, Nairobi. The interviews took place in restaurants within the constituency and some were conducted virtually. The interviews lasted between 30 to 60 minutes and some were extended if the respondent required to break in between or if she/he wished to extend the time frame given. Queer persons were treated as a category from which informants were approached through the person contacted first. Others interviewed were key informant who included officers from the Non-Governmental Organisations that deal with LGBTQI+ matters, agents at the safe houses in Westlands such as Rainbow Lotus and Hands of Hope.

Field notes and Observation were sufficing where informants requested not to be recorded at certain points of the interviews. This is because consent to record was obtained from the respondents before any recording was done. The interviews shade light to the challenges the queer refugees experienced in the process of livelihood reconstruction, the livelihood paths they have taken and their past livelihoods. Meta coding put the facts and concepts in the researcher's own words and it aided in remembering and understanding the respondents' answers. Because taking notes is subject to memory and possibly biasness from the researcher, the use of audio recording was used by the researcher so as to avoid forgetting important details during the observations. Capturing audio with a recorder not only let me remember life's small details, but also improved factual precision—laying the groundwork for accuracy and efficiency. The researcher will get consent from the responded before recording.

The researcher used the snow balling sampling technique because the research group was a hidden population and was difficult to locate. Agents or respondents who know possible respondents made initial contact and were asked to be part of the sampling. This helped the researcher to collect responses from people who had hesitated to take part in the research. Since there was an existing relationship between each variable and their referral, the referrals were eager to participate in the



data collection process. After collecting notable data from the field, the researcher coded the themes to systematically hand pick, centering on themes of the study, clarify data collected, summarizing and transforming information that emerges in the written-up field notes. The voice recordings were transcribed using the automated transcription software. This software potentially saved many hours compared to trying to manually transcribe the audio with a human.

This paper was built on behaviors and actions of the subjects of study, considering their cultural setting. For instance, the queer refugees residing in Westlands constituency described how their livelihood paths had changed or evolved from what they were doing in their country to what they were doing in the host country. In conclusion, the researcher used ethical Consideration by asking participants to voluntarily participate in the study and informed them of their right to withdraw from the study at any stage if they wished to do so. The researcher also provided sufficient information of what the study was about and sort consent to record or take notes during the in-depth interviews without pressure or coercion. The researcher assured the participants of privacy and anonymity.

# CHAPTER TWO

## BACK TRACK OF SEXUAL CITIZENSHIP AND INCOME (2009-2013)

### 2.0 Introduction

This chapter discusses a trilogy of gender diverse Ugandans and their subsistence. The chapter investigates the past livelihood challenges and elastic counter measures of the queer refugees before their refugee hood status. Categorically, it deals with the exodus of queer persons that have crossed the trans frontier from Uganda into Kenya. The relationship between sexuality and the decision to migrate is a severely understudied aspect of migration often assumed to be exclusively driven by income gaps between origin and destination countries. This results in the extreme vulnerability and specific challenges of LGBTQI+ migrants to be mostly ignored.<sup>107</sup>

Literature on sexuality and citizenship especially in Uganda has demonstrated the numerous ways that the Ugandan state has used legislation to produce, regulate, and protect a sexually and racially “pure” citizen.<sup>108</sup> The other citizens that do not fit in the criteria are seen as societal misfits and legally are not law-abiding citizens and they deserve to be punished.<sup>109</sup> Therefore, to understand sexual citizenship, a backdrop of changing notions of `sexual politics should be taken into consideration especially the increasingly dominant `equal rights' approach to claiming citizenship.

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### 2.1 The Ugandan Queer’s Chronicles: Plight to Refugee Hood

On 13<sup>th</sup> October 2009, Ugandan members of Parliament David Bahati instigated the Anti-Homosexuality Act which would draw out the infraction of same-sex relationships in Uganda and introduced the death penalty for serial delinquents. Persons or organizations that cheered up queer rights would be attenuated or jailed, or both. Persons “in sovereignty” would be required to report

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<sup>107</sup> Janet Conway, “*Crossing Border Similarities*” (Rowman and Littlefield publishers: Washington Dc 2021)15-23

<sup>108</sup> Rodriguez Manuel, “*Homophobic Nationalism: The Development of Sodomy Legislation in Uganda*”, (Brill Publishers:2017): 393-421.

<sup>109</sup> Ibid

<sup>110</sup> Diane Richardson, “*Claiming Citizenship? Sexuality, Citizenship and Lesbian/Feminist Theory*” “Thinking Straight, Volume 3, Issue 2(Routledge:2004)47-67

any offence under the Act within 24 hours or face up to three years' detention. In the first instance, the Anti-Homosexuality Act (AHA) carried the death penalty for persons caught having same-sex relations; this was nonetheless nullified and reinstated with life imprisonment on the 20<sup>th</sup> day of December 2013 through the Ugandan parliament. The Act purported wide wariness over the liberations of queer Ugandans including persons, companies, and non-governmental organizations that aided or lend a hand to "homosexuality" were blame worthy for prosecution under its powers. The Act was however ruled invalid by the Ugandan Constitutional Court in August 2014 on procedural grounds and at the same time some individuals were charged under its provisions. The extensive damage inflicted by the AHA was at a societal level. In passing the Act, the Ugandan government had fundamentally accredited a communal persecution of LGBTQI+ individuals. Violence against LGBTQI+ Ugandans exploded in society and in the absence of recourse to legal protection, some of these individuals sought refuge in Kenya.

Even before the law was implemented, its societal consequences were evident.<sup>111</sup> Not only were there an uptick in police and civilian harassment and violence against LGBTQI+ Ugandans while the law was debated, but it also posed dangers to the rest of Ugandan society by threatening the country's progress in treating and preventing HIV.<sup>112</sup> Uganda was already hostile to LGBTQI+ people, even before the 2014 Anti-Homosexuality Act; colonial influence was in the penal code, and a 2009 bill colloquially called the "*kill the gays*" bill sparked international outrage for a provision that would allow gay people to be hanged.<sup>113</sup> Ugandan society had already been mobilized against LGBTQI+ people at least since the 2009 bill. The government started shutting down Non-Governmental Organizations that supported queers including Sexual Minorities Uganda (SMUG), claiming that the organizations lured young people into becoming LGBTQI.<sup>114</sup> The violence against the LGBTQI+ persons in Uganda forced some of them to flee to Kenya. The protection domain in Nairobi was highlighted at the time by vital peril to persons of concern emerging from prevalent xenophobia in Kenya as a result of the 2013 attack on the Westgate

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<sup>111</sup>Ellen Loanes, *Uganda's extreme anti-LGBTQ legislation, explained*. Vox. 23. April <https://www.vox.com/world-politics/23694169/uganda-anti-lgbtq-legislation-yoweri-museveni>. Accessed on 23rd April, 2023

<sup>112</sup> Ibid

<sup>113</sup> Ibid

<sup>114</sup>Oryem Nyeko, *Uganda Bans Prominent LGBTQ Rights Group*, Human Rights Watch, August 12th 2022.

shopping Centre and the subsequent security crackdown by the Kenyan government, called the Usalama Watch.<sup>115</sup> The legislative domain in Kenya itself criminalized same-sex relations under the Penal Code, and LGBTQI+ persons residing in Kenya were squared up with consequential levels of violence, discrimination, harassment, and other forms of persecution that bared the full apprehension of rights declared under the revamped Kenyan Constitution (2010). This toxic mix of xenophobia and homophobia presented acute risks to LGBTQI+ foreign nationals.<sup>116</sup>

## 2.2 Networking and Solidarity

The United Nations Convention linked to the stature of refugees as an individual who is worthy of protection, "owing to a well-founded fear of persecution for reasons of membership of a particular social group."<sup>117</sup> Discrimination from other people could be seen as a form of persecution and it meant that if they were being discriminated they could be attacked.<sup>118</sup> Due to discrimination from teachers and students, some queer refugees were unable to complete their education and therefore found informal jobs like cleaning, farming, fetching water for people and selling peanuts at the bus stops in Uganda.<sup>119</sup> Respondents noted that in Uganda, one had to be in "*Okikisa*" meaning hiding and therefore getting work was difficult.<sup>120</sup>

According to Torbay and Devon, discriminatory abuse is said to be the unequal conduct towards of an individual based on age, disability, gender and gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation. Discriminatory abuse can include suffering insulting language, harassment or ill-treatment due to these personal characteristics.<sup>121</sup> The International Labor Organization convention number 190 and recommendation number 206, aspects of nondiscriminatory actions such as harassment and violence at the work places because of race, political association, gender and association to a particular social group are advised against. The convention notes that gender-based violence is

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<sup>115</sup> Refugee Point, "*Disaggregating Lgbtiq Protection Concerns: Experiences of Refugee Communities in Nairobi*". (Cambridge: Massachusetts Avenue, 2017) 6-35

<sup>116</sup> Ibid

<sup>117</sup> <https://www.unhcr.org/au/>. Accessed on 13<sup>th</sup> September 2023

<sup>118</sup> Nasiche Miremba, Oral interview 1, Westlands, Nairobi, 3<sup>rd</sup> March 2023

<sup>119</sup> Ibid

<sup>120</sup> Ibid

<sup>121</sup> <https://www.devonsafeguardingadultspartnership.org.uk/abuse/discriminatory-abuse>. Accessed 13<sup>th</sup> September 2023.

highly recorded at work places worldwide. The LGBTQI+ community are mostly affected and this makes it hard for them to work.<sup>122</sup> Discrimination, harassment and exclusion has forced queer refugees to seek alternative livelihoods that are mostly below their pay grade.<sup>123</sup> A respondents explained that a “*Mudoko Daku*” meaning queer living in Uganda gets work from people who do not know they are one or from a fellow Queer. If not, one has to live in “*enkiso*” meaning secret<sup>124</sup>. Scholars such as Franklin Kameny<sup>125</sup>, John Howard,<sup>126</sup> Lisa Johnston,<sup>127</sup> and John D’emilio<sup>128</sup> who use biographical portraits of members of the early organizations to trace persecution of LGBTQI+ individuals, especially during the McCarthy Era<sup>129</sup> and how this marginalization led to movements which were instrumental in the shaping of Solidarity amongst the LGBTQI+ community. Before 2009, there was leeway in Uganda for being queer. If one was caught by police for dressing “weirdly” they would just say they were artists.<sup>130</sup> Things changed in 2009 when the anti-homosexuality bill was passed in parliament. The attacks became frequent and more hostile than before.<sup>131</sup> Prior to 2009, the queers were teased by songs such as:

*“oli mulenzi oba muwala?  
okuva mu kiwato okutuuka waggulu oli muwala  
naye wansi oli mulenzi”*<sup>132</sup>

*Are you a boy or a girl?  
From the waist up you are a girl,  
But below you are a boy*

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<sup>122</sup> Jude Irwin, *The Pink Ceiling is Too Low: Workplace Experiences of Lesbians, Gay Men and Transgender People*. (Australian Centre for Lesbian and Gay Research, 1999), 33-58

<sup>123</sup> Christine Williams and Kirsten Dellinger, “Gender and Sexuality in the Workplace”. (United Kingdom: Emerald Group Publishing Limited, 2010) 52-76

<sup>124</sup> Ibid

<sup>125</sup> Refugee Point, “*Disaggregating Lgbtiq Protection Concerns: Experiences of Refugee Communities in Nairobi*”. (Cambridge: Massachusetts Avenue, 2017) 6-35

<sup>126</sup> John Howard, *Men like That: A Southern Queer History* (The University of Chicago: London, 1999), 78-126

<sup>127</sup> Lisa Johnston, “Resources in LGBTQ History: Post War” vol. 57 (1969) 3

<sup>128</sup> John D’emilio, *Sexual Politics* (Columbia University: London, 2016) 61-87

<sup>129</sup> Starrs Landon, “*Maarthyism and the Second Red Scare*” Vol 2 (2015) 4

<sup>130</sup> Kevin Tamale, Oral interview 1, Westlands, Nairobi, 10<sup>th</sup> March 2023

<sup>131</sup> Ibid

<sup>132</sup> Ibid

Another mockery song was: -

*“Oohh ebisiyaga oohh ebisiyaga  
maama wo yandibadde aggalawo amagulu  
mu kiseera ky'okuzaala  
oohh yo kitaawo oohh yo kitaawo  
yandibadde tamala mazzi munda mu maama wo”*<sup>133</sup>

*“Oohh queer person oohh queer person  
Your mother should have closed her legs during child birth  
Oohh you father oohh your father  
He should have not cum inside your mother*

The LGBTQI+ community in Uganda showed solidarity and unity through social media handles when the anti-homosexuality campaigns started in Uganda. Some members of the social group started posting provocative pictures of naked or queers kissing and hugging as a way of being defiant against the said anti-homosexuality act. Some queer ally Non-Governmental Organisations employed LGBTQI+ members at the time so that they lead campaigns against the anti-homosexuality bill.<sup>134</sup> On May 2014, a respondent was caught by the enraged youths on his way to work at a queer ally NGO that was conducting campaigns against the anti-homosexuality bill. They tortured him by cutting both his index fingers so he doesn't take more photos of queer persons and beat him to a pulp. When he regained consciousness, he was put in a “*mash*” public transport bus by SMUG and was given a phone and a new number with contacts of three Ugandan queers who were living in Westlands at the time and that is how he fled to Nairobi.<sup>135</sup>

Some queers lived a secret life because they were scared for their lives if their colleagues ever found out. A respondent recalls that his workmates would sometimes joke around and tell him that he behaves like a “*mukwano gw'omuwala*” meaning someone's girlfriend<sup>136</sup> That is why they did not stay in one work place for long time. Several LGBTQI+ persons tend to job hop because of fear of persecution from their employers and work mates. Some employment agencies benefit

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<sup>133</sup> Ibid

<sup>134</sup> Kevin Tamale, Oral interview 1, Westlands, Nairobi, 10<sup>th</sup> March 2023

<sup>135</sup> Ibid

<sup>136</sup> Ibid

mostly from job hoppers because there is an interest, they get for every job they find a person.<sup>137</sup> A respondent stated that navigating the work place for him was not so hard but he could not stay in one truck for long. Even though he was closeted in Uganda, some peers would tease him whenever he wore shorts or pipe jeans. They noted that there is a way a “ebisiyaga” meaning a gay person behaves and if one is keen, they could tell.<sup>138</sup>

Silent partnering on campaigns against gender-based violence was another way some queers were showing their solidarity. Some that were in the fashion industry would donate t-shirts printed the anti-queer slogans.<sup>139</sup> Though they were partnering in secret, they were afraid of being identified as associates of the anti queer campaigns. Some Queers that were identified as partners of the campaigners against queers their shops were scotch earthed and they suffered losses while others were tortured by angry mobs. That is why the queers opted to become ghost partners to such campaigns. A respondent noted that she was a ghost partner issuing t-shirts against the anti-gay bill until her shop was set ablaze and narrowly escaped the clamps of death.<sup>140</sup> For all these discrimination practices, including being targeted for attack, the queer Ugandans fled the country and found refuge in Kenya.

### **2.3 Why Opt for a Haven in Kenya?**

Kenya is bordered to the West by Uganda. Busia, Kenya is located in Busia County in the Western part of Kenya. It is approximately 431 Kilometers by road, West of Nairobi and East of Busia, Uganda.<sup>141</sup> Both towns are inhabited by Lugha speaking communities which makes trade and communication between the two effective. Intermarriage between the two communities is also not uncommon. Some respondents noted that they had some relatives in Kenya and they opted to come to Kenya where they would have a sense of belonging.<sup>142</sup> Other respondents noted that the distance between the two countries is not far and they could go back home whenever they wanted to visit their families.<sup>143</sup>

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<sup>137</sup> Brandon Christopher, *The Job Pirate: A tale of my Job Hopping Journey*” (BH Publishers: Singapore, 2015) 96-121

<sup>138</sup> Brain Akiki, Oral Interview 1 Westlands, Nairobi, 17<sup>th</sup> March 2023.

<sup>139</sup> Elizabeth Namazzi, Oral Interview 1, Westlands, Nairobi, 24<sup>th</sup> March 2023.

<sup>140</sup> Ibid

<sup>141</sup> Zilojo Limited, Busia Ke / busia UG: OSBPS. *OSBPS / One Stop Border Post Program*. 11. April 2018 <https://www.trademarkafrica.com/onestopborderposts/osbps/busia-ke-busia-busia-ug>. Accessed 7th November, 2023

<sup>142</sup> Kevin Tamale, Oral interview 1, Westlands, Nairobi, 10<sup>th</sup> March 2023

<sup>143</sup> Elizabeth Namazzi, Oral Interview, Westlands, Nairobi, 24<sup>th</sup> March 2023.

An individual's social location is defined as the combination of factors including social class, political affiliation, ethnicity, nationality, language, sexual orientation, social relationships, family systems and geographic location.<sup>144</sup> Several abalugha and Luo community members reside in Westlands constituency. The Ugandan refugees have members of the same community and they speak the same languages. The location of the constituency is the first stop into Nairobi from Western region. The constituency has a liberal space that accepts the LGBTQI+ individuals especially because of the high population of foreigners who accommodate and do not mind these individuals. There are blighted areas in the constituency that offers cheap housing and because of posh neighborhoods, there is access to informal work for the Queer individuals.<sup>145</sup> Some Non-Governmental Organizations that support and fund Queer refugee livelihoods such as Coalition for Peace Africa (COPA), People for Peace In Africa (PPIA), hair by Okwirysham, beauty photo house, Refugee Education Trust (RET), National Gay and Lesbian Human Rights, Refugee Point International, Jesuit Refugee Services (JRS), Ishtar, Norwegian Refugee Council (NRC), refuSHE, Hebrew Immigrant Aid Society (HIAS) and the United Nations High Commissioner for Refugees (UNHCR).

## 2.4 Cultural symbols

To clearly understand cultural symbols, it is necessary to understand the meaning of the individual words. A symbol is an object, word, or action that represents a concept.<sup>146</sup> Culture is all of the behaviors, languages, beliefs, traditions, and its shared meaning that guides the standards of a group.<sup>147</sup> Together, a cultural symbol is a symbol that holds meaning and understanding for a group. Many groups use symbols to express a concept of their culture. Symbols are used by a culture to express a value of the culture. Cultural symbols allow a group that shares the same beliefs to identify each other based on the experience of that symbol. A continued belief or experience can be transmitted through the cultural symbol.<sup>148</sup>

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<sup>144</sup> Gary Dunbar, *Some Early Occurrences of the Term "Social Geography"*. Scottish Geographical Journal 93 (1): 15-20

<sup>145</sup> Nita Bhalla, "Openly" Thomson Reuters Foundation April 13<sup>th</sup> 2020

<sup>146</sup> Mari Womack, "*Symbols and meaning: A Concise Introduction*". (Almira press: California, 2005)5

<sup>147</sup> Nicki Lisa, "So What is Culture, Exactly. Thought co: Uk, 2019)13

<sup>148</sup> *Cultural symbol | definition, uses & examples - video & lesson ...* <https://study.com/learn/lesson/cultural-symbols-importance-examples.html>. Accessed 3rd April, 2023



There are several symbols that the LGBTQI+ individuals use to identify each other. They use these symbols to show solidarity of the community and so as to identify members of the community. In the work place, the LGBTQI+ individuals would wear a cloths, ear-rings, bandanas, bracelets, water bottles, umbrellas or watches that only LGBTQI+ persons know the symbolization behind it.<sup>149</sup> Queer symbols can be dated back to the 1970's when the queers began organizing protests and during the stonewall when the queers started forming and registering companies and groups to help other queers with livelihoods and as a form of unity.<sup>150</sup>For example, an individual's hairstyle was a way of communicating one's sexuality amongst the queers.<sup>151</sup>

The mullet was a crucial component of lesbian culture in the 1980s. Gay women would use the haircut as a way of identifying themselves as members of the LGBTQ+ community.<sup>152</sup>Queer persons used "queer coding" as a basic coping technique in a world filled with homophobia and transphobia.<sup>153</sup> A respondent noted that the Ugandan LGBTQI+ individuals used hairstyles as a way of identifying and expressing themselves. For example, the dikes or studs (dominant lesbians) like short hair that is the relaxed pixie, the Mo-Hock and strands of colorful dreadlocks. The gays, the inserters or tops usually like blonde dreadlock tips, spiky pixie, baby lock or Mo-Hock with twisted braids or colorful hair. The Ugandan queers would identify each other by one's hairstyle and they would promote each other's businesses by the use of such symbols. Others would get hired by other queers just by their appearance.

Gay prostitutes at Kampala in 2011 used the hanky code to draw in their clients. The hanky code was a covert sartorial code used predominately by queer men in the 1970s and into the 1980s.<sup>154</sup>The men or women would wear a "*bandana*" on the back pocket of the trouser so as to signal interested gay men. The color of the "bandana" symbolized the fetish, and the wearer's sexual role was indicated by which back pocket the bandana resided in (tops wore "*bandanas*" in their left pocket; bottoms wore "*bandanas*" in their right pocket).<sup>155</sup>A respondent recalls that business was booming between 2007 to 2009.They could work in busy bar streets like the

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<sup>149</sup> Paul Achen, Oral Interview 1, Westlands, Nairobi, 31<sup>st</sup> March 2023

<sup>150</sup> Andy Campbell, *Queer X Design: 50 Years of Signs, Symbols, Banners, Logos, and Graphic Art of LGBTQ*, (Running Press: United States, 2019)

<sup>151</sup> Moses Akello, Oral Interview 1, Westlands, Nairobi, 8<sup>th</sup> March 2023

<sup>152</sup> Chase Conleton, "*Mullets: The queer History and rebellion against hairstyle*," *Modmuze Magazine*, 5<sup>th</sup> March 2021.

<sup>153</sup> *Ibid*

<sup>154</sup> Raul Cornier, *Hanky Panky: An Abridged History of the Hanky Code*, (Boston Eagle: Boston, 2019) 249-563

<sup>155</sup> *Ibid*

centenary park where there were many restaurants and bars off the side of a mall complex. <sup>156</sup>They could wait tables wearing their “*bandanas*” but their main business was prostitution. Once they identify a potential client they could pretend that they are selling alcohol or food while they negotiate terms of payment for the sexual services they were offering.

The relationship between queer identity and body modifications is both social and personal. <sup>157</sup>

In the 1970’s gay men could wear an earring on the left ear lobe as a sign of his sexuality and that he was single. <sup>158</sup>This evolved after the hip hop culture introduced wearing of earrings by straight men. In the early 1980’s, the gays started wearing the dangling earring so as to differentiate gays from the straight. <sup>159</sup> A respondent informed the researcher that the lesbians pierce multiple times on the ears, they do the septum piercing of the nose and the medusa piercing between the nose and the lip. Most lesbians love the snake bite. A snake bites piercing is an under lip piercing where the ends of the labret are placed symmetrically below the bottom lip on each side of it resembling a snake bite mark, hence the name. <sup>160</sup> This piercing was popular in Uganda as it was a sign of rebellion against the then regime in 2009 after the members of the Ugandan Parliament tabled the Anti-Homosexuality Act <sup>161</sup>

The adaption of the cultural symbols exposed the Ugandan queers to frequent attacks from the police, the church and other civilians as well. The symbols became obvious hence the hunt down of gays led to some fleeing to seek refuge in Kenya.

#### **2.4.1 The Pride Flag**

Flags are sociopolitical symbols of community membership, unity, and visibility. Over the years, the Pride flag has evolved to promote greater inclusion and recognize the many communities that celebrate Pride. <sup>162</sup>In Nazi Germany in the 1930s and 1940s, it began as one of the Nazi concentration camp badges, differentiating those imprisoned because they were pointed out by the jurisdiction as gay men. Inmates at the camps were called for to wear a downward-pointing,

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<sup>156</sup> Israel Ochieng, Oral Interview 1, Westlands, Nairobi, 15<sup>th</sup> March 2023

<sup>157</sup> Thomas Hubbard, “*LGBT Piercings: A history and significance of Pride and Identity*,” December 2020

<sup>158</sup> Margo DeMello, “*Bodies of Inscription: A Cultural History of the Modern Tattoo Community*”. (Durham.: Duke University Press, 2000)

<sup>159</sup> Ibid

<sup>160</sup> Ibid

<sup>161</sup> Moses Akello, Oral interview 1, Westlands, Nairobi, 8<sup>th</sup> March 2023

<sup>162</sup><https://dmh.lacounty.gov/blog/2022/06/a-brief-history-of-our-lgbtqia2-s-pride-flag/> .Accessed 3<sup>rd</sup> April,2023

equilateral triangular cloth badge on their torso, the color associated the stated reason for their imprisonment.<sup>163</sup> In the 1970s, newly active Australian, European and North American queer liberation advocates began to use the pink triangle to raise awareness of its use in Nazi Germany.<sup>164</sup> In the 1980s, the pink triangle was increasingly used not just as a memorial but as a positive symbol of both self-identity and community identity. It commonly represented both gay and lesbian identity, and was incorporated into the logos of such organizations and businesses. It was also used by individuals, sometimes discreetly or ambiguously as an "*insider*" code unfamiliar to the heterosexual majority.<sup>165</sup> The Ugandan queers used to identify each other. The flag was a symbol of membership, unity and visibility. The online campaigns at the time was queer support queer owned businesses. One could identify a queer through the pride flag. The pride flag would be printed on hats, t-shirts, cups, pens, shoe laces, bracelets and watches.<sup>166</sup>



**Figure 1: Source: Human Rights Campaign Rainbow pride flag 1979**

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<sup>163</sup> Olivia Waxman, Nazi Regime's Pink Triangle: perpetuated for LGBT Pride, "Times, May 2018, <https://time.com/5295476/gay-pride-pink-triangle-history/>

<sup>164</sup> <https://web.archive.org/web/20041204072030/http://www.lambda.org/symbols.htm>.Retrived 3rd April,2023

<sup>165</sup> Tina Gianoulis," *Pink Triangle: An Encyclopedia of Gay, Lesbian, Bi sexual, Transgender and Queer culture*. ed. Claude Summers (Thomas Riggs: United states ,2004)10-25

<sup>166</sup>Paul Achen, Oral Interview 1, Westlands, Nairobi, 31<sup>st</sup> March 2023

## 2.5 Conclusion

This chapter explored the relationship between migration decisions and the livelihoods of Ugandan LGBTQI+ refugees. It has been demonstrated in this chapter that the problems of the queer Ugandans began with the Anti Homosexuality bill 2013 that was passed in parliament in 2014. The Anti-Homosexuality bill led to violent attacks, killings and torture of the LGBTQI+ persons. Some queer individuals lost their jobs, others chose to be closeted for fear of persecutions while others were jailed. This bill affected the livelihoods of Ugandan queers at the time because of the violence that erupted in the country against the LGBTQI+ persons. This forced the queers to come up with means of survival. Some sort assistance of funds from Europe while others committed suicide. The unrest in the country forced many queers to flee to Kenya so that they can seek resettlement in other queer friendly European countries.

The chapter also found out that livelihood strategies of the Ugandan queer were shaped by a complex interplay of economic, political, and social factors. It is arguable that the Ugandan construct of an ideal citizen is not only a reactionary result of colonialism, but that it is also demonstrative of the anti-globalization ideology that had heightened in the wake of rapid NGO-ization of the global Queer rights movement. For the queer person to make ends meet in Uganda for the period between 2009-2013, they came up with ingenious ways and tactics of survival. Some faced the queer crisis head-on while others fled their homes, livelihoods, family and friends so as to start a new live where being queer is frowned at as well. Will the same tactics used in Uganda work or will they come up with other means of sustenance seeing the protracted refugee situation in host nations?

# CHAPTER THREE

## THE OCCUPATIONAL SHAKE UP (2013-2019)

### 3.0 INTRODUCTION.

This chapter assesses the reasons behind livelihood reconstruction of the Ugandan queer refugees living in Westlands constituency. The chapter considers the effective support strategies used by the Ugandan queer refugees and draws attention to challenges that Ugandan queer refugees faced. This chapter reflects on the creative ways the LGBTQI+ migrants have overcome these obstacles. This includes discrimination, legal status, social stigma, the type of support they received and how their interactions with the host communities improved or hampered their chances of finding work in Westlands. Howard observed that Queer individuals were on the lookout for the invisibility that the large urban area provides, not to mention the access to other forms of philanthropic acts by NGO's and the possibility of third country resettlement.<sup>167</sup>

### 3.1 The Causal Sequence: Point of Arrival.

Westlands Constituency being an opulent neighborhood that has been a center of economic activity and a destination for people seeking employment opportunities.<sup>168</sup> Yet not all is rosy in Westlands: there is public squalor in the constituency that offer cheap housing and because of the posh neighborhoods as well as; access to informal work for the Queer individuals.<sup>169</sup> The population of Westlands Constituency is diverse, with a mix of residents and expatriates. The area is also home to a significant number of refugees from the neighboring country Uganda, who fled their homes due to a well-founded fear of persecution due to their sexual orientation. In spite of altruist by Non state actors in the area, most émigré live on the edge of destitute with no or extremely restricted opportunities to access education, work and eventually become self-reliant.<sup>170</sup>

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<sup>167</sup> Deirdre Howard, "Indigenous Invisibility in the City. (Routledge: New York 2021)73-95

<sup>168</sup> <https://westlandsconstituency.co.ke/index.php/2013-06-30-18-04-13/about-westlands> accessed 31/01/2023

<sup>169</sup> Nita Bhalla, "Openly" Thomson Reuters Foundation April 13<sup>th</sup> 2020

<sup>170</sup> Hopkins, Gail, and Laura Buffoni. "The IGAD Kampala Declaration on Jobs, Livelihoods, and Self-Reliance" *Palgrave Communications* 5, no. 1 (2019). <https://doi.org/10.1057/s41599-019-0370-2>. Accessed 21st January, 2022

An individual's social location is defined as the combination of factors including social class, political affiliation, ethnicity, nationality, language, sexual orientation, social relationships, family systems and geographic location.<sup>171</sup> Several Abalugha and Luo community members reside in Westlands constituency. The Ugandan refugees have members of the same community and they speak the same languages. The location of the constituency is the first stop into Nairobi from Western region. The constituency has a liberal space that accepts the LGBTQI+ individuals especially because of the high population of foreigners who accommodate and do not mind these individuals.<sup>172</sup>

Westlands is home to several Non-Governmental Organizations that support and fund Queer refugee livelihoods such as Coalition for Peace Africa (COPA), People for Peace In Africa (PPIA), hair by Okwirysham, beauty photo house, Refugee Education Trust (RET), National Gay and Lesbian Human Rights, Refugee Point International, Jesuit Refugee Services (JRS), Ishtar, Norwegian Refugee Council (NRC), refuSHE, Hebrew Immigrant Aid Society (HIAS) and the United Nations High Commissioner for Refugees (UNHCR). In spite of humanitarian assistance by Non-Governmental bodies, most immigrants live on the edge of extreme poverty with no or extremely restricted opportunities to access education, work and eventually become self-reliant.<sup>173</sup> This study intends to explore the livelihood reconstruction amongst the Ugandan refugee LGBTQI+ persons living in Westlands constituency. In the after-effect of the passing of the AHA in March 2013 in Uganda, the early-string of queer Ugandan asylum seekers in Kenya made themselves known to the United Nations High Commissioner for Refugees.<sup>174</sup> Their essence called to attention a noteworthy geo-political tension: Kenya's domestic legislation did not at the time concede LGBTQI+ rights, while the UNHCR through its directive of international protection did.<sup>175</sup> To straighten out this, the UNHCR established what can be understood as a parallel legal sovereignty, providing financial support and safe housing for LGBTQI+ plaintiffs and hastening the process of resettlement.<sup>176</sup>

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<sup>171</sup> Gary Dunbar, *Some Early Occurrences of the Term "Social Geography"*. *Scottish Geographical Journal* 93 (1): 15-20

<sup>172</sup> Nita Bhalla, "Openly" Thomson Reuters Foundation April 13<sup>th</sup> 2020

<sup>173</sup> Hopkins, Gail, and Laura Buffoni. "The IGAD Kampala Declaration on Jobs, Livelihoods, and Self-Reliance" *Palgrave Communications* 5, no. 1 (2019). <https://doi.org/10.1057/s41599-019-0370-2>. Accessed 21st January, 2022

<sup>174</sup> Barbara Bompani, "Day Eight: Bodies at the Border: Reflections on LGBT+ Ugandan Refugees in Kenya." 16 Days Blogathon, 2<sup>nd</sup> December 2022. <https://16daysblogathon.blog/2022/12/02/day-eight-bodies-at-the-border-reflections-on-lgbt-ugandan-refugees-in-kenya/>. Accessed 14<sup>th</sup> March, 2023

<sup>175</sup> Ibid

<sup>176</sup> Ibid

HIAS-Kenya was the administer a monthly stipend of 60 USD to all registered LGBTQI+ persons of concern, including both asylum seekers and refugees.<sup>177</sup> The average exchange rate in 2013 was: -86.1156 KES to the dollar.<sup>178</sup> This meant that at that time they were given a monthly stipend of Ksh. 5,019. Despite the monthly stipend, an informant informed the researcher that the money could only sustain them for a few days due to the high cost of basic needs. Some queer refugees did not get access to safe houses provided by the UNHCR and ended up renting an affordable house in Westlands and stayed there for at least six to twelve months and then move to another area for security purposes. He added that they lived in groups and always had a small bag with essentials ready to run in case they were attacked.<sup>179</sup> In order to earn a living, they needed to blend in the community by speaking the local language and learn the Swahili slang or “sheng” as the locals call it.<sup>180</sup>

### 3.2 Becoming and “Being Kenyan”

There is an old East African joke that Kiswahili was born in Zanzibar, grew up in mainland Tanzania, fell sick in Kenya, died in Uganda, and was buried in Democratic Republic of Congo. The joke’s origin is unknown, but whoever came up with it chose to kill Kiswahili in Uganda.<sup>181</sup> The Swahili language is a *lingua franca* in East African countries but in Uganda it is not widely spoken. In by gone years, most Ugandans, especially those who grew up in the 1960s and 1970s, strongly opposed Kiswahili because they associated the language with death and destruction. The negative sentiments originated in Uganda’s long history of coups and civil wars, which led to egregious human rights abuses during the regime of Gen. Idi Amin.<sup>182</sup> While unleashing terror on civilians, soldiers communicated in Kiswahili. Amin himself was a speaker and a supporter of the language, famously saying that he wanted to introduce it to African Americans “to brainwash them from British colonials.”<sup>183</sup> This led to the language not being taught in schools and those that were taught were not examined hence the Ugandan LGBTQI+ refugees living in Westlands making learning the language their priority.

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<sup>177</sup> Brian A, Oral interview 1, Westlands, Nairobi, 17<sup>th</sup> March 2023

<sup>178</sup> <https://www.exchangerates.org.uk/USD-KES-spot-exchange-rates-history-2013>.

<sup>179</sup> Ibid.

<sup>180</sup> Brian A, Oral interview 1, Westland’s, Nairobi, 17<sup>th</sup> March 2023

<sup>181</sup> Edna Namara, “*Troubled Past*” “*Why it has taken Uganda so long to embrace Kiswahili.* (Quartz: May 2022)

<sup>182</sup> Ibid

<sup>183</sup> Ibid

In Swahili beyond boundaries by Alamin Mazrui, the author denotes that Africa is a marriage of culture: Africa and Asian, Islamic and Euro-Christian.<sup>184</sup> The author further illustrates that nowhere is this fusion more evident than in the formation of Swahili, East Africa's lingua franca and its culture. The power of Babel further highlights that language as a sociopolitical phenomenon.<sup>185</sup> The authors center on how Africa should overcome Eurocentrism through linguistics. At the comfort of their house, the queers would try and lose the dialect in the Ugandan Swahili and adopt the Kenyan Dialect by talking to each other and correcting each other on the slang to use on the street. They would learn the sheng by frequently visiting the market places and try to engage the locals. Some used the stipend to hawk sweets on the streets early in the morning in the traffic jam and there they could learn how Kenyans refer to money in Swahili slang by interacting with different persons. He said that the touts in the "matatus" for Westlands stage were the best teachers since they were frequent customers.<sup>186</sup>

Lesbians found informal work like cleaning houses and washing clothes in Westlands households because the employees did not ask for a certificate to clean. They usually wait at the gates of the posh estates and if they are lucky, they get a job. "The "sonko 's" meaning rich men, pay quiet well, especially the single/unmarried men. They do not negotiate."<sup>187</sup> They prefer working in numbers for their security. When they first came to Kenya in 2014 and began doing informal jobs, they only knew how to do domestic work like, cleaning houses and washing clothes. The sharing of the money meant that they went home with little money.<sup>188</sup> At the gates, many other people could wait for jobs from straight to queer people. Sometimes they went home empty handed and the competition from locals was not easy especially because they already knew some clients and they got picked faster.<sup>189</sup> Seeing this, the Ugandan gay refugees decided to cut their cleaning fees in comparison to the locals and began to behave like the locals. The cleaning ladies in Kenya tended to wear a pitiful face when an employer approaches. For the Ugandan queer started doing the same and made sure they spoke to clients first to be more aggressive. This however led to enmity

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<sup>184</sup> Alamin Mazrui, "Swahili Beyond the Boundaries: Literature, Language and Identity", (Ohio University Press: U.S.A,2007)5-22

<sup>185</sup> Ali and Alamin Mazrui, "The Power of Babel: Language and Governance in the African Experience," (University of Chicago: U.S.A,1998)17-39

<sup>186</sup> Brian Akiki, Oral Interview 1, Westlands Constituency, 17<sup>th</sup> March 2023.

<sup>187</sup> Nasiche Miremba, Oral Interview 1, Westlands Constituency, 3<sup>rd</sup> March 2023.

<sup>188</sup> Ibid

<sup>189</sup> Ibid



between them and the locals which became dangerous for them.<sup>190</sup> Being a “*okikisa*” meaning lesbian, in Kenya, they tried living in “*enkiso*” meaning secret, and did not want people in Kenya finding out that they were queer especially to their competition. This was difficult for them at first because they encountered very attractive cleaning ladies but they refused to give into their desires. Instead, they began talking with the cleaning ladies and occasionally inviting a Kenyan help clean the house so she could understand the Kenyan way of doing things. Since she shared some clienteles with the locals, she was able to negotiate the job market more easily because they began calling her to work.<sup>191</sup>

The protracted refugee situation in host countries necessitated the LGBTQI+ individuals to engage in meaningful life activities such as getting employed, or practicing what they were doing prior to their displacement, rather than idling, resulting in wasted human capacity and denial of human dignity. The Kenya Comprehensive Refugee Program (KCRP) was launched in 2015. This program enabled both the refugees and donors to collaborate in coming up with durable solutions for refugees. Some Ugandan queers decided to participate in the activity just to make a meaningful life. Individuals were encouraged to develop livelihood strategies and present them to the NGO officials, and who may assist by investigating the program to find loop holes to close to help the refugees achieve self-sufficiency.<sup>192</sup> The program had a significant impact on the lives of gay refugees. It aided in the rebuilding of their livelihood. At the time, donors’ start-up loan to help them get started.

Some Ugandan lesbians seized the opportunity and established a small cleaning service in Westlands constituency, Mountain view ward. If they gave a client to an employee, they may pay her 5% of the agreed amount.<sup>193</sup> If one had their own customer, they allowed them keep all the money to encourage other women to join the bureau. Initially, the business focused on day time cleaning ladies, but consumers began to want live-in house girls from Uganda. They began arranging for more Ugandan lesbians through a NGO in Uganda that was trying to get queers out of the country. These women would pay them Ksh. 1,000 for helping them get a job and a place to stay and the clients would also pay Ksh. 1,500 for helping them find a live in-house help. They

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<sup>190</sup> Ibid

<sup>191</sup> Ibid

<sup>192</sup> Raouf Mazou, *Kenya Comprehensive Refugee Program*, (UNHCR: Westlands, 2015) 17-70

<sup>193</sup> Nasiche Mirembe, Oral Interview 1, Westlands Constituency, 3<sup>rd</sup> March 2023.

could teach the new girls Kiswahili and sheng before they when to work so that they blend in with the Kenyan families. She taught them how to behave, and how to dress so that they keep the jobs.<sup>194</sup>

The challenging part of the job was that once the girls got to Nairobi, they stayed with the client for one or two months and requested for another job. The frustration from clients because the girls did not settle was the worst part of their job. Some clients could ask for refunds or replacement of the girls. The counter measure they took was for the girls to agree on a period of employment before living Uganda to Kenya. With a period in mind, they could communicate with the client and agree that the girl will only stay for a certain number of months then they start looking for another. The competition from the local bureaus could be a challenge to the queer refugees. The local businesses according to respondents interviewed for this study had more experience in the business and they had variety of ladies from many Kenyan communities so the client could choose a girl based on the community they came from. The competition started spreading rumors about Ugandan house girls. The competition had licenses to operate, and the City Council did not harass them like they did the refugee businesses.<sup>195</sup> The host's xenophobic tendencies are exacerbated by a hatred and prejudice towards migrants, which is supported by many perspectives such as cultural discordance, fear and general lack of biased animosity. Acts of xenophobia excuses for refugees, limiting their possibilities of self-reliance.<sup>196</sup>

### **3.3 Copy Catting**

Experiences of xenophobia made the queer change tact on how to survive in Nairobi. Speaking the language and dressing like Kenyans was not enough. Elizabeth Namazzi told the researcher that they began behaving like People from the Western part of Kenya. Since they speak the same mother tongue, they started learning names of villages in Western Kenya and told potential employers, land lords and neighbors that their home is Western Kenya. Although the communities in Western Kenya's dialect is different, Ugandan, only the Luhya people could tell the difference. Some learnt to speak Swahili like the Luhya speaking people from Western Kenya. They added a " *ko* " at the end of some words so that they sound like the Kenyan Luhya's. For example,"

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<sup>194</sup> Ibid

<sup>195</sup> Nasiche Miremba, Oral Interview 1, Westlands Constituency, 3<sup>rd</sup> March 2023

<sup>196</sup> Lekopa Lelope, " The Socio-economic effects of Xenophobic attacks on refugees' entrepreneurs in Attiring. (M.A, Project Paper, Department of Sociology, Social Work and African Women Studies, University of Nairobi, 2019).

*Nisaidieko*” instead of “*Nisaidie*” meaning help. Some respondents informed the researcher that they greet people they respect by kneeling and stretching out their hand but in Kenya, they just stretch their hands out. At first, some respondents especially ladies had a difficult time adjusting to the way they greet somebody who is older than they are, but to survive, they needed to do things the “*Kenyan Way*.” Some went to popular joints especially in Kangemi where Luhya’s hanged out. They did so to learn the kind of food they ate, the music they listened to and the drink they loved most.<sup>197</sup>

Most Luhya preferred using the bicycle as a means of transport. Early in the morning and late in the evening, they could notice many people especially from the Luhya community using “*bodas*” meaning motorbikes or bicycles used for public transportation.<sup>198</sup> They noticed that Kenyan’s called Lugha’s “*waingo*” meaning from own clan and they therefore started calling each other “*waingo*” to fit in.<sup>199</sup> Kenyans refer to Luhya’s as “*waingo*” which came from the Luhya word “*ingoho*” meaning Chicken. “*wa*” brings a sense of belonging meaning belonging to. Kenyan Luhya’s love chicken so much hence the name. “*waingo*” therefore means a person that belongs to the chicken loving community. The queer refugees started calling each other “*waingo*” to have a sense of belonging. By so doing, the locals started referring them to “*waingo*” which meant that they have been accepted.<sup>200</sup>

To fit in the society, the queers went to the streets especially at night when people were not keen on noticing their dresses. They went to clubs and restaurants to ask for work and some got while others did not. Because of his experience waiting tables at bars and restaurants, a respondent started working at Gipsy bar and restaurant in 2014.<sup>201</sup> Initially, his work was in the kitchen, washing utensils and cleaning the kitchen floor. By the end of 2015, he had worked his way up to waiting duties. He said that, “the “*abasajja abazungu*” or “*wazungu’s*” meaning white man/woman loved seeing “*abagaala ebisiyaga*” meaning fellow homosexuals who wait at the bar. “He added that the tips were “*eddalu*” meaning insane or crazy.<sup>202</sup> The wazungu’s could sometime request company of the gay waiters after their shift and would pay them very well. “They had a code word

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<sup>197</sup> Wilfred Bitalo, Oral Interview 1, Westlands, Nairobi, 22<sup>nd</sup> March 2023

<sup>198</sup> Francis Chitundu, Oral Interview 1, Westlands Constituency, 29<sup>th</sup> March 2023

<sup>199</sup> Ibid

<sup>200</sup> Ibid

<sup>201</sup> Israel Ochieng, Oral Interview 1, Westlands constituency, 15<sup>th</sup> March 2023

<sup>202</sup> Ibid

for them “He recalls, “we called them “*omwami wa paasipooti*” meaning my husband passport.<sup>203</sup>They were referring to an American comic film about a showgirl sort to avoid deportation by marrying the dimwitted waiter who loves her.<sup>204</sup>A respondent informed the researcher that his partner moved to Europe by getting a “*omwami wa paasipooti*.” The respondent who worked at a night club in Westlands informed the researcher that by flirting with foreigners at the bars has helped many queers get a “*omwami wa paasipooti*” and live in foreign countries where being queer is not loathed by its citizens. They usually wear their best clothes at work, sometimes dance for the clients as a way of seducing them and maybe if they get lucky, they go home with them and try to build a relationship with them so that they can take them to the foreign countries. Respondents interviewed for this study noted that the “*abasajja abazungu*” are sometimes cautious when dealing with them. This is because they are not sure whether their sexual identity is real or a way of manipulation. “Some of them take months before they starting warming up to us. “He said. Once they do, “*ddoolas*” meaning dollars start filling their bank accounts. However, Israel notes that most of the “*abasajja abazungu*” are not keen on marriage but only a good time which often is not permanent.<sup>205</sup>

In late 2016, a respondent interviewed for this study met an Italian tourist at the club and they hit it off. They communicated for at least six months but the Italian was not ready to marry especially since he was an Italian. In Italy, prevalent public attitudes toward LGBTQI+ issues tend to reflect long established Catholic ideals. These ideals concerning a person’s sexuality and gender roles are supported by other Western European countries.<sup>206</sup>Instead, he was presented a deal that at the time seemed so good that he could not resist. To escape his then financial predicament, the respondent became an online gay pornography performer. He was asked to get at least four of his gay friends that were willing to act in the videos together and get paid per shoot. However, there was a condition. They were to be tested for HIV and other sexually transmitted diseases and that would happen every week. They were to move out of their safe houses and the Italian would pay for the

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<sup>203</sup> James Tinling, dir. *Passport Husband*. 20<sup>th</sup> Century Fox, July 1938

<sup>204</sup> Ibid

<sup>205</sup> Israel Ochieng, Oral Interview 1, Westlands constituency, 15<sup>th</sup> March 2023

<sup>206</sup> Angela Giuffrida, "Fears for Lgbtq+ Rights in Meloni's Italy." *The Guardian*, October 24, 2022. <https://www.theguardian.com/world/2022/oct/24/fears-lgbtq-rights-italy-giorgia-meloni>.

house but Israel and his friends would buy food. Israel not only brought four friends but eight. He was given Ksh. 2,000 for each person he brought and was made the one in charge of them.

Sexual exploitation especially among the LGBTQI+ that are refugees is higher as compared to LGBTQI+ that are citizens. The refugees especially those without proper documentation are the most vulnerable.<sup>207</sup>They cannot report the issue to the police, they are unable to go to access medical services and therefore they may end up enduring more exploitation.<sup>208</sup> Lee Badgett while reviewing a collection of essays on refugees found out that works on refugee livelihoods in regard to LGBTQI+ communities has been circumscribed with a primary focus on advocacy for anti-discrimination efforts, such as public laws and private employer policies and practices that provide formal workplace opportunities.<sup>209</sup>The queer refugees however especially those working in the informal sector, have nowhere to voice their opinions. The measures if any that are there are not inclusive. The policies by the NGO's are also not all rounded to accommodate individualism.

### **3.4 Livelihood Strategies: Band-Aid Solutions?**

Asylum seeking associated with sexual orientation emerged at the beginning of the 1990's.<sup>210</sup> Early claims were based on political opinion or religion.<sup>211</sup>Sexual orientation was undertaken as the footing for a particular social group profess in most refugee-receiving nations by the mid-1990s.<sup>212</sup>Notwithstanding, the status of refuge hood of the sexual and gender diverse individuals being acceptable, the challenge of urban refugee hood due to policies of the host country and the United Nations High Commissioner for Refugees (UNHCR) made it hard for the refugees to self-reliance.<sup>213</sup> In 2016, the UNHCR started to scale up the implementation of cash-based interventions (CBI) as a form of aiding the LGBTQI+ refugees. This shift was designed as an intervention that sort to boost safe housing by mitigating and promoting co-operation with the host communities. It also sought to allow the queer migrants to live in dignity through by preserving

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<sup>207</sup> Michael Johnson, et al., *sexual Orientation and Sexual Assault*

<sup>208</sup> Ibid

<sup>209</sup> Lee Badgett et al, *Effective Strategies to Improve Livelihoods of LGBTI People*. (U.S.A: University of Massachusetts,2021),3-5

<sup>210</sup> Jenny Millbank, 'A Preoccupation with Perversion: The British Response to Refugee Claims on the Basis of Sexual Orientation', (Social Legal Studies:2005)115-138.

<sup>211</sup> Ibid

<sup>212</sup> Ibid.405

<sup>213</sup> Ibid.

disburse and make resolutions in regarding to their imperatives.<sup>214</sup> Other programs were the 2017 livelihood comprehensive program. The program concentrated mainly on providing financial literacy and loans for businesses, under the Village Savings and Loan Association (VSLA) initiative. Furthermore, opportunities in online jobs, graphic design, screen printing, music production, visual arts, business development trainings and grants, welding, and bespoke courses were offered to LGBTQI+ refugees.<sup>215</sup>

Economic exclusion as discussed by Collins Andrews experienced by sexually and gender diverse refugees through alleviation programs that try to strategize and improve inclusion through governance in International Non-Governmental organizations that deal with LGBTQI+ persons.<sup>216</sup> Failure to include the persons involved in decision making contributes to failure of a given project.<sup>217</sup> The accumulated economic effects of employment discrimination and other forms of exclusion are evident in measures of income and poverty.<sup>218</sup> A respondent enrolled in a livelihood program in 2016. The program did not have any salon or hair dressing activities at the time. She therefore could not continue with the same livelihood activity that she was involved in before her refugee hood status. The NGO's trainings involved soap making, wax making and jam making through a joint NGO's program for sustainable livelihood empowerment.<sup>219</sup> She learnt how to make soap, wax and Jam at the program so as to attain self-reliance. After the program, she did not have enough money to start her own business and opted to hawk the soap and wax. The products were not fast moving as she thought and therefore was unable to meet her needs and depended on aid from the NGO's.<sup>220</sup> The respondent had opted for the soap making not because she had passion for making soap but as a means to an end.

The programs from the non-governmental organizations for livelihood reconstruction do not involve the career choices of the refugees. The refugees therefore end up doing something that is not passion based by they try to make ends meet and therefore do whatever is available.<sup>221</sup> Some

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<sup>214</sup> Refugee Point, "*Disaggregating LGBTIQ Protection Concerns: Experiences of Refugee Communities in Nairobi*." Massachusetts 7-52

<sup>215</sup> Ibid

<sup>216</sup> Colin Andrews, "*The State of Economic Inclusion*," (February 2021):16-20

<sup>217</sup> The Economic, Social and Cultural Rights of Migrants in an Irregular Situation. Switzerland: UN, 2014.

<sup>218</sup> Marieka Klawitter, "*Meta-Analysis of the Effects of Sexual Orientation on Earnings*," Vol.54, No.1(January 2015)4-32

<sup>219</sup> Rose Basia, Oral Interview 1, Westlands Constituency, 5<sup>th</sup> April 2023

<sup>220</sup> Ibid

<sup>221</sup> Legal coordinator, Gay and Lesbian Coalition of Kenya, Phone interview 1, 3<sup>rd</sup> May 2023

NGOs did not have photography classes but they had editorial, cartoon creation and graphic design at the time.<sup>222</sup> A respondent utilized the graphics design as he wanted to pursue the same kind of livelihood he had in Uganda. While he was doing the graphics design, he was pulled in cartoon creation because there was a sense of anonymity in cartoons. After completing graphics design, he enrolled in cartoon creation although he had challenges drawing cartoons because he had not mastered using a pen with his middle finger, the trainers were patient and took a longer time to train than other students.<sup>223</sup> After completing the courses, he talked to his bosses at Mbarara to allow him to come up with content that promoted LGBTQI. His idea was to promote unity and love for each other. He wanted to encourage queer members to continue with their lives even though there was discrimination and the sense of rejection in the society. When his bosses disapproved because of the repercussions associated with promotion of gay content in Kenya would be severe, he decided to do it anonymously. He opened fake social media accounts and started posting his view on life as a queer refugee. People started asking him to share details of his account so that they can send donations to him. He then requested a local queer that he had met during a queer promotion event and had become great friends to partner. The local queer agreed and he opened a crypto account using the local's name. They decided to leave together so that they can work comfortable without raising eye brows. They started a company under the local's name and started working from home. For the respondent, the NGO training was meaningful to him as he was able to start a sustainable livelihood and integrate in the community effectively.<sup>224</sup> Some Ugandan queers did not do any training with the NGO's but got a job with the NGO's such as Refushe to train other queer refugees especially women and girls. Through the program, the queers were able to afford to rent houses in Westlands constituency. After saving for a while, some queers started a tailoring business and partnered with Refushe.<sup>225</sup> Other respondents however had a bitter taste in their mouths as to how the NGO's do not include the queer in decision making. Some were forced to take a course in "*kinyozi*." meaning barbering yet they did not need the classes as they were good at it. When they were offered them a teaching position, they still wanted to control how they taught.<sup>226</sup>

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<sup>222</sup> Ibid

<sup>223</sup> Ibid

<sup>224</sup> Ibid

<sup>225</sup> Elizabeth Namazzi, Oral Interview 2, Westlands Constituency, 10<sup>th</sup> April 2023

<sup>226</sup> Moses Akello, Oral Interview 2, Westlands Constituency, 14<sup>th</sup> April 2023

### **3.5 Conclusion**

Whereas several scholars have analyzed the reasons behind livelihood reconstruction of queer refugees, this chapter brought out the effective support strategies that the Ugandan queer refugees utilized especially when they first arrived in Kenya. It showed how at their point of arrival into Kenya they had to adjust to the new environment by mimicking behaviors and learning the language of Kenyans so as to fit in. The chapter showed how the support from the Non-Governmental Organizations through training programs and monthly stipends helped the queer refugees in settling in their new environment.

In the fullness of time, acknowledging the comprehensive issues that affect queer refugees requires indispensable power to breakdown their perception of queer persons to come up with targeted interventions or livelihood programs. Carrying through these measures is vital for protecting and empowering refugee LGBTQI+ persons. It is key to build the capacity of refugees to address their needs and be their own advocates. Such participatory approaches are not enough in the urban setting as they could be in a camp setting. The overall involvement to queer refugees at the decision-making tables is key in establishing durable solutions and promotion of self-reliance among the queer refugees. Due to the exclusion of queer refugees in the decision-making process of livelihood programs, the refugees have been forced to be involved in livelihood activities that are offered by the Non-Government Organizations while other have been forced to do informal work just to earn a living. Exclusion necessitated some queer Ugandan refugees to come up with resilient, resourceful, and solutions-oriented livelihoods as the succeeding chapter will demonstrate.



# CHAPTER FOUR

## JACKS OF ALL TRADES (2019-2021)

### 4.0 INTRODUCTION.

This chapter examines the livelihood paths taken by the Ugandan queer refugees in Westlands. Notably, this chapter unearths the types of livelihood activities the Ugandan queer refugees pursued to determine their choice of livelihood. Similarly, the chapter tries to bring to light lessons learnt from their experiences while in the quest for reconstructing their livelihoods.

The activities that urban queer refugees choose for a living are extremely personalized and reliant on their specific circumstances. Some people may combine various hobbies and pursue unconventional pathways that correspond with their interests and goals.<sup>227</sup> Support from local organizations, mentorship programs, and inclusive policies can play a crucial role in empowering urban queer refugees to determine their choice of livelihood and pursue their goals.<sup>228</sup> Some livelihood choices are however not passion based but are a means to an end to queer refugees living in Westlands Nairobi. Some are determined by the kind of support that the queer get from networks and from Non-Governmental Organizations (N-G- O's). Rebuilding one's financial stability and independence from what it was to what now is a process that involves stages of obstacles, counter measures and settlement on a livelihood path. This chapter will focus on the maintenance activities that the queer Ugandan refugees residing in Westlands have settled on and as well as whether previous skills as covered chapter two played a part in the livelihood path chosen.

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<sup>227</sup> Refugee Point, "*Disaggregating Lgbtiq Protection Concerns: Experiences of refugee communities in Nairobi*". (Cambridge: Massachusetts, 2017) 6-35

<sup>228</sup> Ibid

## 4.1 The Gig Economy: Portfolio Careers

Prior to the Industrial Revolution in the 18th century, most work was localized and conducted within small communities. People often had multiple income sources and engaged in various types of work, including farming, craftsmanship, and domestic labor. These early forms of work were akin to "gigs" in today's terminology.<sup>229</sup> The Industrial Revolution brought about significant changes to work, as factories and large-scale industries emerged. Traditional employment relationships became more common, with workers often tied to one employer for long periods.<sup>230</sup> However, this era also saw the rise of piecework and day labor, which could be seen as early precursors to gig work. Throughout the 20th century, traditional employment relationships dominated the labor market, especially in developed countries. Full-time, permanent jobs with benefits were the norm, and labor unions played a significant role in shaping employment standards.<sup>231</sup> The late 20th century saw the beginning of changes in work. Temporary staffing agencies and part-time work became more prevalent. The rise of the internet in the 1990s created new opportunities for remote and freelance work, although these trends were not yet termed as part of the "gig economy."<sup>232</sup>

The concept of the gig economy gained prominence in the early 21st century, driven by digital platforms and technology. Companies like Uber (founded in 2009) and Airbnb (founded in 2008) played a pivotal role in popularizing the gig economy model.<sup>233</sup> These platforms provided opportunities for individuals to work on a freelance or contract basis, offering services like ridesharing or short-term accommodations. The gig economy expanded rapidly, encompassing a wide range of industries beyond transportation and lodging. Freelance platforms like Upwork and Fiverr emerged, connecting clients with freelancers offering a variety of skills, from graphic design to software development.<sup>234</sup> Food delivery services like Door Dash and Grubhub also became integral parts of the gig economy. Growth of the gig economy raised concerns about labor rights, workers' benefits, and job security. Many gig workers lacked traditional employee benefits like

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<sup>229</sup> James DeCicco, "*Master the Gig Economy*". (CreateSpace Publishing: California, 2017)73-107

<sup>230</sup> Ibid

<sup>231</sup> Alexandria Ravenelle, "*Hustle and Gig: Struggling and Surviving in the Sharing Economy*". (University of California Press: United States, 2019)28-34

<sup>232</sup> Ibid

<sup>233</sup> Brain Dolber, et.al, "*The Gig Economy: Workers and Media in the Age of Convergence*". (Taylor & Francis: United Kingdom, 2021).37-65

<sup>234</sup> Ibid

health insurance and paid leave. Legal battles and regulatory changes in various countries sought to address these issues and classify gig workers as employees in some cases.<sup>235</sup>

Gig personnel's are individualistic or free-lance contractors and mostly work on the online platforms.<sup>236</sup> They could also be referred to as stand-in or interim staff.<sup>237</sup> Gig workers enter into formal agreements with on-demand companies to provide services to the company's clients.<sup>238</sup> During the 2000s, the digitalization of the financial systems and application developed hastily due to the build out of Computerized Information such as the Internet and the popularization of smartphones. As a result, cloud computing based on digital technology have created employment platforms that are evolving from existing offline undertakings by the level of convenience and cost aggressive.<sup>239</sup> According to Ben Legg, a portfolio career calls for revenue generating an individual's prowess in various forms or ways and having multiplex dividend sources, rather than a single occupation at one enterprise.<sup>240</sup> Formerly, this type of profession was mostly governed by managerial executives, with former CEO's sitting on various boards, writing books and making speeches. Presently, a portfolio career is available to almost anybody with skills that are in demand notwithstanding a decent Wireless Internet Access.<sup>241</sup>

#### **4.2 The Inaudible Merchants**

The Ugandan queer refugees have been able to use Gig economy and have Portfolio careers with the help of local online platforms such as Instagram, Facebook, Jumia, Kilimall, Jiji, Glovo, Uber eats, Uber Package, Bolt Food to market and sell their products to the locals. They also use international platforms such as Amazon, Pinterest, Ebay, Fruggo, Aliexpress(Alibaba), Shopify amongst others. The advantage of using online market places is that the buyers do not know who the seller of an item or product is and therefore, there is no discrimination due to one's sexual orientation.

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<sup>235</sup> James DeCicco, "*Master the Gig Economy*". (CreateSpace Publishing: California, 2017)73-107

<sup>236</sup> Steven Vallas and Juliet Schor, "*What Do Platforms Do? Understanding the Gig Economy*". (Annual Review of Sociology:2020) 46

<sup>237</sup> Sarah Donovan, "*What Does the Gig Economy Mean for Workers?*". (Cornell University ILR School:2020)12-14.

<sup>238</sup> Ibid

<sup>239</sup> Gisan Choi, "*Global Gig Economy Status and Implications*". (*International Economy Focus* :2019).

<sup>240</sup> Ben Legg, *Becoming a Portfolio Professional*. (The Iron Hack: New York)2022.

<https://www.ironhack.com/us/en/blog/becoming-portfolio-professional-ben-legg-ironhack-podcast> Accessed 24th May 2023.

<sup>241</sup> Ibid

Respondents interviewed in this study started by using Facebook by advertising home managers for hire. They opened a Facebook account in 2018 but they did not use it for business but social and advocacy purposes. However, some local competitors began advertising cleaning services and house managers on their Facebook account and they got clients from many parts of the country.<sup>242</sup> Some decided to start a cleaning service but they were just trying out their luck when they posted it online and to their surprise, they got clients who wanted cleaning agents especially before they moved to a new house and after vacating houses and office spaces. They added Jiji as an online market and it gave her more income together with offering house managers. Advertisement on both Facebook and Jiji brought fantastic results and therefore decided to offer many services at once to earn more money.<sup>243</sup>

Juggling many things at once especially online has enabled many Ugandan queers to move to better housing and they can afford comfortably and they have been able to host more queer refugees and access proper health care services. Some queer refugees note that online businesses are safer for queer individuals because the locals promote them without necessarily meeting you face to face and without them questioning one's sexual preference.<sup>244</sup> Online markets enhance a level playing field for queer refugees to promote their earnings without encounters of direct discrimination or stigma based on their gender identity or sexual preference. In the online market places, they can showcase their prowess and expertise solely based on their merits hence increasing their success and income as well.<sup>245</sup> Online markets also help queer refugees in accessing a global customer base, enabling them to get in touch with clients beyond their local communities. This helps expanding their potential market and increases their chances of finding customers who are interested in their products or services.<sup>246</sup>

Posting one's craft such as new hairstyles on both their Facebook and Tweeter accounts and this helped them get on-call clients and more queer workers to help with the services. Some queers started a YouTube channel where she would talk about their crafts such as hair products, make-up

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<sup>242</sup> Nasiche Miremba, Oral Interview 2, Westlands Constituency, 12<sup>th</sup> April 2023

<sup>243</sup> Ibid

<sup>244</sup> Ben Legg, *Becoming a Portfolio Professional*. (The Iron Hack: New York)2022.

<https://www.ironhack.com/us/en/blog/becoming-portfolio-professional-ben-legg-ironhack-podcast>. Accessed 9th August 2023

<sup>245</sup> International labor Organization, Inclusion of lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) persons in the world of work: A learning guide (2022)25-47

<sup>246</sup> Ibid

products and even hair styles, that is when most of their businesses started growing<sup>247</sup>. The comments on their channels from clients asking them questions regarding them for various products and how to use them added to their client base. Some clients especially during covid requested her to show them how do some activities such as how to plait certain hairstyles. Through the demonstrations, she grew their online followers and that meant that they earn from the channels and from the clients. A respondent for example taught three students in a span of two weeks basic hair dressing and the students started to demand for more and therefore started advancing the levels of hair dressing while earning money from students.<sup>248</sup> According to her, one salon was not enough to serve as a hairdressing class, salon and hair product selling point. She therefore decided to open another branch Rosie's hair care within the constituency. With the help of social media, she states that she was able to expand her business and earn more money through the internet.<sup>249</sup>

Engaging in online markets therefore according to the respondents promotes empowerment to take control of the queer refugee's economic opportunities. Hence, they can establish entrepreneurship, set their own prices, and build their own brands.<sup>250</sup> This autonomy allows them to shape their livelihood paths according to their interests, skills, and aspirations. Taking part in the quiet markets allows queer refugees such as Rose to develop and refine their skills. They can receive direct feedback from customers, learn from customer reviews, and continuously improve their offerings. This iterative process fosters personal and professional growth, enhancing their prospects in the online market and beyond. Some queers on the other hand prefer the global market as compared to the local market. A respondent for example narrates that because of the international acceptance of the pride flags, they prefer custom making the clothes and including the pride flag in their clothing as a brand. Their goal is to become international queer fashion designers from Africa. They sell their clothes mostly Ankara t-shirts that have the pride flag on them. They narrate that they go like hot *mandazi's* on a cold Monday morning. Locally, they do not sell as much so she prefers the global market.<sup>251</sup>

In 2019, some queers started advocating for equal rights through their clothing brands and were contacted on Facebook by an N.G.O based in Canada that asked them to make 500 pieces of t-

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<sup>247</sup> Rose Basia, Oral Interview 1, Westlands Constituency, 28<sup>th</sup> April 2023

<sup>248</sup> Ibid

<sup>249</sup> Ibid

<sup>250</sup> James DeCicco, "*Master the Gig Economy*". (CreateSpace Publishing: California, 2017)73-107

<sup>251</sup> Elizabeth Namazzi, Oral Interview 2, Westlands, 10<sup>th</sup> April 2023

shirts for their Pride day and send them via DHL as a way of showing solidarity and to promote their work.<sup>252</sup> They started making Ankara accessories such as fabric necklaces, earrings, clutch bags and carrier bags with and without the pride flags so that both local and international markets promote their work. By so doing, they had been able to teach some queer refugees through Refushee how to make accessories using Ankara materials and also sell their products globally.<sup>253</sup> Silent markets therefore provide opportunities for queer refugees to connect with and be part of online communities and support networks. These platforms help in promoting mentorship opportunities, advice, and camaraderie with others who share similar experiences.

### **4.3 Covid 19 Pandemic: The Golden Goose?**

Queer Ugandan refugees embraced the online market place and some of them not only dealt with local customers but also with international markets including those in East Africa. This trade particularly amongst the Ugandan LGBTQI+ became popular in the beginning of 2020 when there was lockdown in Kenya due to covid 19. During the lockdown, the queers' livelihoods were affected and they therefore had to come up with realistic yet elastic means of survival. Because the outbreak was global, the UNHCR could no longer provide them with monetary funds, thus resources and effort were focused on assisting individuals affected by the virus.<sup>254</sup> In July 2020, the UNHCR on its social media platform, refugee camps notice boards, safe house and office notice board issued a memo that notified refugees that the organization will not receive visitors, have counselling sessions and hold interview in any of their offices in Kenya. The memo also noted that voluntary repatriation and resettlement of refugees was also suspended until further notice.<sup>255</sup> This meant that the queer refugees had to adopt fast although they feared getting infected and infecting other refugees, they needed to think fast of how to survive during this period.

Home delivery service of cooked food, soft drinks and alcohol started booming during the covid era due to the lockdowns in Kenya at the time. Through local vendors that needed their foods, drinks and alcohol sold partnered with the queers who would deliver the foods and drinks to various queer stag parties that the local vendors did not have access to.<sup>256</sup> The queers could add a

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<sup>252</sup>Elizabeth Namazzi, Oral Interview 2, Westlands, 10<sup>th</sup> April 2023

<sup>253</sup> Ibid

<sup>254</sup> *UNHCR Kenya*. <https://www.unhcr.org/ke/coronavirus-covid-19-update>. Accessed on 30th May 2023

<sup>255</sup> Ibid

<sup>256</sup> Brenda Kalende, Oral Interview 1, Westlands, 19<sup>th</sup> April 2023

fee for delivery and the vendors would pay commission to the queers for selling their foods and drinks.<sup>257</sup>

Self-paced online courses such as baking, culinary and even bachelor degrees gained popularity during the covid period. Some queers started teaching the online courses for a fee as way of earning money. A respondent started making alcohol infused snacks as they were cheaper to make and they could attract people as well. At first, she started with alcohol infused chocolate cakes and jelly but her clients complained that they were not getting high from them. She therefore thought of infusing her candy not only with alcohol but also with little marijuana that she purchased from a local vendor.<sup>258</sup>Hemp foods opened new doors for the respondent and she ended up hiring motorbikes for delivering the goodies from fudge chocolates, candies, Chocolate balls, brownies and baobab seeds infused with bhang and vape flavored pens. She narrates that she got clients from all over Nairobi but Westlands was the main hub.

#### **4.4 Cyber Cash Profiteers.**

The history of cyber cash profiteers is closely tied to the evolution of technology and the internet. These individuals, often operating on the fringes of the law, have adapted to advancements in digital commerce and finance to engage in various forms of cybercrime aimed at making illicit profits. In the early days of the internet, cybercriminals began exploring opportunities to profit from illegal activities. This period saw the rise of early hacking groups and online fraudsters. Credit card fraud and identity theft emerged as prevalent forms of cybercrime. Criminals stole credit card numbers and personal information to make unauthorized online purchases or sell the data on underground forums. Some cybercriminals engaged in "carding," a practice where they used stolen credit card details to make fraudulent purchases or withdrew cash from Automated Teller Machines (ATM). With the growth of e-commerce, cybercriminals adapted to exploit vulnerabilities in online payment systems. Phishing attacks became more common, with criminals sending fraudulent emails and creating fake websites to trick individuals into revealing their financial information. Malware authors started creating increasingly sophisticated viruses, worms, and Trojans designed to steal financial information or facilitate other cybercrimes. The emergence of botnets allowed cybercriminals to control large networks of compromised computers for various

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<sup>257</sup> Ibid

<sup>258</sup> Ibid

illicit purposes, including distributed denial of service (DDoS) attacks and spam email distribution. Cybercriminals began targeting larger entities, such as corporations and government organizations, with more sophisticated attacks. These included advanced persistent threats (APTs) and data breaches, often for financial gain. The use of ransomware attacks, where data is encrypted and a ransom is demanded, became a favored tactic for some cyber cash profiteers.

Cyber cash profiteers often need to launder their ill-gotten gains to make them appear legitimate. Money laundering techniques, both traditional and cryptocurrency-based, are used. Cybercriminals continue to operate on the dark web, where they sell stolen data, hacking tools, and various illegal products and services. Efforts to combat cyber cash profiteers have led to increased cybersecurity measures, international collaboration among law enforcement agencies, and stricter regulations surrounding financial transactions, cryptocurrencies, and online privacy. However, cybercriminals continue to adapt and evolve, posing ongoing challenges for cybersecurity professionals and law enforcement agencies worldwide. Some respondents had lost their jobs due to the lock down of churches, mosques, restaurants and night clubs. Due to desperation, they started engaging in cybercrimes to earn a living.<sup>259</sup> They started by creating false email addresses and they could cat fish elderly women and men from Europe and they tricked them to reveal their financial details. Some would send text messages to random numbers requesting them to send twenty shillings to them as their children were dying of hunger. Due to the low amount, many people would send the money and some reported that they could make up to three thousand shillings a day.<sup>260</sup>

#### **4.5 Crypto currency Trade**

The history of cryptocurrency is a relatively short but eventful one, characterized by technological innovation, financial experimentation, and a growing interest in decentralized digital currencies. During the Pre-Bitcoin Era, the concept of digital currency has been explored since the early days of the internet, but no successful implementation existed prior to Bitcoin. Various attempts were made at creating digital cash systems, including Digi Cash, E-gold, and B-Money, but none gained

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<sup>259</sup> Ibid

<sup>260</sup> Alice Umuganwa Oral Interview 1, Westlands, 21<sup>st</sup> April 2023



widespread adoption.<sup>261</sup> A crypto currency is a coded monofilament that denotes a unit of bank note. It is kept in check and sort out by a peer-to-peer network known as block chain.<sup>262</sup>The currency also serves as a secure ledger of transactions for buying, selling, and transferring cash. Unlike physical money, crypto currencies are decentralized, which means they are not issued by governments or other financial institutions. <sup>263</sup> Unlike many financial institutions and industries where traditional prejudices can exclude or otherwise harm or prohibit individuals from taking action, the crypto currency market is a fundamentally equalizing concept.<sup>264</sup>Crypto currency offers more liquidity and freedom to investors without the burdens of dealing with traditional infrastructure – something that has often led to discrimination for the LGBTQI+ community. While there are still many financial barriers for the LGBTQI+ community, the nature of crypto currency makes it possible for anyone to get in on the action – regardless of background or budget.<sup>265</sup>While society is certainly progressing, not every facet of day-to-day life is moving at the same speed. For those seeking equality in their financial investments, the crypto currency market offers a relatively judgment-free atmosphere where people from all walks of life can trade, grow and prosper.<sup>266</sup>

Some Ugandan queer refugees living in Westlands had put some of their savings in the crypto markets since they did not have any bank account details in Kenya. To them the crypt market was safer and because issues of gender were not an issue while opening an account. Most queers thought that the online currency did not discriminate them. During the pandemic, stocks of these bitcoin markets dropped and the queers' bought stocks in the hope that they will rise and therefore make profits. Some queers had an account before covid and his stocks were doing well. A respondent decided that he should educate other queers that were from Uganda in their WhatsApp platform at a small fee. He would charge Two thousand shillings for opening an account for other people. A bi-sexual in a FGD said that the crypto currency during the pandemic shot so high that the profits were blinding if you happened to look at the stocks. She narrates that because of the profits, she started a podcast channel as she had studied journalism in Kampala but was not able

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<sup>261</sup> Andreas Antonopoulos, *"The Internet of Money"*, (CreateSpace Independent: California,2016)37-91

<sup>262</sup>Finn Schwarz.,*"Bitcoin's Potential of Becoming a World Currency"*. (GRIN Verlag: Germany, 2019).1-7

<sup>263</sup>Richard Thompson, etal."*Crypto Uncovered: The Evolution of Bit coin and the Crypto Currency Marketplace"* (Springer International Publishing: Germany, 2019).3-15

<sup>264</sup> Maggie Hammond," *How the LGBT Community is Embracing Crypto Currency*", Tagg Magazine, October 2020

<sup>265</sup> Ibid

<sup>266</sup> Ibid

to fulfill her dream.<sup>267</sup> A lesbian in the FGD benefitted from crypt currency but she narrates that she invested in a local crypto because she was afraid of being scammed. In local crypt, the money can be converted to Mpesa and get the money direct and one does not have to write an email and the send the money via Mpesa. She narrates that local crypto are immediate as compared to international crypts.<sup>268</sup> Despite the success stories of the crypto currencies, some queers were scammed while opening the accounts. Some fraudsters took advantage of some queer's computer illiteracy and scammed them money. A respondent in this study for example was scammed by a local queer that he could open an account for him but opened the account in another name and when time for ripping profits came, he got nothing. He narrates that he was too trusting and he put more than ksh.50, 000 in the account over a period of eight months but when he wanted some money for upkeep, there was nothing in the account and he could not trace the local queer.<sup>269</sup> A lesbian in a FGD was also scammed by a fellow Nigerian queer with account opening of the crypto currencies. The scam ended up being a pyramid scheme and she had introduced so many queers to the Nigerian and ended up losing all her savings.<sup>270</sup> In first two months, she had given the Nigerian queer Ksh. 20,000 and on the third month the Nigerian queer gave her Ksh. 10,000 and told her that those were just profits and her principle was still intact. Seeing this, she thought if she puts Ksh. 50,000 as principle, she would get ksh.25, 000 as profit in two months. The deal was too good to keep to herself and decided to introduce her friends.<sup>271</sup> When she had saved up to Ksh. 100, 000, she was expecting Ksh. 50,000 but she got 10,000 was told that the internet was unstable and she should wait a few more days. Days turned to weeks and weeks to months, that is when she realized that she had been conned. She decided to also learn from that and become a better scammer to make ends meet.<sup>272</sup>

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<sup>267</sup> Anonymous, Oral Interview 1, Westlands, 26<sup>th</sup> April 2023

<sup>268</sup> Anonymous, Oral Interview 1, Westlands, 26<sup>th</sup> April 2023

<sup>269</sup> Brian Akiki, Oral Interview 1, Westlands, 14<sup>th</sup> April 2023

<sup>270</sup> Anonymous, Oral Interview 1, Westlands, 26<sup>th</sup> April 2023

<sup>271</sup> Ibid

<sup>272</sup> Ibid

#### 4.6 The Sweetheart Sextortion

Sextortion can be said to be a broad category of sexual exploitation in which abuse of power is the means of coercion, as well as to the category of sexual exploitation in which threatened release of sexual images or information is the means of coercion.<sup>273</sup> The Sweetheart Scam is one widely utilized modes of financial exploitation through sex.<sup>274</sup> It is said to be a scheme that can be perpetrated online or in-person. The person perpetrating the scam convinces someone that they are in love, using compelling emotions to bilk money from the unsuspecting person.<sup>275</sup> The closeted LGBTQI+ fall prey of these scams especially one's they have disclosed that they are still closeted to the G-queer or cyber scammer. They threaten to expose them if they do not pay a certain amount of money.

In a Focused Group Discussion, one gay noted that during covid, they got to know their victims through various queer dating sites. Both local and international sites and Mobile Phone Applications. The mostly used sites according to an intersex in the FGD are tinder, Grindr, Hornet, Scruff, Romeo, Surge, Jack'd, Blued, Taimi, Adam4Adam, and Daddy hunt.<sup>276</sup> During the pandemic, there was no movement due to the lockdowns, they had to survive. "*buli omu ku lulwe*" meaning "Everyone for themselves" "The closeted queers were their targets. They liked the ones with families because they have so much to lose and therefore pay more money. They were introduced to the scamming by Nigerian *Yahoo Boys* who were his clients at a night club in Westlands.<sup>277</sup> Yahoo boys are said to be Internet Scammers from Nigeria who deceive foreigners online to wire them money and valuable items through various dubious means.<sup>278</sup> The exchange of Dollar to Naira is an advantage to them. One of the yahoo boys was Elijah's fling. Before the night clubs were closed due to the pandemic, the yahoo boy would teach Elijah how to get money from dating sites but the yahoo boys not only scammed young ladies, their valuable predators were old ladies.<sup>279</sup>

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<sup>273</sup> De la Cerna Madrilena. "Sextortion". *Cebu Daily News*.

<sup>274</sup> The National Resource Center for LGBT.

[https://ncea.acl.gov/NCEA/media/Publication/NCEA\\_SweetheartScam\\_LGBT\\_FactSheet](https://ncea.acl.gov/NCEA/media/Publication/NCEA_SweetheartScam_LGBT_FactSheet). Accessed 30/05/2023

<sup>275</sup> Jurgita Lapienyte, "Here's how scammers threaten "closeted" LGBTQ+ people", *Cyber News*, September 2021

<sup>276</sup> Anonymous, Oral Interview 1, Westlands, 26<sup>th</sup> April 2023

<sup>277</sup> Ibid

<sup>278</sup> Derrick Wealth, *History of Yahoo Boys*, Quora 2019.

<sup>279</sup> Elijah Damba, Oral Interview 1, Westlands, 14<sup>th</sup> April 2023

In the queer dating sites, they would look for older men because they assumed they had families. Those that were family men and yet closeted were their cash cows. They would ask them to do all sorts of things including masturbating while the queers recorded them. Sometimes they were tricked to admit that they are gay online while being recorded and then asked for money if they did not want to be exposed.<sup>280</sup> Others would cat fish socialites and pose as someone else in images they provided. Once someone reveals their phone numbers, they will email them naked images of “themselves and “they will black mail the cat fished victim into sending money.<sup>281</sup> A respondent interviewed in this study notes that victims find it difficult to the report them because they do not force them to masturbate online or give sexual photos of themselves. He goes on to say that they do because they trust them and feel that they have fallen in love with them. <sup>282</sup>An intersex respondent notes that the intersex persons are the loneliest amongst the LGBTQI+. S/he therefore prefers to scam intersex individuals. Just like him/her, they have a low self-esteem due to the confusion of being male or female. <sup>283</sup>Once they meet a fellow intersex, they tend to feel free and open up and they are therefore the best to scam because they trust a fellow intersex more. The respondent said that they are scammers because they were love scammed the same way so they are just surviving hard economic times.<sup>284</sup>

#### **4.7 Conclusion**

This chapter acknowledged and appraised the expertise of queer Ugandan émigré which was pivotal for comprehending social security. Despite unsupportive policies from the host government, the queer Ugandan refugees as demonstrated in the chapter utilized skills learnt from Uganda and the host country for survival. With limited to vocational trainings, business development support and education, the queer Ugandan refugees found opportunities through skill utilization. They were able to foster their own self-reliance and promoted prosperity not only to themselves but to the host community as well.

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<sup>280</sup> Ibid

<sup>281</sup> Ibid

<sup>282</sup> Ibid

<sup>283</sup> Ibid

<sup>284</sup> Ibid

Breaking geographical barriers is not without merits and demerits. However, the advantages can notably revamp one's quality of life. By breaking geographical barriers, the Ugandan queer refugees were able to connect with and join supportive LGBTQI+ communities and networks. These communities provided emotional support, social connections, and access to resources and services tailored to their specific needs. By finding and engaging with these communities, queer refugees were able to experience a sense of belonging and solidarity.

# CHAPTER FIVE

## UPHILL STRUGGLES FOR THE UGANDAN QUEER REFUGES, 2013-2021

### 5.0 INTRODUCTION.

The search of socio-economic integration for queer Ugandan refugees among host communities raise fundamental questions. Those involved in this quest are those that are actively involved in forced resettlement policy, execution and ground-work about how queer refugees can live with autonomy and dignity. Socio-economic integration can be thought as a process and an outcome.<sup>285</sup> This relates to the refugees' level of participation in local, national, and global market places.<sup>286</sup>

This chapter focuses on the barriers that prevent queer refugees from engaging in meaningful livelihood activities. The chapter investigates Socio-economic homogenizing is an alternative to protection or durable solutions in addressing gay refugees' livelihood reconstruction. The chapter also examines the constrains that the LGBTQI+ persons faced is seeking meaningful employment and how these impacted their well-being and capacity to assimilate into the host country.

### 5.1 Socio-Economic Exclusion

Visibly, queer refugees face numerous barriers that impact their efforts to rebuild their livelihoods.<sup>287</sup> Addressing these obstacles requires a comprehensive approach that includes present policies, cultural sensitivity training to service providers, support services they use, and fostering a welcoming and accepting environment for queer refugees in host countries.<sup>288</sup> Despite legal protection efforts by both international and regional NGO's, it is important to note that the situation for queer refugees in Kenya remains challenging. Legal reforms, policy changes, and broader

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<sup>285</sup> De Vriese, (2006) "Refugee Livelihoods: A Review of the Evidence". (An Open Access and Academic Publisher: Science and Education,2006) Vol. 4 No. 2, 42-51

<sup>286</sup> Ibid

<sup>287</sup> Lee Badgett et al, *Effective Strategies to Improve Livelihoods of LGBTI People*. (U.S.A: University of Massachusetts,2021),3-17

<sup>288</sup> Livelihood coordinator, Gay & Lesbian coalition of Kenya, Phone interview, May 2023.

societal acceptance are necessary to effectively combat discrimination and ensure the safety and well-being of queer refugees in the country.<sup>289</sup>

Badgett notes that LGBTQI+ impartiality remains a tenacious and relevant issue.<sup>290</sup> The continued passing of discriminatory laws, the probability of expulsion from appointments due to sexual orientation and or gender identity, bullying in schools, exclusion from economic activities and the health effects of stigma all make it incredibly strenuous for members of the LGBTQI+ community to live their lives.<sup>291</sup> In examining the consequences of anti-LGBTQI+ practices, Badgett reveals the expensive repercussions of hate and discrimination, and how the hosts economy loses when we miss out on the full benefit of LGBT people's potential contributions.<sup>292</sup> She likewise demonstrates how queer equality and inclusion within organizations increases their bottom line, thereby allowing for countries' economies to flourish.

Queer Ugandan refugees often face prejudice in the job market, making it difficult for them to find work. Employers may hold preconceived notions about queer people, which lead to exclusion, limited job opportunities, and lower earnings. This discrimination can be overt, such as unfairness in hiring, or covert such as low-key forms of workplace harassment.<sup>293</sup> Due to issues such as prejudice, violence or a lack of finances in their home countries, queer Ugandan refugees may have restricted access to education and skill development options. Without proper education or training, they may struggle to compete in the labor market and find work that pays well and provides prospects for promotion.<sup>294</sup>

“Ushoga sio kitu kubwa. Kitu kubwa ni kudharauliwa, kutishiwa maisha na ujuzi wako kuonekana duni kwa sabababu ya kujikubali ulivyo. Sio haki shoga kutokuandikwa kazi na serikali au sekta binafsi. Mwijiri anafaa kuangalia sifa au ujuzi wako na sio kama wewe ni shoga”<sup>295</sup>

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<sup>289</sup> Legal coordinator, Gay & Lesbian coalition of Kenya, Phone interview, 3<sup>rd</sup> May 2023.

<sup>290</sup> Lee Badgett et al, *Effective Strategies to Improve Livelihoods of LGBTI People*. (U.S.A: University of Massachusetts, 2021), 3-17

<sup>291</sup> Ibid

<sup>292</sup> Lee Badgett, “*The Economic case for LGBT Equality*”. (U.S.A: University of Massachusetts, 2020), 25-48

<sup>293</sup> Deborah King, “*Multiple Jeopardy, Multiple Consciousness: The context of a Black feminist ideology*.” ed. Diana Tietjens (New York: Routledge, 1997) 53-77

<sup>294</sup> Acs Gregory, and Austin Nichols, “Low-Income Workers and Their Employers: Characteristics and Challenges. (Washington: The Urban Institute, September, 2007) 5-28

<sup>295</sup> Livelihood coordinator, Gay & Lesbian coalition of Kenya, Phone interview, 3<sup>rd</sup> May 2023.

“Being a queer person is not a big deal. The big deal is being looked down upon, threatened and one’s set of skill deemed as useless for being oneself. It is so unfair that because one is queer, they cannot get employed in the government and other private organizations. The employers should look at a person’s qualifications and not sexual preference”

Discrimination of queer refugee’s is overt in various forms notwithstanding ostracism in social, political and profit-making sectors. Some queer refugees started their refuge hood in the camps and later moved to the urban areas. The move to urban safe houses was because of direct attacks from other refugees. This led to the queer refugees excluded from livelihood programs offered in the camps and leading miserable and poor lives.<sup>296</sup> “We could not participate in any livelihood program at the camps. The other refugees chased us away during classes. When food was being given, we were locked in the toilet. How were we to survive. We are who we are. How does that affect someone else? We are all refugees and have and a right to work.”<sup>297</sup>

“Shida sio kuwa shoga. Shida ni kunyimwa kufanya kazi juu ya kuwa shoga. Sasa mimi kuwa shoga inakuwasha mtu wapi ningware? Hizi sheria za ukoloni bado zinatumika sasa? Hiyo inaniambia kuwa ushoga Africa ulikuwa unakubalika kisha mzungu akabadilisha sheria zetu. Sera za riziki zitutie ndani”<sup>298</sup>

” The problem is not being queer but being denied the right to work because of being queer. Where does one feel the urge to itch themselves because of me being queer? I can offer them my services. These laws that were used during colonial times are still being used today? This informs me that being queer in Africa before colonization was acceptable and the white man changed our laws. Economic Policies should include us.

A respondent noted that they had hoped to complete their education in Kenya through funding programs and grants. This dream seemed farfetched once they got to Kenya because the opportunities were given to people at masters and PHD levels. The bachelor’s degrees are very hard to come by. The secondary going pupils on the other hand are not accepted in schools especially once they declare they are queer.” The principles said that we will spoil the good pupils so they could not admit us”.<sup>299</sup>

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<sup>296</sup> Anonymous, online Interview 2, Nairobi, 27<sup>th</sup> April 2023

<sup>297</sup> Anonymous, Oral Interview 1, Westlands, 26<sup>th</sup> April 2023

<sup>298</sup> Ibid

<sup>299</sup> Anonymous, Oral Interview 1, Westlands, 26<sup>th</sup> April 2023



Queer refugees often experience mental health challenges resulting from past trauma, persecution, or discrimination. The psychological impact can be severe, affecting their ability to cope with daily life, pursue education or employment, and build social connections. Most queer refugees were unable to access proper medical and health facilities due to exclusion. Some Organizations work to provide healthcare services and mental health support tailored to the specific needs of queer refugees.<sup>300</sup> This includes access to healthcare professionals who are knowledgeable about LGBTQ+ issues, as well as counseling services to address trauma, discrimination, and other mental health concerns.<sup>301</sup>

“We cannot go to hospitals when we get sick. We rely on the counter-to-counter medicines. For example, during covid-19 pandemic, we lost our jobs and some of us got the virus but we could not go to seek medical help because we did not have money. So we just drunk herbal medication and prayed to God”.<sup>302</sup> Another respondent said that they do not go to hospitals because they are asked whether they are male or female and because they are neither, they cause unnecessary attention. They would rather stay at home and hope for the best while expecting the worst.

“Proper health care services in Kenya are quite costly. The best hospitals are private hospitals. If the NGO’s do not take care of the queer person’s health care, they end up having prolonged illnesses and sometimes dying”.<sup>303</sup> The queer is also scared of going to hospitals because of legal issues. The well-founded fear of persecution is still present since the host community just like Uganda does not tolerate queer behaviors.

“Wengine wetu teswa sana Uganda tukakimbilia kenya.Huo uwoga wa kupigwa na kuteswa bado uko.Wengine wetu lazima watembee kwa vikundi.Angalao mkiwa wengi mnaweza kupigana kuliko ukiwa peke yako.Wengine wakona alama hazitawai pona kwa hivyo kiwewe cha tutokapo bado kipo lakini lazima tutafute riziki.”<sup>304</sup>

Some of us were tortured in Uganda and we fled to Kenya. The fear of being beaten tortured is still there. Some of us have to walk in groups. At least we are able to fight if we are to be attacked unlike when one is attacked alone. Some queers have scars that will never heal and so the traumatic events that took place in Uganda still haunt but we still have to work.

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<sup>300</sup> Bachmann Chaka, “No Safe Refuge: Experiences of LGBT Asylum Seekers in Detention.” Stonewall 2016 [https://www.stonewall.org.uk/system/files/no\\_safe\\_refuge](https://www.stonewall.org.uk/system/files/no_safe_refuge). Accessed 22/05/2023

<sup>301</sup> Ibid

<sup>302</sup> Anonymous, Oral Interview 3, Westlands, 27<sup>th</sup> May 2023

<sup>303</sup> Anonymous, Oral Interview 1, Westlands, 26<sup>th</sup> April 2023

<sup>304</sup> Anonymous, Oral Interview 2, Westlands, 27<sup>th</sup> April 2023

The difficulties of hiding since the legal implications of breaching the law are jail time. This means that to have a meaningful life, one must conceal their gender identification and fight to compete in the labor market.<sup>305</sup>

“Because we do not want our bosses and people around us to know our sexual orientation, we must keep a very low profile. No talking to people, no one knows where you live, no going out with colleagues especially if you like someone and they are straight, and obviously no engaging in activities in the office. You must be the weird guy in the office”.<sup>306</sup>

Living in hiding could lead to depression. This is because the person is not themselves. They do things to please other people and they forget about their own happiness.<sup>307</sup> According to Amy and Stacy Young, individuals are not able to cope with their environment, they might experience maladaptive coping responses such as escape and avoidance and unhealthy comfort zones. Freud identified escape, denial and restraint as neurotic defences that absorb mental energy.<sup>308</sup> Therefore, many individuals escape the reality and end up having mental breakdowns and stress related illnesses such as alcoholism, high blood pressure and depression.<sup>309</sup> If the depression goes unchecked, the individual might die.

## 5.2 Outlawed Personalities

The history of illegal immigrants in Kenya is a complex and multifaceted one, shaped by various historical, political, and economic factors. Illegal immigration in Kenya primarily involves people from neighboring countries in East Africa, such as Somalia, Ethiopia, South Sudan, and Uganda, among others. During the colonial era, Kenya was under British rule, and the movement of people within East Africa was relatively unrestricted. Many Africans moved across borders in search of employment or trade opportunities. While there were some restrictions on movement, they were not as strict as in the post-independence period. After independence in 1963, the Kenyan government began implementing stricter border controls and immigration policies. These policies aimed to regulate the movement of people and goods across borders. However, the effectiveness

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<sup>305</sup>Rebecca Van, “Traumatic Stress Among Sexual and Gender Minority Refugees from North Africa, Who Fled to the European Union.” (Journal of Traumatic Stress, 2018 Vol.6)5–15.

<sup>306</sup> Homosexual, Online Interview, Westlands, 27<sup>th</sup> May 2023

<sup>307</sup> Folk man and Lazarus,” *Journal of Health and Social Behavior*, 1980

<sup>308</sup> Sigmund Freud, “*The Ego and the Mechanisms of Defense*”, (London: Hogarth Press and Institute of Psycho-Analysis).ed: 1966

<sup>309</sup> Adam Felman” *Neuroses and Neuroticism: What’s the Difference* “Medical News Today, January 9<sup>th</sup>, 2018

of these measures varied, and porous borders persisted in some areas. Over the years, Kenya has experienced waves of refugees fleeing conflict, persecution, natural disasters in neighboring countries. Economic factors have also driven illegal immigration in Kenya.

Several queer refugees lacked proper legal documentation due to their marginalized status and the often-hostile environments they fled from. This posed significant barriers when trying to access employment opportunities or access social welfare benefits.<sup>310</sup><sup>311</sup>They faced challenges in obtaining work permits or identification documents, which would limit their ability to find stable employment or pursue education. Because of this, they faced obstacles in accessing vital services and services and resources such as housing, legal aid, health care and nutrition.<sup>312</sup> According to Hurst, despite the Queer refugees living in Kenya, the practice of same –sex relationships are frowned at in Kenya. The Kenyan Penal Code of 1930, as revised in 2006, provides that same sex acts are not legal under Kenyan statutes. If found out, one could have a maximum penalty of 14 years' imprisonment to 21 years in certain aggravating circumstances. Sex acts between women are mentioned under the gender-neutral term "person" in Section 162 of the Penal Code and are enforced equally. These laws inhibit the queer Ugandan refugees from having career opportunities in the host country as mentioned by an informant while conducting a FGD.

“We live in hiding. If one gets a formal job, they are to stay low-key and none of the other staff can find out their sexual orientation since they will inform the boss”.<sup>313</sup>In the same discussion, it was revealed: “We have to hide who we are for bread.”<sup>314</sup>

The challenge of earning a living while looking over one’s shoulder leads to one not living their best life, they are scared of going to hospital if they get sick which leads to a high rate of deaths amongst the queers and stress associated illnesses.<sup>315</sup>The fear of persecution in the host country means that the queer refugees work with the fear of being discovered and therefore most queer

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<sup>310</sup> Carrie Hurst, 2018. “*The Stigma of Being a Refugee: A Mixed-Method Study of Refugees*” (Experiences of Vocational Stress: Journal of Vocational Behavior 2018 Vol. 10) 116–30

<sup>311</sup> Wilfred Bitalo, Oral Interview, Westlands, Nairobi, May 2023

<sup>312</sup> Badgett, “*The Economic Case for LGBT Equality: Why Fair and Equal Treatment Benefit Us All*”. Queer Ideas. Boston: Beacon Press 2020.

<sup>313</sup> Anonymous, Oral Interview 1, Westlands, 26<sup>th</sup> April 2023

<sup>314</sup> Ibid

<sup>315</sup> <https://www.unhcr.org/ke/19859-unhcr-statement-on-the-situation-of-lgbtq-refugees-in-kakuma-camp.html>. Accessed 20/05/2023.

refugees do not keep jobs for a long period of time. They tend to stay on the move because they are scared of getting comfortable in one place and being discovered.

### **5.3 Un-durable Quick Fixes.**

The UNHCR and other international organizations have tried to come up with ways in which queer refugees can attain meaningful life in the host countries. They have come up with long term solutions for refugees in general but do not address the queer refugees. These solutions could be said to be jury-rigged expedient solutions. Durable refugee solutions aim to provide sustainable and lasting solutions for refugees, ensuring their safety, well-being, and ability to rebuild their lives. The UNHCR has come up with ways in which refugees can restore their entity and at the same time promote health, security and prosperity.<sup>316</sup>To achieve durable solutions, Governments need to establish inclusive and comprehensive legal and policy frameworks that protect the rights of refugees, facilitate their integration, and promote their self-reliance. This includes addressing issues such as access to education, healthcare, employment, and legal status. Effective durable solutions require international cooperation and burden-sharing among countries of origin, host countries, and the international community.<sup>317</sup>

Sustainable development initiatives and livelihood programs can empower refugees to become self-reliant, contribute to the local economy, and rebuild their lives. This includes supporting vocational training, entrepreneurship, and job creation, as well as fostering economic partnerships between refugees and host communities.<sup>318</sup> Promoting social cohesion and community engagement is essential for the successful implementation of durable solutions. Encouraging interaction, dialogue, and cultural exchange between refugees and host communities can foster understanding, reduce prejudice, and promote peaceful coexistence.<sup>319</sup>

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<sup>316</sup> Carolin Funke, "Durable Solutions: Challenges with Implementing Global Norms for Internally Displaced Persons in Georgia" (University Bochum: Germany, 2022)72-100

<sup>317</sup> Ibid

<sup>318</sup> Un Migration, Supporting Durable Solutions to Urban, Post-disaster Displacement (Geneva: Morrilons 2015)1-82

<sup>319</sup> Ibid

## 5.4 Voluntary Repatriation

According to the refugee non-refoulement provision, repatriation is a decision that cannot be forced on an individual by the host.<sup>320</sup> Voluntary repatriation involves refugees returning to their country of origin when conditions have improved and they feel safe to do so. It requires addressing the root causes of displacement, establishing peace, stability, and ensuring the protection of their rights. Governments, international organizations, and humanitarian actors play a crucial role in facilitating the safe and dignified return of refugees, aiding, and supporting the reintegration process.<sup>321</sup> Voluntary repatriation can be a complex and challenging option for queer refugees due to several factors that inhibit their ability or willingness to return to their country of origin.

The legal and policy environment in the country of origin may not offer adequate protections for LGBTQ+ individuals. This might hinder the individuals from participating in repatriation. If the country criminalizes same-sex relationships or has discriminatory laws, returning could expose queer refugees to persecution, violence, or legal prosecution. Fear of retribution and lack of legal safeguards can deter them from considering voluntary repatriation.

“There is no way am going back. They will skin me alive. There is still a lot of hospitality in the country. The laws have not changed”. Noted a respondent.<sup>322</sup> Respondents prefer staying in the host countries other than going back to Uganda because the same-sex laws existed at the time. “In future, i can consider going back if the laws change”<sup>323</sup>

LGBTQ+ individuals often face social stigma and discrimination in their home countries, including within their families and communities. This can result in a hostile environment that threatens their safety and well-being. The fear of rejection, harassment, or violence based on their sexual orientation or gender identity may discourage queer refugees from considering returning to an unsupportive social context.

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<sup>320</sup> Carolin Funke, “Durable Solutions: Challenges with Implementing Global Norms for Internally Displaced Persons in Georgia” (University Bochum: Germany, 2022)72-100

<sup>321</sup> Ibid

<sup>322</sup> Wilfred Bitalo, Oral Interview 2, Westlands, Nairobi, 10<sup>th</sup> May 2023

<sup>323</sup> Anonymous, Oral Interview 1, Westlands, 26<sup>th</sup> April 2023

“Mimi sirudi huko Uganda. Watu walinibaka, wakanivua ngua na wakanipiga kama mwizi. Sitawahi rudi huko”. I will never go back to Uganda. People raped me, tore my clothes and beat me like I had stolen something. I will never go back”.<sup>324</sup>

Trauma associated with the country of origin might make an individual not to repatriate. The fear of events repeating themselves especially if the laws are still the same if not harsher would make one not to return.<sup>325</sup> Addressing these factors and facilitating voluntary repatriation for queer refugees require advocating for legal and policy reforms to protect LGBTQI+ rights, providing support for social reintegration and community acceptance, ensuring security and safety in the country of origin, and offering assistance and resources to mitigate the challenges faced by queer refugees upon return. Collaborative efforts among governments, international organizations, and civil society are crucial to create an environment where voluntary repatriation becomes a viable and safe option for queer refugees if they choose to pursue it.<sup>326</sup>

## 5.5 Resettlement

Resettlement involves transferring refugees from the country where they sought asylum to a third country that agrees to provide them with long-term settlement and the opportunity to rebuild their lives.<sup>327</sup> Resettlement is typically considered for refugees with specific needs or vulnerabilities, such as survivors of violence, women and girls at risk, or those who cannot safely return to their country of origin or effectively integrate into the host country. Resettlement programs require collaboration between host countries, receiving countries, and international organizations.<sup>328</sup> “I applied for resettlement in 2014. Nothing has happened. I have lost all hope but if I could get resettled in a queer friendly country. I would work really hard and earn a living.”<sup>329</sup> The resettlement of queer refugees can face several obstacles and challenges due to factors that inhibit their ability to secure resettlement in a third country. Inadequate legal protections against discrimination based on sexual orientation or gender identity in potential resettlement countries can create barriers for queer refugees. “The official that was handling my case when I applied for resettlement, was biased because of my sexuality. He asked very offensive questions. The person

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<sup>324</sup> Anonymous, Online Interview 2, Westlands, 27<sup>th</sup> April 2023

<sup>325</sup> <https://www.fmreview.org/issue71/crisp>. Accessed 19/05/2023

<sup>326</sup> <https://www.refworld.org/pdfid/583714a44.pdf>. Accessed 19/05/2023

<sup>327</sup> Liliana Lyra, “Refugee Resettlement: Power, Politics, and Humanitarian Governance. 1st Ed.

<sup>328</sup> David B. Halmo, Resettling Displaced Communities

<sup>329</sup> Anonymous, Online Interview 2, Nairobi, 27<sup>th</sup> April 2023

that was to protect me had a negative attitude towards me and I knew that I was doomed since he was Muslim. I couldn't do anything about it".<sup>330</sup> Without robust legal safeguards, they may face challenges in obtaining refugee status or experiencing discrimination during the resettlement process.<sup>331</sup>

Resettlement programs often have limited spots available, making it highly competitive for refugees to secure a resettlement opportunity. "Many of us have applied for resettlement. "It has been years without hope. I think the spots are few so we just hope that one day our dream shall come to pass".<sup>332</sup> This limited capacity can result in long waiting periods and a significant backlog of cases, making it difficult for queer refugees to access resettlement as a durable solution. Limited financial resources or lack of access to employment opportunities in potential resettlement countries may create additional barriers and make it challenging for queer refugees to establish stable and sustainable livelihoods.<sup>333</sup>

## 5.6 Integration

Local integration involves granting refugees the right to permanently reside in the host country where they sought asylum. It entails providing legal status, access to education, healthcare, and employment opportunities, and facilitating their full integration into the local community.<sup>334</sup> Local integration can be a viable solution for refugees who have been residing in the host country for an extended period and have established social, economic, and cultural ties.<sup>335</sup> Some factors inhibiting integration could include laws and against queer Ugandan individuals might fail to provide adequate protection for their rights. This can lead to challenges in accessing essential services, such as healthcare, housing, education, and employment, which are crucial for successful integration.

” siwezi kupata kazi ya ujuzi wangu. Nilikuwa wakwanza Uganda lakini siwezi fanya kazi hiyo maana Kenya pia hawakubali mashoga. Kwa hivyo bado siko huru kuwa shoga. Sheria zikibadilishwa, wengi wetu watafanya kazi tulio na ujuzi wake.

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<sup>330</sup> Anonymous, Online Interview 1, Nairobi, 27<sup>th</sup> April 2023

<sup>331</sup> Legal coordinator, Rainbow Homes, Phone interview 1, 3<sup>rd</sup> May 2023.

<sup>332</sup> Anonymous, Online Interview 1, Nairobi, 27<sup>th</sup> April 2023

<sup>333</sup> Liliana Lyra, "Refugee Resettlement: Power, Politics, and Humanitarian Governance. 1st Ed.

<sup>334</sup> Morgan Poteet, "After the Flight: The Dynamics of Refugee Settlement and Integration," (Cambridge: uk, 2016) 42-90

<sup>335</sup> Paths to Inclusion: The Integration of Refugees, (Berghahn Books: United Kingdom, 1998) 83-114

” I am unable to get the kind of work that I am qualified. I used to be a first aider in Uganda but Kenya has strict laws against queers, so I am not free to be queer. If laws change, most of us will get jobs that we are skilled for.”<sup>336</sup>

Cultural and religious norms can play a significant role in hindering the integration of queer refugees. Host communities that have conservative beliefs or lack understanding about LGBTQ+ issues may struggle to accept or accommodate the unique needs of queer individuals.<sup>337</sup> “We do not fit in. The churches preach against queers and our cultural practices differ from Kenyans. I love going to church but I cannot go. I will be chased away just by how I am dressed and look”<sup>338</sup>. This can result in social exclusion, isolation, and difficulties in forming relationships within the community.<sup>339</sup> Many queer refugees have experienced significant trauma and persecution in their home country due to their sexual orientation or gender identity.<sup>340</sup> These experiences can have long-lasting psychological effects, including anxiety, depression, and post-traumatic stress disorder. “Even though I have undergone counselling, I cannot walk alone at night, am scared of people in uniforms and am afraid of knives and fire. Being gay in Kenya is illegal. Am so scared of walking down the streets. What if am attacked? I have PTSD”<sup>341</sup> Untreated mental health issues can impede integration by affecting an individual's ability to engage with others and adapt to a new culture.<sup>342</sup> Addressing inclusivity and welcoming environments is essential for the successful integration of queer refugees, ensuring they can rebuild their lives and contribute positively to their host communities.<sup>343</sup>

## 5.7 Hurdles of the Global Vend

The access and availability of technology and internet is a major challenge for the queer Ugandan refugees living in Westlands Nairobi. Not all LGBTQI+ émigrés are able to afford a smart phone and reliable internet. A respondent, Francis Chitundu joined the bolt food delivery services using his bicycle in 2019. However, he needed to relay on other people’s mobile phone after his was stolen so as to access work and get requests. He therefore gave up using mobile applications for

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<sup>336</sup> Imelda Auma, Online Interview 1, Nairobi, 12<sup>th</sup> May 2023

<sup>337</sup> Daniel Ammen , The Concept of Integration ,Abe Publishers:U.S.A,1942)17-43

<sup>338</sup> Moses Akello, Oral Interview 1, Nairobi, 14<sup>th</sup> April 2023

<sup>339</sup> Daniel Ammen , The Concept of Integration ,Abe Publishers:U.S.A,1942)17-43

<sup>340</sup> Paths to Inclusion: The Integration of Refugees, (Berghahn Books: United Kingdom, 1998)83-114

<sup>341</sup> Francis Chitundu, Oral Interview 1, Nairobi, 29<sup>th</sup> March 2023

<sup>342</sup> Paths to Inclusion: The Integration of Refugees, (Berghahn Books: United Kingdom, 1998)83-114

<sup>343</sup> Daniel Ammen , The Concept of Integration ,Abe Publishers:U.S.A,1942)17-43



work. Due to unstable internet connections, his rating from clients were dropping every other day and complains from deliveries were not favorable and therefore opted to work offline for clients that he had met through the application and were willing to send him on various errands.<sup>344</sup>

In May 2019, the International Trade Centre and the Norwegian Refugee Council launched an online marketing program for both camp and urban refugees. They taught them data- entry, transcription, web research and advertisement designs that offer access to job opportunities via online jobs platforms, such as Up-work and Freelancer, where companies invite bids from freelancers for available assignments around the world. A key focus of the training pilot was to guide participants in upgrading their creative capacities to develop online marketing skills. The training enabled freelancers at Kakuma for example to perform digital marketing jobs that capitalize on their creative skills. For example, a freelancer might be hired to create Facebook advertisements, while another might design a landing page for a top customer. A Bi-sexual in a FGD said that “the NGO’s put forth a few success stories that oversimplify program impact for the majority of participants. Once one is on the ground, things are completely different”.<sup>345</sup> The online gigs relay on ratings from both customers and the gig workers. Some digital labor platforms like Uber, Bolt, Kilimall, Jumia and Up-work apply rating systems to individual workers and these ratings have stupendous consequences to the workers.<sup>346</sup> “Once a client rates you badly on a scale of 1-5, three is bad “Said a lesbian from a FGD. ’s company does not give you a lot of jobs and sometimes you get a job only when there are no messengers around where you are. This forces one to move far from the other riders just to get the job. “Another responded said that “the company punishes you by giving you clients with a low rating as well. It’s like they are trying to play cupid and put all the rotten eggs in one basket”<sup>347</sup>

Some companies that pay individuals click per pay depending on five-star rating frustrates the worker and this makes them register in other platforms so as to earn a living.<sup>348</sup> In a non-online setting, if an individual has a client with a negative attitude towards the delivery of a service, one could at least talk to a manager. But with platforms outsourcing the middle-manager role is played

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<sup>344</sup> Francis Chitundu, Oral Interview 1, Westlands, 29<sup>th</sup> April 2023

<sup>345</sup> Anonymous, Oral Interview, Westlands, 26<sup>th</sup> April 2023

<sup>346</sup> Hatim Rahman and Linsey Cameron, “How Gig Workers Push Against their Digital Boss”.  
<https://insight.kellogg.northwestern.edu/article/gig-workers-customer-reviews>. Accessed April 2023

<sup>347</sup> Anonymous, Oral Interview, Westlands, 26<sup>th</sup> April 2023

<sup>348</sup> Hatim Rahman and Linsey Cameron, “How Gig Workers Push Against their Digital Boss”.  
<https://insight.kellogg.northwestern.edu/article/gig-workers-customer-reviews>. Accessed April 2023

by an algorithm.<sup>349</sup>This means that the gig staffs work to make sure the service goes as perfectly as possible, and they try to mitigate the risks of even one low rating.<sup>350</sup>The worker mitigates rating by cancelling on clients that have a negative attitude or do not want to follow rules of the platform before they engage in any business transaction. A respondent noted that he got global online jobs for creating comical advertisement and activism through Queer clubs in Canada and U.S.A. He narrates that when he started promoting Queer Based Violence campaigns on Facebook and twitter through animation, other queer friendly N.G. Os started asking him to create content based on sexual exploitation and Gender Based Violence that the queers experienced in a comical and relatable way. The pay fluctuated sometimes based on the exchange rate and the nature of content.

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The downside of these advertisements however is that the companies end up yielding little or no return because not everyone is fascinated about online advertisement especially on social media platforms.<sup>352</sup>Miranda's argument is that the advertisements may led to losses in the company because they might led to distraction and finally annoyance which might led to people disliking the advert.<sup>353</sup>Arguably, not everyone is queer friendly especially in African countries where Anti-Homosexuality Acts are embedded in their constitution. These online campaigns based on Gender Based Violence against the queer could possibly yield negative results and the companies promoting the campaigns suffer losses because they might loss customer base for their products.

Gaining a following of over 10,000 people on twitter, a respondent organized a queer stud party and put-up posters on Instagram, Facebook, Twitter and WhatsApp. Her first stag party in Kenya was an all-white queer house party and she made sure to invite Kenyan social media influencers that had already come out.<sup>354</sup>She hosted it in Mountain view estate in a six-bedroom Airbnb. She charged an entrance fee of Kshs. 5,000 and booked a liquor store supplier as a vender and charged him Kshs. 30,000 for getting him clients for his booze. She also got two local outside caterers and charged them each Ksh. 30,000 for getting them clientele. Brenda narrates that the stud party was a hit with both local and ex-patriate participants thanks to marketing the party on Social Media

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<sup>349</sup> Ibid

<sup>350</sup> Ibid

<sup>351</sup> Israel Ochieng, Oral Interview 1, Westlands, 5<sup>th</sup> April 2023

<sup>352</sup> Miranda Brookins, Disadvantages of Online Advertising, Chron February,2019

<sup>353</sup> Ibid

<sup>354</sup> Brenda Kalende, Oral Interview 1, Westlands, 19<sup>th</sup> April 2023

Platforms.<sup>355</sup>The other stag party she hosted was not a hit as the first one because the same social media that had helped her get new clientele ratted her out to the local authorities. She has to talk to the police and paid a fine of Ksh. 100,000 and therefore made losses and lost trust with her clients. To build the trust, she opted to use telegram to advertise and send links to the party. She came up with a password to the link just to ensure her clients that all precautions are taken and that they will not get basted by local authorities. She also had to pay some policemen for protection and safety of the queers. She highlights that due to the advertisement of the stud parties on social media, she got a lot of threats and some comments were not well received.<sup>356</sup>

## 5.8 Conclusion

This chapter demonstrated how the use of social media is a double-edged sword. It can work wonders in creating money and also bring down one's brand. Businesses or individuals that use social media as a marketing tool may face Social Business Loop. This means that if the business or brand only creates its revenue through social media, they might end up attracting fewer customers and eventually business failure.<sup>357</sup> In order to avoid this, one is required to use multiple social media or online platforms so as to get more clients and better pay for the services offered.

Challenges to any craft are inevitable. This chapter has demonstrated how one deals with the hurdles and overcomes them is the real power. Socio-economic exclusion of the queer refugees fosters an impossible means of attaining meaningful life. Seeing that these refugees were unable to apply the three durable solutions that the UNHCR, they came up with solutions to the challenges they faced. Despite their illegal status in the country, they were unable to access medical facilities, counselling, education and even participate in decision making of their livelihood models. Queer refugees faced specific livelihood hindrances that made it difficult for them to secure stable and sustainable incomes. By addressing these livelihood hurdles and creating an inclusive and supportive environment, queer refugees were able to have better opportunities to secure stable and fulfilling employment, improve their economic situation, and contribute positively to their new

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<sup>355</sup> Ibid

<sup>356</sup> Ibid

<sup>357</sup> Jackie Owen, Social Media Marketing, <https://techjackie.com/disadvantages-of-social-media-marketing>. Accessed on 26/05/2023

communities. The question therefore is what measures can be taken to address these challenges in an environment that prohibits queer behavior?

## CHAPTER SIX

### CONCLUSION

The goal of this project was to investigate the process of livelihood reconstruction among the Ugandan queer refugees living in Nairobi's Westlands area. The study found that in order for the queer refugees to engage in meaningful livelihood, they had to reject the established norm and come up with creative ways to make ends meet. It was guided by three objectives; to investigate past livelihoods of the Ugandan queer refugees, assess the reasons behind their livelihood reconstruction and to examine the livelihood paths taken by the Ugandan queer refugees living in Westlands constituency in Nairobi County.

The research found out that some queer Ugandan refugees sort the anonymousness that Westlands constituency in Nairobi offered. The proximity of humanitarian assistance and the possibility of third country resettlement was a rationale for them living in Westlands. Westlands constituency at the time had a liberal space that accepted the LGBTQI+ individuals especially because of the high population of foreigners who accommodated and did not mind queers. The area had blighted areas that offered cheap housing and because of posh neighborhoods, there is access to informal work for the Queer individuals. Informants noted that informal work in the estates was readily available and the employer did not require any form of qualification or even identity.

The flashflood of queer Ugandan persons crossing over the international border lines into Kenya was after the passing of the Anti-Homosexuality bill in 2013 by Ugandan members of Parliament. This caused turmoil for queer persons in Uganda and there were killings and violent acts towards queer persons. Some due to a well-founded fear of persecution, made a decision to seek asylum in Kenya. Their essence of queer refugees in Kenya called to attention a noteworthy geo-political tension: Kenya's domestic legislation did not at the time concede LGBTQI+ rights, while the UNHCR through its directive of international protection did. To straighten this, the UNHCR established a parallel legal sovereignty, providing financial support and safe housing for LGBTQI+ plaintiffs and hastening the process of resettlement. The legislative domain in Kenya itself at the time of the Ugandan bedlam interdicted queer relations under the Penal Code. The LGBTQI+ persons residing in Kenya were squared up with subsequent levels of vehemence, intolerance, harassment, and other forms of ill treatment that unveiled the full discernment of rights declared

under the revamped Kenyan Constitution (2010). This venomous merge of xenophobia and homophobia presented acute risks to queer asylum seekers.

The protracted refugee situation in Kenya behooved the queer refugees to take part in relevant life. This included getting hired, or practicing what they were doing before their displacement or learning new skills other than mark timing. This could ensue in wilted human capacity and distress of human value. The queer respondents interviewed affirmed that due to prolonged resettlement process, they had to engage in meaningful life so as to survive and be able to lead a purposeful extant. The findings of the study have therefore been classified in a twofold category. That is, Uniqueness in their communication/language and livelihood and their practices in terms of culture and religion. The study found out that the LGBTQI+ individuals identify themselves as a global community known as the pride. The LGBTQI+ individuals use the pride flag to identify each other and it has been used by the Ugandan queer refugees in Westlands in promoting each other's businesses. For example, the local LGBTQI+ vendors wear bracelets, ties, hairbands and other promotional materials with the pride flag colors as a way of showing their solidarity and identity which helps them in promoting their business. The LGBTQI+ individuals have a unique way of communicating. They use words with hidden meanings. For example, the word beat describes a person seeking an anonymous Gay relationship. The study found out that this word was mostly used by sweetheart sextortionist identified in chapter four. Chicken is another common word meaning an underage with the potential of becoming gay. A T/girl or T/boys means Transgender girl or boy. A friend of Dorothy is another code word used to describe a gay man.

The study therefore identified various ways that the queer refugees earned their sustenance such as their involvement in the noiseless market place, that is the online gigs. Most queers preferred using online markets to promote their business because of the anonymity the internet provided. Some would open Face Book, twitter, Instagram, jiji, kilimall and jumia business accounts and sold various things and they would ship them for delivery to the client and payment made through cashless transactions such as, paybill, till numbers and m-pesa transfers without necessarily meeting.

For as much as the spectrum of the study did not incorporate queer Ugandan refugees in a camp settling, the study spotted that the queers in the camps did not receive much protection and they

would be attacked and some killed by other refugees in the camps. The Ugandan queer refugees in camps would run away to the urban areas as they were safer than camps. The study highlighted that some respondents in the study are ran away queers from refugee camps and have settled in Westlands. The study further notes that due to the proximity of the UNHCR office in Westlands, many livelihood programs were available for the queer refugees in urban areas particularly those that lived in Westlands.

Some Non-Governmental Organizations in the host country took part in assisting the queer refugees to reconstruct their livelihood. They did so through vocational training that helped the queer refugees learn new skills that would prepare them for the local market. The NGO's offered counselling services to the queer refugees that had gone through traumatic experiences in Uganda and were ready to embark on a clean slate. Some None Governmental Organizations were responsible for creating job opportunities for the queer refugees that had skills to educate, nurse, cook and many more in the refugee camps. Other None Governmental Organizations were responsible for getting internship opportunities after a skill training by the queer refugees. Such opportunities helped the queer refugee get a footing into the job markets. Through livelihood programs offered by Non-Governmental Organizations, some queer refugees were able to do work that they were passionate about and were not able to do in Ugandan.

Additionally, the study cross-questioned the dependency of funds from non-governmental organization, such as monthly stipends, provision of shelter, food and clothing by the queer Ugandan refugees. The overdependence of aid made the same Non-Governmental Organizations that aided the queer Ugandan refugees to introduce self-reliant approaches to livelihood. These interventions were to cub the over dependency that the queer Ugandan refugees had on the Non-Governmental Organizations. Although some queer Ugandan refugees were not receptive because they wanted a livelihood that was passion based as opposed to a livelihood that served as a means to an end. Some respondents noted that some livelihood models did not work. For example, agricultural activities such as chicken rearing and growing crops could not work in an urban area and therefore the refugees could not participate in them.

The literature reviewed established that the relationship between sexuality and the choice to seek asylum is intensely given less focus. The aspect of refugee hood is often assumed to be due to an ongoing armed conflict in the country of origin. The term refugee over the years has evolved due

to the nature of statute that govern a state, environment and conflict. The assumption that migration and the decision to flee are exclusively driven by income gaps between origin and destination countries results in the extreme vulnerability and specific challenges of queer refugees to be mostly ignored. The study alludes that an individual should not be discriminated and denied employment opportunities and the right to access education, health care services and do business due to their sexual orientation. The proclamation of Christian doctrine through European nations such as Britain, France, and the Netherlands sought to educate and reform African culture. Unfamiliar with the diverse cultures on the continent, European colonialist viewed practices unfamiliar to them such as same-sex relations as primitive and barbaric hence they criminalized them. However, in post-colonial Africa the same European countries were campaigning for same-sex relationships to be legalized in Africa. Does that mean that the Europeans have become primitive and barbaric?

While the researcher analyzed the various livelihood models used by the queer refugees, I propose that more research done on the role that the Non-Governmental Organizations play in shaping the livelihood paths taken by the queer refugees. This is because I found out that most queer refugees do not get to choose a livelihood path that is passion based. Rather, they choose a livelihood that is offered to them by the non-governmental organizations. This is because the NGO's offer safety nets of monthly stipends and aid if the queer refugee does not succeed in a livelihood path that is chosen by the NGO's. The risk of engaging in a livelihood that is not passion based is that the livelihood serves as a Band-Aid that is short lived and unsustainable. I propose that the Non-Governmental Organizations to cut the monthly stipend and aid given to the queer refugees and involve them in the decision-making process when it comes to the choice of livelihood so as to attain self-reliance. Nonetheless, this project has shown without doubt that the Ugandan queer refugees despite the hardships in the host community they were able to ingeniously reconstruct their livelihoods.



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## **Oral Interviews**

Achen, Paul Oral Interview 1, Westlands, Nairobi, 31<sup>st</sup> March 2023

Akello, Moses Oral interview 1, Westlands, Nairobi, 8<sup>th</sup> March 2023

Akello, Moses Oral interview 2, Westlands, Nairobi, 14<sup>th</sup> April 2023

Akiki, Brian Oral Interview 1, Westlands, Nairobi, 17<sup>th</sup> March 2023.

Akiki, Brian Oral Interview 2, Westlands, Nairobi, 14<sup>th</sup> April 2023.

Basia, Rose Oral Interview 1, Westlands Constituency, 5<sup>th</sup> April 2023

Basia, Rose Oral Interview 2, Westlands Constituency, 26<sup>th</sup> May 2023

Bitalo, Wilfred Oral Interview 1, Westlands, Nairobi, 22<sup>nd</sup> March 2023

Chitundu, Francis Oral Interview 1, Nairobi, 29<sup>th</sup> March 2023

Damba, Elijah Oral Interview 1, Westlands, 14<sup>th</sup> April 2023

Anonymous, Oral Interview 1, Westlands, 26<sup>th</sup> April 2023

Anonymous, Online Interview 2, Westlands, 27<sup>th</sup> April 2023

Anonymous, Online Interview 2, Nairobi, 5<sup>th</sup> May 2023

Anonymous, online Interview 1, Nairobi, 27<sup>th</sup> April 2023

Legal coordinator, Gay &Lesbian coalition of Kenya, Phone interview 1, 3<sup>rd</sup> May 2023.

Legal coordinator, Rainbow Homes, Phone interview 1, 3<sup>rd</sup> May 2023.

Anonymous, Oral Interview 2, Westlands, 17<sup>th</sup> May 2023

Mirembe, Nasiche Oral interview 1, Westlands, Nairobi, 3<sup>rd</sup> March 2023

Namazzi, Elizabeth Oral Interview 1, Westlands, Nairobi, 24<sup>th</sup> March 2023

Ochieng, Israel Oral Interview 1, Westlands constituency, 15<sup>th</sup> March 2023

Tamale, Kevin Oral interview 1, Westlands, Nairobi, 10<sup>th</sup> March 2023

Umuganwa, Alice Oral Interview 1, Westlands, 21<sup>st</sup> April 2023

Auma, Imelda Online Interview 1, Nairobi, 12<sup>th</sup> May 2023

## **APPENDIX 1: INTERVIEW QUESTION GUIDE**

**To investigate past livelihoods of the Ugandan LGBTQI+ refugee persons living in Westlands constituency in Nairobi county.**

1. What did you do for a living before moving to Nairobi?
2. Did you acquire a skill for this kind of work/engagement?
3. What kind of support did you receive in acquiring this/these skill(s)?
4. How did your sexual orientation affect your livelihood? Or influence access to livelihoods?
5. How did LGBTQI+ individuals navigate the workplace, and what were the challenges?

**To assess the reasons behind livelihood reconstruction of the Ugandan LGBTQI+ refugees living in Westlands constituency in Nairobi county.**

1. What do you do for a living in Nairobi?
2. What made you choose to pursue this kind of work or livelihood?
3. Have you received support in the pursuit of this livelihood?
4. Who has supported you?
5. In what form is this support?
6. How has the interaction with the host communities enhanced or diminished your chances of accessing work opportunities to live in Nairobi?
7. Have you tried to upscale your economic engagement?
8. How has this been possible?
9. What have been the challenges in trying to do this?

**To examine the livelihood paths taken by the Ugandan LGBTQI+ refugees living in Westlands constituency in Nairobi county.**

1. What types of livelihood activities have you pursued in order to reconstruct to your financial stability and independence?
2. How has your previous skills and experiences played in determining the choice of work you do now?
3. What opportunities have come your way and how did you access them?
4. Did you train in the work you do today? If you trained in a skill, what necessitated this training?
5. What challenges have you experienced in the quest to find work or make a living in Nairobi?
6. What have you learnt from these experiences and can share with an LGBTQI+ person arriving in Nairobi?