



CHAAG

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17th February, 2011

The Secretary General
Commonwealth Secretariat
Marlborough House
Pall Mall
London SW1Y 5HX

Dear Mr. Kamalesh Sharma

RE: MURDER OF DAVID KATO, GAY HUMAN RIGHTS ACTIVIST IN UGANDA

The Commonwealth HIV and AIDS Action Group (CHAAG) is deeply shocked at the murder of David Kato, advocacy officer for the gay rights group 'Sexual Minorities Uganda' and joins the international community in condemning this horrific act of violence. Mr Kato's murder is an illustration of the deadly consequences of homophobic laws, practices and campaigns present in many Commonwealth countries and should serve as a wakeup call for you and the Commonwealth Secretariat to focus attention and resources on supporting member states to understand the urgent need to repeal domestic laws that undermine the human rights and dignity of Commonwealth citizens. We call on the Commonwealth Secretariat to provide technical support to member states to remove the laws criminalizing homosexuality which fuel violence toward sexual minority groups and contribute to the spread of HIV.

There is ample evidence that illustrates how criminalization of homosexuality is a major barrier to HIV prevention and treatment. Laws that criminalize sexual orientation create an atmosphere of fear and intimidation, stigma and shame that makes it hard, if not impossible to reach those at risk of HIV with vital services. It also violates human rights to privacy, equality and non-discrimination which are protected by international human rights law and upheld in consecutive CHOGM Declarations.

The current situation in the Commonwealth is dire where forty two Commonwealth countries have criminal offences for sex between men in their criminal codes and maximum penalties can be severe, including lengthy prison sentences, life imprisonment and even the death penalty. Through its project 'Addressing the Structural Barriers to HIV and AIDS in the Commonwealth' the Commonwealth HIV & AIDS Action Group has worked with the Commonwealth Secretariat and Commonwealth Foundation to highlights the urgent need to repeal laws and law enforcement practices which make it more difficult for HIV programmes to reach sex workers, men who have sex with men (MSM), transgender people and people who use drugs.

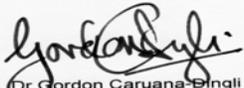
We call on you as Secretary General to take leadership on this issue by demonstrating that there is value to the Commonwealth in promoting the human rights of all Commonwealth citizen, regardless of sexual orientation, and put every effort into ensuring that there is commitment to de-criminalization of colonial sodomy laws. We would appreciate an urgent meeting with yourself to review what actions will be taken in the run up to the Law Ministers Meeting and the CHOGM this year.

Yours sincerely



1. Anton Kerr

Chair, Commonwealth HIV and AIDS Action Group



2. Dr Gordon Caruana-Dingli
President
Commonwealth Medical Association

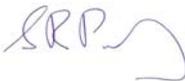
2. Dr Gordon Caruana-Dingli
President
Commonwealth Medical Association

Peter Ashman

3. Peter Ashman
Vice Chair- Commonwealth HIV and AIDS Action Group



4. Jill Illife
Commonwealth Nurses Federation



5. Serge Paul
Commonwealth Organization for Social Work



6. Dr. Uzodinma Adirieje
Civil Society for HIV/AIDS in Nigeria (CiSHAN)



7. Michael Stubbings
Treasurer, HIV and AIDS Action Group (CHAAG)



8. Lucy Mathai
Director, Slums Information Development & Resource Centres (SIDAREC)



9. Trevor Pearcy
ALEGRI/Associate Consultant to International HIV/AIDS Alliance



10. John W. Forster
University of Regina



11. Richard Elliott
Executive Director, Canadian HIV/AIDS Legal Network



12. Ivan Cruickshank
Caribbean Vulnerable Communities Coalition

13. Joan Didier
AIDS Action Foundation (AAF)



14. Dorcas Amoding
Community Health & Information Network (CHAIN)



15. Ishmael Bahati
PErson Marginalized and Aggrieved (PEMA)

16. Lindiwe Farlane
Engender Health South Africa



17. Robert Carr
International Council of AIDS Service Organizations (ICASO)

18. Don Baxter
Australian Federation of AIDS Organisations (AFAO)

19. Basil Williams
Caribbean HIV & AIDS Alliance

20. Dr. Palani Manoharan
Madurai Non-formal Education Centre (MNEC)

21. Krista Lauer
The Global Forum on MSM & HIV (MSMGF)