

**International
Institute of
Social Studies**

Erasmus

**Rwanda's Formal Private Sector and LGBT
Employees:
"Progressive but not protective"?**

A Research Paper presented by:

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(Rwanda)

in partial fulfilment of the requirements for obtaining the degree of

MASTER OF ARTS IN DEVELOPMENT STUDIES

Major:

Social Policy for Development

SPD

Specialization:

Women and Gender Studies

Members of the Examining Committee:

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The Hague, The Netherlands
December 2016

Disclaimer:

This document represents part of the author's study programme while at the Institute of Social Studies. The views stated therein are those of the author and not necessarily those of the Institute.

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Acknowledgments

This Journey would not have been possible if it was for my Supervisor Prof. Dr Irene Van Staveren and second examiner Dr Helen Hintjens for their support and guidance during this work.

I would like to thank everyone who have contributed to this journey and helped me to make it realizable. I thank you very much!

Contents

<i>List of Figures</i>	<i>vi</i>
<i>List of Maps</i>	<i>vi</i>
Map 1.1 Map1: Map of the study area (Nyarugenge and Kicukiro)	vi
<i>List of Appendices</i>	<i>vi</i>
<i>Abstract</i>	<i>viii</i>
Keywords	viii
Chapter 2 Introduction	1
1.1 Contextual background	1
1.2 Problem Statement	2
1.3 The history underpinning the legalization of homosexuality in Rwanda	4
1.3 Research Objective	5
1.4 Research Question(s)	5
1.5 Contents of chapters	6
Chapter 3 Chapter 2. Theorizing LGBT workplace equality and visibility. 7	
2.1 Addressing sexual diversity and equality at work	7
2.2 Labour market situation in Rwanda: Do LGBT population matter?	8
2.3 Exclusion of LGBT people: A “Private matter” discourse	9
2.4 Workplace discrimination: The fear of disclosure of sexual orientation and gender identity	10
Chapter 3. Research Methodology	12
3.1 Description of the study	12
3.3 Study Area	12
Map1: Map of the study area (Nyarugenge and Kicukiro)	13
3.4 Research instruments	13
3.2 Sample selection	14
3.3 Ethical considerations	14
3.4 Limitation and challenge of LGBT non-discrimination study	15
Chapter 4: Research Findings and Data Analysis	16
4.1 Introduction	16
4.2 Discrimination and harassment of LGBT employees	16
4.3 Perceived stigma, despite protective workplace policies	19
4.4 Progressive laws: Legal status as an instrument	22

4.5 Advocacy as a tool	24
4.6 Findings analysis in figure	26
26	
Chapter 5: Conclusion	27
5.1 Overview of Findings and their implications	27
5.2 conclusion	28
5.3 Recommendations	28
5.3 a. Employer	28
5.3 c. Government and its institutions	29
5.3 d. LGBT employees	29
5.4 Recommendation for further research	29
References:	30
Appendices	33
Appendix 1: Interview guides	33

List of Figures

Figure 1.1 Finding Analysis in Figure 26

List of Maps

Map 1.1 Map1: Map of the study area (Nyarugenge and Kicukiro) 13

List of Appendices

Appendix 1: Interviews guide 32

List of Acronyms

GoR	Government of Rwanda
NEP	National Employment Policy
HDI	Health Development Initiative
PSF	Projet San Francisco
GYC	Global Youth Connect
LGBT	Lesbian, Gay, Bisexual and Transgender
ISS	International Institute of Social Studies
NGO	Non-Governmental Organization
CBO	Community Based Organizations
UN	United Nations
IDAHOT	International Day Against Homophobia and Transphobia

Abstract

This research seeks to explore the situation of LGBT¹ employees in the Rwandan formal private sector labour force. LGBT employees continue to be victims of undocumented discrimination at workplace due to lack of implementation anti-discrimination policies.

Although Rwanda's legal frame work provides a favourable working environment, societal attitudes and organizational cultural system present a challenge to LGBT employees in the formal private sector since sexuality issues are considered as taboo or private matter.

Therefore, the research will provide insights on the lived antecedents of LGBT employees in their workplaces and will analyse the connection between perceived discrimination and existing policies in organizations in order to deconstruct these puzzles. This research will finally conclude with suggestions and recommendations to which will go beyond the policy practice not only in the organization but also to a journey that will embrace diversity and visibility of LGBT people towards tolerance to all.

Relevance to Development Studies

The subject of this research seeks to explore Rwanda's progressive position on the rights of LGBT and what explains their invisibility despite the progressive laws towards homosexuality that have been provided in the Rwandan constitution and the penal code. The inclusion of various stakeholders is being recognised in the field of development. However, marginalized group such LGBTs are being left out in development programmes and limited efforts were oriented to those groups. Therefore, these vulnerable groups are more exposed to invisibility that could lead to stigmatization and their opportunities to social contribution being limited.

Keywords

LGBT, Workplace discrimination, Sexual orientation, Diversity, visibility, formal private sector.

¹ The initialism LGBT is intended to emphasize a diversity of sexuality and gender identity-based cultures. It may be used to refer to anyone who is non-heterosexual or non-cisgender, instead of exclusively to people who are lesbian, gay, bisexual, or transgender
See also: <https://internationalspectrum.umich.edu/life/definitions>

Chapter 2 Introduction

1.1 Contextual background

Rwanda presents a paucity on documentation data in the workplace discrimination against LGBT employees. Even so, legal mechanisms to prohibit discrimination at work place in Rwanda are developed in a broad sense or either limited to particular population or group of people. Gender discourse in Rwanda has progressed but with also limitations to some extent. However, studies were conducted on LGBT groups in health sector which raised a little visibility and their existence but these studies are still on their infancy and also sometimes are driven by the goals of development agencies.

Discrimination on the basis of sexual orientation in the labour market issues seemed unapproached or ignored depending on the contexts, however economists have developed some interesting and intellectual approaches by considering discrimination and sexuality. With their contribution they argued how 'gay' people were considered differently from similar qualified heterosexuals in the labour market and it was experienced either in a formal or informal sector (Rodgers, 2006). Discrimination in the labour market faced by LGBT employees from their employers could be motivated by individual attitudes and also depends on the social, cultural and economic context that an individual operates within (Ibid).

In the Rwandan labour market arena, gay people continue to experience discrimination, even though the legal and policy frameworks seem to provide a good atmosphere regarding their rights in a broad sense, with regard to attitudes that motivated discrimination, social and cultural behaviours which create such scenarios. In terms of visibility and inclusion at work place, Brown and Blackmon have emphasized that such behaviours can lead to "inability to give 'voice' which can severely impact members of invisible minority such as LGBT employees, who opt to conceal their identity in order to avoid disadvantage and discrimination at work. (Brown & Blackmon 2003). Law enforcers and other policy makers in Rwanda hardly express their opinion on sexual orientation, gender identity and gender expression. Generally, non-normative sexualities are perceived as issues that are not of any benefits to the development of the country (UHAI-EASHRI, n.d)

The visibility agenda to address LGBT issues in Rwanda seems to be advanced by international actors, with efforts made by diplomatic missions in order to enhance their relationship with community based organizations (informal LGBT movement organizations) to champion these issues and involve local NGO in public events such as International Day against Homophobia and Transphobia (IDAHOT), and creating capacity building activities

in a locally administered projects as a way to primarily monitor this ongoing quiet engagement. In addition, the international actors also approach the issue of visibility by raising it privately with government officials in order to “monitor the security situation of LGBT citizens and work of law enforcement agents”. (Haste and Kevin 2015). A range of stakeholders engaged in sexual and health rights have tried to address the LGBT rights, their visibility among the Rwandan community and their inclusion in different social and economic activities, however the sensitivity of approaching the issues was seen counter-productive and also as potentially dangerous. NGO leaders are forced to maintain low key relations with local official and community leaders while addressing these issues. To some extent this approach has helped to move forward raising health issues and also expanding their alliance base with these authorities. (Haste and Kevin 2015).

In contrast, the low-key approach is seen as a limitation by international actors rather than a strength. However, there is good will of some local NGOs to engage in protecting the rights of the LGBT people and supporting their work, but still the lack of civil society involvement presents a failure in grasping the opportunities that are open to them to address this issue. The effort made by the international actors using a celebrations of events to bring the community based organisations (CBO/ LGBT informal organizations) and NGOs helped to some extent raising awareness on this issue through public gatherings that may champion this cause and contribute to local advocacy efforts on the side of NGOs and CBOs to modulate their activities and achievements. (Ibid). However, on the side of employment rights and access to labour market the situation remains undocumented.

1.2 Problem Statement

Lesbian, Gay, Bisexual and Transgender (LGBT) have been fighting for their equal rights and respect with limited success. In some contexts, sexual minorities still face unfair treatment in significant areas of their lives and forms of discrimination. The subject involves social policy as social development in which social development network under poverty reduction and economic management network “acquired partial responsibility for several ‘social’ components that would under normal circumstances be the responsibility of social development; for example, empowerment, social capital and gender”. (Hall 2007: 161).

The international community have recently focused on the legal status of Lesbians, Gay, Bisexual and Transgender (LGBT) people in some African countries where there has been resistance to changing legal and policy framework systems regarding the rights of LGBT people and others have been illegalizing the issue of homosexuality in their societies. In some African countries

the discourse failed to be understood in the public sphere which tends to deny protection of LGBT under the main argument that homosexuality is 'un-African'. Furthermore, such arguments have resulted in hatred, violence and persecution against the LGBT community and human rights defenders in some African countries notably, Uganda, Nigeria and Tanzania. (Abadir, 2015:265).

In addition, a group of African nations forged an alliance with the organisation of Islamic conference to oppose protection of LGBT rights, however there are also several countries in Africa that never criminalized same sex behaviours/ conducts in their societies. Rwanda is amongst those countries and offers a conducive environment on this issue compared to other neighbouring countries in its geographical region. This was emphasized in a recent speech by the Rwandan president in his answer to the question asked by one of attendees at Rwanda Cultural Day in San Francisco, USA, an event that gathers all Rwandans living in diaspora and he stated that homosexuality isn't Rwanda's problem and they do not intend to make it one, and that Rwanda is a country where everyone is supportive to each other².

Although the decriminalisation of homosexuality in Rwanda indicates a progressive approach on non-normative sexual orientation and legal and human rights provisions exist that protect all citizens including lesbians, gay, bisexual and transgender people, stigmatisation and discrimination still persists among Rwandan society, sexuality is perceived as taboo in particular non-normative sexual practices. (UHAI-EASHRI, n.d.). Strong religious beliefs and rigid perceptions of culture influence public opinion and have contributed to increased perpetuation of human rights abuse and vulnerability to different acts of violations, including arbitrary arrest and detention, denial of access to justice, family expulsion, denial of employment rights and discrimination (Ibid).

In addition, myriad of empirical studies has contributed to understanding the legal and policy frameworks surrounding sexual orientation and gender identity. Same sex conduct remains problematic in Africa, politicians and government officials continue to fuel homophobia in their statements and this remains a predominant concern for LGBT activists (Wood et Al. 2007). The rights of LGBT people in many African nations are described indistinctly for the legal provision but have some provisions against homosexuality. (Ibid).

Rwanda provides a special case in which the legal provision offers a progressive stand towards homosexuality but it does not have either a specific legal provision on sexual orientation and gender identity nor codes against it. Therefore, LGBT people in Rwanda are not assured to any specific protection to their rights, it has led to invisibility of the LGBT people caused by social

² <http://ktpress.rw/2016/09/homosexuality-isnt-our-problem-says-president-kagame/>

repression in a form of silence about sexual orientation and gender identity expression.

1.3 The history underpinning the legalization of homosexuality in Rwanda

Like other African communities, homosexuality is still perceived as taboo in the Rwandan society despite its legalization. In the past years, homosexuality discourse in Rwanda has taken another level in which involved some discussions with inappropriate languages used to describe homosexuals by the government officials, religious leaders and the population in general. The discussions portrayed homosexuality as deviance³, private matter⁴ and moral genocide⁵. Nevertheless, Rwanda's genocide history has played a big role to prohibition of discrimination, since the history has taught what discrimination can result to a particular group. It therefore, pushed also to exemplify its constitution and expressed a national resolution to eradicate form of division with respect of fundamentals of human rights and tolerance to all. This was made clear in the clauses of article 16 and 46 of the Rwandan constitution that states:

“All Rwandans are born and remain equal in rights and freedoms. Discrimination of any kind or its propaganda based on, inter alia, ethnic origin, family or ancestry, clan, skin colour or race, sex, region, economic categories, religion or faith, opinion, fortune, cultural differences, language, economic status, physical or mental disability or any other form of discrimination are prohibited and punishable by law.” and the respect of human dignity states that:

“Every Rwandan has the duty to respect and consider his or her fellow beings without discrimination, and to maintain relations aimed at safeguarding, promoting and reinforcing mutual respect, solidarity and tolerance.”

Sexual orientation and gender identity are quite often wrapped in silence and privacy since this problematic is defined by local authorities and the public as a 'private matter'. To this extent, in Rwanda and throughout Africa, the conceptualization of sexuality discourse is mostly criminalized and stigmatised. Therefore, analysts are advised to approach it with care and sensitivity. (Tamale, 2011:12). This statement gives an insight and explains the situations which entrenches invisibility of LGBT people in Rwanda.

³ See 4

⁴ Rwanda: Homosexuality Moral Genocide, Says Kolini. All Africa. 24 February 2007.

Accessed 18 November 2016

<<http://allafrica.com/stories/200702260968.html>>

⁵ Homosexuality: biological, the legal, spiritual and social issues. The new times

Online, 30 January 2011. Accessed 18 November 2016

<<http://www.newtimes.co.rw/section/article/2010-01-30/80922/>>

Although Rwanda's legal position on homosexuality offers a positive progress on LGBT rights, gay people and their movement remain invisible with possible fear of society's perception towards their acceptance. In addition, local NGO face challenges in supporting these groups and since the issue remains problematic due to the strategic silence of the government, it therefore rendered this issue to a complex situation in which LGBT are exposed to threats and their safety towards society attitudes within the minds of the public and diminishes also their equal opportunity to access different services.

Progressive laws and policies towards homosexuality in Rwanda do not clearly offer a safe environment to the LGBT people in Rwanda, since the respect of human rights have been criticised by human rights observers that it only focuses on civil and political rights but when it comes to sexual orientation and gender identity the issues receive a limited attention. (Haste and Kevin 2015). In this regard, efforts to bring attention to this issue were approached by different actors such local and international NGOs to advance LGBT rights.

1.3 Research Objective

The workplace is becoming increasingly highly competitive and diversified in various ways. Different factors influence such situation all over the world. With regards to sexual orientation and gender identity, LGBT employees contribute to the largest but not the least researched minority group in the workforce. Sexuality discourse can be invisible but it is essential for employee's personality. This study explains the scarp that face LGBT employees in the formal sector in Rwanda. It therefore, aims to: 1. Exploring and discovering equal opportunity practices for LGBT people within Rwandan labour market, 2. Finding out what are the policies and practices in place that LGBT allies uses to advance their rights and equal access to employment and, 3. Explore in depth if company employers provide any mechanism/policy protection to address visibility in the Rwandan private sector.

1.4 Research Question(s)

1. What level of discrimination do face LGBT people in their workplace?
2. Do private business companies have protective policy(ies) to address visibility for LGBT people in their companies?
3. To what extent do local and International NGOs share a common agenda to advance LGBT rights and address visibility at workplace?

1.5 Contents of chapters

This study comprises 5 chapters: the first chapter discusses about the situational background of the topic and the states the problem and reasons of the author's choice of this study on LGBT employees in the Rwandan formal private sector. The chapter will also discuss the objectives of the study as a subject matter to research among LGBT population.

The chapter two, will theorize LGBT workplace equality and diversity from different point of view drawn from previous researches, literature by linking it with realities on the ground lived by LGBT employees in Rwanda. In chapter three, the study will describe the area to which this study was conducted, methodologies, challenges, success and some ethical consideration about this sensitive study.

Chapter four describes the core centre of the whole study, the chapter is about the findings and its analysis on LGBT employees' antecedents of discrimination at workplace despite progressive Rwandan legislation and conducive protective environment for the LGBT people, it analyses also the contribution of national and international non-governmental organizations operating in Rwanda, that support, advocate and address issues of diversity and equality in regard to recognition of LGBT people.

Finally, chapter five, will conclude with a summary of what have been discussed in the four chapters, and give recommendations for further research in the field of LGBT in Rwanda.

Chapter 3 Chapter 2. Theorizing LGBT workplace equality and visibility.

This chapter draws from literature and researches conducted in the field of LGBT workplace equality and other source of information that have shed the light to LGBT toward equality and visibility at the workplace. It presents concepts, analytical and empirical discussions and presentations. The literature will be in line with the objectives and research question of this study. It will provide insights of LGBT equality and visibility at workplace in the Rwandan labour market context.

Rwanda has made a progressive step forward promoting equality and non-discriminatory legislations in order to give opportunity to all. With the Rwandan labour market context this chapter will examine the inclusion of LGBT population within this equality process at workplace. In doing so, the chapter will be inspired from relative literature, since Rwanda does not have enough documentation on LGBT population. In relation to visibility, the chapter will focus on causes of fear and disclosure of sexual orientation that may hinder LGBT workforce at the labour market in Rwanda.

2.1 Addressing sexual diversity and equality at work

The workplace equality has been given much attention through different surveys. The ethical framework given by scholars Sen and Nussbaum, have shed lights to the understanding of new approaches that evaluate the status quo of equality and inequality in order to support improving workplace equality practice. (Gagnon & Cornelius 2000: 68). Moreover, Sen and Nussbaum have demonstrated, workplace equality issues by undertaking their work to international and cultural sensitive strain with purpose to respect of human dignity and individual freedoms. (ibid.).

The pressing issue for theorizing equality and diversity at workplace was to introduce the diversity management as an approach that could open up for equal opportunities. The workplace equality theory was geared up to advance and promote representation of women and under-represented groups in the organizations with a goal to achieve positive actions. (Gagnon & Cornelius, 2000).

In relation to LGBT visibility, this theory contributed to raise the issues of visibility in the organizations that define LGBT representation with a focus on

valuing differences to which Gagnon and Cornelius called “equality through differences”. (Ibid). The LGBT group falls under the category of the under-represented and the approach of valuing differences implies non-discrimination and respect of diversity at individual levels. In spite of the recognition of LGBTs, policy practice is still far way to be implemented and LGBTs remain seriously invisible in the organization.

Although, the equality at workplace theory offers tips to organizations to effectively improve their organizational mechanisms to achieve its goals, there is still a gap on the implementation side and employees’ satisfaction about those practices, which tends to be unequal than equal as it means to be.

Furthermore, this theory has brought the author’s attention in this study to compare what LGBT employees in formal private sector in Rwanda think of their organizations’ mechanism to embrace equality and diversity, their opinions reflected on the gap identified in previous researches on equality practice in organizations and the reality on the grounds. In fact, some organizations believe that the existence of policies on equality within the workplace can improve satisfaction of employees, but the legal compliances are not enough for organizations to put into practices those policies for the purpose to fit in disadvantaged groups such as LGBTs and other under-represented ones in their decision making.

Therefore, organizations need to transform themselves and enhance their equality practice agenda forward. (Gagnon & Cornelius 2000:70). Likewise, the approach need to be effective to disadvantaged groups who still believe that their interests are neither considered to be protected nor promoted in their organizations. (Ibid) Overview of Rwanda National Employment Policy

2.2 Labour market situation in Rwanda: Do LGBT population matter?

Although Rwanda has progressive laws towards homosexuality and national legislations prohibiting discrimination, the LGBT group remain under-represented. The labour market profile and national employment policy in

Rwanda(NEP) do not show any statistical figure to address the constraints on LGBT population. This phenomenon continues to undermine the LGBT existence among other groups to which that are already demonstrated in both labour market and national employment policy documents. Moreover, LGBT employees are none represented in the Rwandan labour union, they exclusively not represented in any of the labour unions existing in Rwanda.

Even so, the formal private sector that this study explored, does not provide any single information about LGBT representation, surprisingly it is more focused on business organization than employers' organizations to which LGBT visibility could be raised. Therefore, formal private organizations seem not to have a forum where they can raise LGBT issues or regulate policies that could protect and promote their rights as workers. The national employment policy also has raised a series of areas of focus to which LGBT population remain under-represented. It could be possible that this marginalized group can fit under gender category in the national employment policy, but it explicitly defines groups on which intervention programs are oriented to, such as women, youth (young girls and boys), people living with disability and people living with HIV/AIDS. (Ministry of Public Services and Labour 2007). The defined groups are provided with government to respond to issues related to employment and intends to take measure in equal opportunity to young people.

2.3 Exclusion of LGBT people: A “Private matter” discourse

From the legal perspectives, Rwanda has taken a step forward toward respecting human rights, inclusively gay rights. Moreover, Rwanda had recently signed two UN resolutions on sexual orientation and gender identity⁶. This would be a remarkable achievement in terms of embracing diversity in Rwanda. Nevertheless, the question remains on which ground are LGBT still being invisible and voiceless in the Rwandan community? The answer which is mostly given to that question is that homosexuality (which refers to LGBT) is a “private matter”. This answer seems not to be enough to develop and give a satisfactory understanding to the current situation of LGBT in Rwanda.

The answer also seems to be a polite and appropriate to avoid the discussion of LGBT issues in Rwanda. This was promoted by the government officials⁷ when it comes to gay rights situation in Rwanda. There is a paucity of literature

⁶ Gay Rwanda news and reports 2011. 24 August 2011. Accessed 15 November 2016 <<http://archive.globalgayz.com/africa/rwanda/gay-rwanda-news-and-reports-2011-2/>>

on gay studies in Rwanda. It has triggered the author's attention to know more about the "private matter" discourse. The discourse had become a political language that is now being endorsed by a large number of people in Rwanda and even more in public and private institutions to avoid contradictions on policies.

As earlier mentioned, the discourse has consequently taken a further step to silence LGBT people in Rwanda and whereby organizations policies will not explicitly provide adequate information on LGBT related policy to challenge discrimination at workplace. Although those organizations may have conducive policy to promote diversity and equality at workplace, it becomes hard for them to describe what are the protective policies in place. It is presumed that the answer would be that they abide by the national legislation on prohibition of discrimination, which is also broadly defined.

As Nicole stated, LGBT community is excluded from development because same-sex relationships are unacceptable in the Rwandan culture. (Nichole, 2012). In addition, she argued that "lesbian, gay, bisexual and transgender people have not only been excluded but also face further dehumanization and marginalization, if they are not able to contribute to Rwandan development". (Ibid). Lesbian, gay, bisexual and transgender continue to be overlooked in gender lenses, albeit Rwanda has been widely respected for its gender equality, however LGBT remains invisible and are sensitive to be served in different services.

The invisibility of LGBTs is influenced by a narrowed meaning of gender in the Rwandan constitution that refers to traditional roles to male and female and to which is strongly associated with heteronormative social structure that excludes LGBT population. Culturally, the needs of LGBT people are non-existent, and it hinders the LGBT community to seek for services, therefore it keeps a low profile on their issues and the government asserts it as a "private matter" (Nichole, 2012). Although homosexuality is legal in Rwanda, it is however considered as an "alternative" life style that does not belong to Rwandan culture. (Ibid).

2.4 Workplace discrimination: The fear of disclosure of sexual orientation and gender identity

Heteronormative behaviours continue to be a hindrance to LGBT people and at workplace in general. Heterosexuality remains a dominant gender which is built on mechanisms of power and control that limits LGBT to discuss about their sexuality at workplace. (Priola et al. 2014). The behaviours associated with heteronormativity have gone beyond societal beliefs to organizational culture. Moreover, it influences the reasons of silence around homosexuality behaviours and speculate the fear of disclosure of sexual orientation to LGBT employees. (Ibid).

Furthermore, LGBT employees develop invisible self-stigma and dilemmas to whether be open about their sexuality or conceal it to their co-workers. (Ragins & Singh 2007:1103). The vulnerability derived from this invisible stig-

ma is high and disclosure has reportedly to be a consequence of job termination or other formal or informal discrimination at workplace. (Ibid).

As results to these antecedents, “37%” of LGBT employees in a study conducted in the United States have witnessed discrimination and related threats due to the disclosure of their sexual orientation in their workplace. (Tejeda 2006:46). Similarly, the consequences are the same as to those LGBT employees in the formal private sector in Rwanda, albeit the cases are undocumented.

Chapter 3. Research Methodology

3.1 Description of the study

This study was conducted on lesbian, gay, bisexual and transgender employees in the Rwandan formal private sector. It generates a set of questions were asked during the field work in the period of August to September 2016. This chapter will provide methodologies and other techniques used to reach out the respondents (LGBT employees). It will provide insights on experiences of discrimination of LGBT employees in the formal private sector. Lately, the author will explain methodologies used to collect the data, challenges encountered during the study, ethical considerations, successes and lessons learnt in the whole process of conducting this research.

3.3 Study Area

This study was conducted in Kigali, the capital city of Rwanda⁸. Kigali is the largest city of Rwanda, it is located in the geographic center of the country. Kigali has been the economic, cultural and transport of hub of Rwanda. Kigali became the capital of the nation at independence in 1962. Kigali counts of more one million of population in 2012. The study particularly covered two districts; Nyarugenge⁹ and Kicukiro¹⁰. Both nyarugenge and kicukiro are under the Kigali city province. The choice of those two districts were made based on the focus area of this study and most of the LGBT employees who participated in this study live in that areas and their organizations were situated in the same area.

⁸ Rwanda. <http://www.infoplease.com/country/rwanda.html>

⁹Nyarugenge district. Accessed 15 November 2016<http://www.citipedia.info/province/general/Rwanda_Nyarugenge+District>

¹⁰ Kicukiro District description. Accessed 18 November 2016 <<http://statistics.gov.rw/publication/eicv-3-kicukiro-district-profile>>

tape-record and others the author had to listen and write down what the participants were answering. Generally, interviews lasted between 25 and 30 minutes, this was fairly good time for the author to ask main question on the list of questions and also allowed participants to describe their general experiences of work in rich details. A part of LGBT employed people the author reached out employers (Human Resource managers and department manager). The author has also reached leaders or executives of national NGO and International NGO that are support the LGBT work in Rwanda.

3.2 Sample selection

The interviews were conducted with 15 respondents identified from snowball sampling. The research has initially targeted 25 respondents who included LGBTs employees, employers, national and international NGO leaders. The author could not reach all initiated participants due to time factor, and some officials were hard to see and hard to communicate. Nevertheless, the sample was enough to conduct a desired analysis and which also was manageable to reach (O'Leary 2014: 183). Among the respondents were gay men, lesbian, Bi-sexual persons 9, employers 3, and 3 executives of NGOs. The study focused primarily on persons who identified themselves as LGBTs, and particularly centred on those who are in the formal private sector in Rwanda and who are residing in 2 districts that are: Kigali Nyarugenge and Kigali Kicukiro. These district are all located under the city of Kigali area. Participants are working in those district and some of their organizations are also having branches in different areas in those districts.

3.3 Ethical considerations

Although homosexuality is legal in Rwanda, the topic remains silenced and LGBT people keep their profile low and always have their concerns of exposure of their sexual orientation and gender identity for such sensitive hard topic to discuss in public. It is obvious that it can also raise the issue of confidentiality when a researcher is looking information from a closeted gay or lesbian person. This was the case of this study, although the author is Rwandan, does not guarantee to respondent that their information would be confidential and also at the extent to trust the author for not speculating the information.

Nevertheless, for some of the respondents, it would not be a problem for them since they wanted that the issue of visibility be addressed. Besides that, no photographs were allowed to be taken and moreover, one of the respondent requested the author to delete the recording of his voice after the use of the information for analysis. In spite of these concerns, respondents in this study have shared their experiences of discrimination that they encounter at workplace and how also they keep coping with such ordeals.

3.4 Limitation and challenge of LGBT non-discrimination study

It is important to bear in mind that conducting any study involving identity reveal in Rwanda is challenging since, all Rwandan are under one identity as “Rwandans”. Sexuality discussions are also considered as taboo or private matters, LGBT related topics would be hard to address unless it gets strong involvement that may be linked to political benefits.

The fact that homosexuality is legal in Rwanda did not enable to conduct this study as planned, LGBT employees are still not open about their sexuality except to those are close to them, it was quite challenging for LGBT that can share their experience and given to different reasons that exposes LGBT to discrimination, it is was difficult to find LGBT employees who could share and express their feeling, most of the LGBT respondents were hesitate to open up to some questions asked during the interviews and decided to skip some of the questions or told the author that he might be knowing what he is asking since he has a background on working with LGBTs.

There are no previous studies conducted in the field of employment discrimination that could be leaned on by the author to adopt some of effective strategies to be used during field work, however some advices were given by other researchers who conducted studies on LGBT health related issues. To make this studies realisable, the author was inspired by the gap he noticed that many LGBT suffer a lot of workplace discrimination in Rwanda, and his spirit of activism in LGBT related issues motivated the author to conduct a study in the field of employment rights, albeit the information about LGBT situation at workplace in Rwanda is still unknown.

Chapter 4: Research Findings and Data Analysis

4.1 Introduction

This chapter describes some of the main responses from the participants in this studies which are divided in three categories: Employed LGBT people in the formal private sector, managers and executives from different business organizations and NGOs. The chapter will give insights on pertinent issues chosen by the author and which may respond or contribute to the response of the research questions.

This chapter will explicitly expose the challenges that encounters the lesbian, gay, bisexual and transgender employees in the formal private sector in an explanatory manner showing their diverse experience of discrimination despite favourable legal environment towards gender identity and sexual orientation. Additionally, the analysis will explain the connection resulted from the lack of organizations' policies and practice to prevent, protect and promote diversity in their consistent organizational culture. Furthermore, this chapter will shed lights to an explanation to its objectives that are somehow embedded in those policies on equal opportunity practices for LGBT in the labour market in Rwanda and find out if there are mechanisms in place to be used to reinforce visibility and creation of "gay friendly" conducive legal environment.

4.2 Discrimination and harassment of LGBT employees

The workplace discrimination and harassment among LGBT employees remain a disregarded area compared to other forms of discrimination and harassment defined in the Rwandan labour law ¹². Members of stigmatized groups such LGBT continue to encounter undocumented discrimination within their working place. To understand this phenomenon, this study drew from similar fields of research that has statistically estimated a percentage ranging from "22-66%" of gays and lesbians that encounter harassment and discrimination in their workplace. (Croteau 1996). In addition, Badgett et Al. have demonstrated that "7%-41%" in the studies conducted on LGBT employees who experienced employment discrimination at work in the United States of America were abused physically and verbally. (Badgett et Al. 2007).

¹² Rwanda Labour law. Accessed 19 November 2016<http://www.ilo.org/dyn/travail/docs/530/rwanda_labour_law.pdf>

In the course of this study, the author could not find any statistical figures that estimate the percentage of discrimination at work faced by LGBT employees in the Rwandan labour market, since the nature of this discrimination and harassment is undocumented. As mentioned in earlier statements, the labour law in Rwanda does not explicitly provide an explanation to what extent that discrimination and harassment include.

However, in the course of the study some respondents have evoked their doubt on how discrimination for certain people may be paid much attention that others within the same organization. Organizations that promote heteronormative organizational culture are more likely to ignore other sexual identities, which may be the reason of evoking those doubts. In doing so, Eric, a respondent in this study, had shared the unequal treatments derived from those antecedents:

Our company does not have specific policies that I would say will protect my sexuality, I have to live in the closet, I am being harassed indirectly, I don't have where to report because here harassment is only understood when it's perceived by heterosexual women, they do not think that a man can be harassed by other men, since homosexuality is still considered as taboo in our society. (Eric 2016, Personal interviews).

In fact, the workplace is more pervasively unfriendly to gay and lesbian workers and this situation had increased a lot of pressure on this population which may at some point decrease their work performance. In addition to that, the labour market discrimination studies among lesbian, gay, bisexual and transgender workers has reportedly involve a range of scenarios that can describe discrimination as formal or informal. (Croteau 1996: 198). Taking into account, Eric's experience of discrimination at his workplace, LGBT in his company suffers an informal discrimination.

Informal discrimination would imply harassment, verbal abuse and other actions against gay and lesbian behaviours at work. (ibid). Lesbian, gay, bisexual and transgender respondents in this study have reportedly and emphasized to have been discriminated and encountered such form of discrimination in their daily working life. Although some organizations that the author visited have non-discriminatory policies, LGBT workers didn't enjoy the presence of this law because their theories are far away to be implemented within their organizations, as solution to cope up with those experiences some of LGBT workers have decided to seek refuge in coming out and also live a different experience.

The result was devastating than what they used to, since coming out could be a "painful and uncomfortable experience leading to unpleasant comment, "jokes" and hostility". (Colgan & Mckearney 2007:597). Moreover, a negative working environment will reduce workers' performance and com-

promises the ability of LGBT workers to perform their jobs (ibid). Besides, the consequences that are resulted from negative working environment, LGBT respondents have mentioned how hard is to deal with such situation when it comes to informal discrimination, they presume that informal discrimination can lead to invisible discrimination within their workplace and to which is hard to report.

Furthermore, the experienced discrimination about LGBT workers, has also lead to both openness and concealment of their sexuality. Thus, the fear of discrimination has strong values that keep some of the LGBT workers to hide their sexuality and also some of them find it “unprofessional” to reveal it. Similarly, Priola et Al. (2014) have emphasized it on how LGBT workers are become voiceless due to discrimination in their organizations where they demonstrated that “many homosexual workers think of coming out as a private matter, irrelevant to their work life and as an ‘unprofessional’ act”. (Priola et Al 2014). Contrary, Croteau et Al., found that openness about sexuality give confidence and impact results to employees within their workplace. (Croteau et Al 1996).

The reality beside these statements lie on the unfolded experiences that this study has found that can be mirrored in another way round. Therefore, openness at workplace can be however disastrous pathway to be taken. As a result, revealing sexual identity can create scenarios of verbal abuse and harassment by other heterosexual co-workers and supervisors. Hence, LGBT employed people are facing verbal abuse at the workplace whenever they try to be visible and disclose their sexuality. They are harassed and judged because of their physical appearance:

“It feels bad when someone’s calls you shameful nick names because of your sexuality, it is hard to deny yourself to be gay, it is like fighting with your ego. I thought that coming out and being proud of who I am would help me accept myself, and be respected, my country gives me pride to be what I am because of progressive laws on my sexual identity but it hurts me more when my colleagues at work call me nick name related to insult in Kinyarwanda (mother tongue language used in Rwanda) and whenever they see people or my friends with physical appearance like mine they attribute the such names to them too, I cannot report it at work because I don’t have any policy which explicitly protects me”. (Jonas 2016, personal interview).

“I never wished to live life like this, we are considered as abnormal people, my colleagues at work think that being gay is a life style that everyone choose and at some point they dehumanize your personality and as consequence you end up disrespected and even dishonoured by your family”. (Christian 2016, personal interview).

Lesbian, gay, bisexual and transgender openness or concealment of someone’s sexual identity at work is more often influenced by the organizational culture

or opposing attitude on same sex behaviours, and religious beliefs from organization staff. (Colgan 2007: 598).

4.3 Perceived stigma, despite protective workplace policies

Fear of discrimination, sexual identity disclosure, working environment and social construct influenced by power and authority are the factors that push LGBT employees to perceive invisible stigma and discrimination that happens in their working place. However, the views of respondents in this study have shaped this issue in a way that even though their organizations have conducive policies, they continue to face discrimination within their work place.

The author has deeply analysed this inextricable experience lived by LGBT employees despite laws and policies in place and therefore, respondents' responses have concluded that policies in place cannot change co-workers' attitudes or organizational culture which advances heteronormative attitudes towards LGBT people.

To reduce such invisible stigma and discrimination, respondents have suggested also that supervisor should reinforce existing non-discriminatory policies and monitor them to embrace sexual diversity in the organizations. In addition, respondents informed that organizations seem to lack an internal organization reporting or follow up system to address discrimination that face LGBT employees.

Many organizations, reported not having a drafted policy addressing issues of sexual diversity, although they have other informal human resource policies, they have not thought that they could have LGBT employees. As a matter of fact, LGBT employees continue to endure stigma and discrimination due the lack of these policies. Even so, the consequences keep them into fear to report such antecedents and decide to carry on with their jobs, instead of losing it because their sexual identity. (Croteau 1996).

Alternatively, the decision of disclosure of sexual identity would be a challenging situation and given the risk that LGBT employees in their present career. Perceived stigma and discrimination among LGBT in formal private organizations is linked not necessarily to the reinforcement of the existing policies as earlier suggested, but relatively associated to environment that those LGBT are operating in. Moreover, LGBT employees' respondents criticised policy structure and interpretation.

It is therefore, unclear to related those policies or use them for protection in case of form of discrimination at workplace. James, a respondent from a hospitality industry declared that, it is possible to be heard and report your complaint whenever you are harassed or discriminated, but sections compro-

misgiving the policies are hard to interpret when it is about sexual orientation discrimination because it is not explicitly defined by the policy itself. Employers at some point do not value their employees wellbeing and do not even think that that should affect their business or organization functioning:

“I am hired in this hotel for five years, and have sometimes faced indirect harassment, it was minimal but I reported the case to my supervisors, I got a positive answer from my supervisors that the issue will be investigated but, I never get any response from them. Although my company offers protection at work, we don’t have a document that I could use to follow up and substantiate my case till further investigation, I decided to leave it out”. (James 2016, personal interview).

In many cases, participants in this research have pointed out that their companies are more into profit making than protecting rights of employees and many of these protective policies do not provide clear protections. Being an “LGBT person in the Rwandan labour market is still a challenge”, said Hakizimana, another respondent with three years unemployed but he gets hired in 2015, his one year’s experience in hospitality industry was quite challenging, he states:

“My working environment seem to be good apparently because I pretend to be somebody else, living in the undercover has become my life during the whole year, my sexual orientation and my identity is none of my company business, we are taught to smile to people in this kind of work, respecting our customers but in return you are at risk to lose everything once you sexuality is disclosed”.(Hakizimana 2016, personal interview).

From the managers’ perspectives, internal labour regulations “Code of conduct”, and human resource policies documents were mentioned to be describing protective policies to embrace diversity and equal opportunities to all. Nevertheless, not all of the organizations have these documents and when asked how do they regulate with employment policies with their organization and deal with issue of discrimination at workplace, four organizations seem to be having at least some of the clauses in their policies that speak about non-discrimination beside the broader Rwandan labour law, two organizations, have demonstrated a progressive step to embrace and include sexual diversity in their policies but the rest did not pay much attention to them unless in recruiting and hiring processes which also mostly focus on skills and ability to work for the applicants.

Divine is the resident manager at a three-star hotel in Kigali, located in Nyarugenge district, one of the three areas that the research covered, with her experience working for several years on the same position, she gave the author explained how hospitality industry also provide a conducive environment for employees, she is open minded lady with a non-Rwandese nationality, she understands very well the issues that face lesbians and gays at work place. when asked how her hotel create protective policy to employees specifically for LGBT people she stated that:

“Our company do not have non-discriminatory policies that explicitly define protection to LGBT employees, we normally look at the skills when hiring, however we have a code of conduct within our company and this serves as a tool to protect staff and the rest of management, it is not well elaborated but we improve it according to what issue have been raised in the company that could be a harm to our business and customers” (Response from employer 2016).

When the author pointed the main raison of this study to Mrs Divine on protection of LGBT employees from harassment due to attitude of other staff in the company, divine responded that they have never experience such problem although they have LGBT employees in their company and also it is not mentioned in their policies (code of conduct) but recently one of her employees approached her and revealed his sexuality to her and that where she knew that the company has. When asked that if this would be a reason to consider and may be also include it in their policy and shared her view and stated:

“As early said to you we do our best to protect our business, human resources. I will try to open up this issues regarding LGBT employees to the human resource department, but personally people are free to choose where they belong, I don’t mind my employee to be LGBT”. (Response from employer)

For greater comfort at work, Divine’s company has an orientation program that is held twice a year, it’s a form of retreat where employees and the senior management get together and discuss what can be improved in the company, this space offers employees to express themselves, however some issues are not discussed but the company continues to follow up internally if there are new issues raised and they can discuss in the next retreat.

As earlier mentioned, the labour market arena in Rwanda provides a broad explanation of protection of all employees and employers under the ‘labour law’ in Rwanda, it has resulted to a misinterpretation and ignorance of some employment rights for some particular groups in which lesbians, gays, bisexual and transgender are part of and this tends to be left out and unconsidered. It is emphasized by how managers responded to the author’s question on protective policies within their company. Protection seems to be also defined in a broad way by the managers and likely to be disregarded as long as their business grows. Felix, a hotel manager in Kigali, similarly pointed this out:

“My company does not explicitly mention sexual orientation in our Human Resource policy, we more focus on skills and ability to perform from an employee, however once any case happens in our company regarding discrimination on the basis of sexual orientation, we shall consider it and whether it affects our company’s productivity”. (Response from employer).

Sexual orientation and gender identity are regarded as neutral by some employers, there are more profit oriented business men and productivity achievement. As emphasized by Kayishema, marketing manager:

“We are neutral about applicants and employees’ sexualities, we look at conceptual skills and also depends on criteria of the applicant that are we are seeking of a certain post, however we emphasize more employees’ behaviours at work”. (Response from employer).

Furthermore, this study tried to understand these puzzles, for both sides on one hand LGBT employees claiming that organizational policies do not protect them from harassment and discrimination which tends to make them invisible and voiceless due to fear of losing their jobs once they disclosed and on the other hand that some organization managers praise to be having and following the policies and implement them. Therefore, organization were hesitant to go beyond the policy theory to practice reasons why they think they do not have LGBT employees since no case have been handled to them to be treated, on the side of LGBT employees’ self-stigma is still a challenge, although some organizations offers space for expression.

Overall, the mechanisms are not effective for organization and the implementation gap was seen as a cliff that separate policy practice and perhaps create a “poor relation” within organizational drive for equality and diversity that can address the invisibility and stigma that LGBT employees continue to face. (Colgan & Mckearney 2007: 600).

4.4 Progressive laws: Legal status as an instrument

Rwanda has made a progressive step on respect of human rights and gay rights in particular. However, sexual orientation and gender identity discourse still on a low tone to be addressed. This study has sought to find connections between existing legal provision on homosexuality and the increase of tolerance and acceptance of LGBT people in their workplace. The existence of the legal status homosexuality would diminish hostile situation at workplace such as harassment and verbal abuse that encounter the LGBT individuals in their workplaces, however as O’ Mahoney demonstrated that:

“it is not legislation which creates the environment to support diversity; it is the application of legislation though supportive organizational policies and practice that supports all types of diversity and the acceptance and equitable treatment of all employees”. (O’Mahoney 2014:4).

This statement draws our attention to rethink the legal status provisions beyond societal attitudes and extend them to organizational policies and practices. In doing so, the existence of the law would be something to pave the way to increase tolerance toward this marginalized group and to reinforce perhaps existing non-discriminatory laws or to create them in the organization.

Furthermore, in regard to legal status of homosexuality in Rwanda, discussions around this were raised by respondents who were interviewed during studies. Surprisingly, LGBT employees in this study were not aware of this law and some managers have no idea about it since homosexuality discourse re-

main a “private matter” in Rwanda. Among 9 LGBT interviewed in this only 2 were aware of the existence and only 3 executives of national non-governmental organizations knew about it since that most of them their work is driven in human rights and advocacy.

Although, these differences, respondents had expressed interesting views on what they think this law can either increase tolerance and visibility or not. Some respondents believe that the legislation should increase tolerance and visibility. However, societal attitudes and religious beliefs can be considered as challenging factors to that tolerance:

“The law will not end discrimination, the state should advocate and be supportive about the law. Advocacy should start from the media that is the messenger to fuel information and help people to change behaviours and society attitudes”. (Jonas, personal interview, 2016).

Contrarily;

“I believe that the legal position toward homosexuality can increase tolerance because many gay and lesbian still also fight with their self-acceptance and once the government supports that and people live peacefully and that they are laws which are recognizing them, it will help to raise awareness of the laws and will possibly reduce homophobia for some of them” (Hakizimana, personal interview 2016).

In this regard, the national non -governmental organizations which support LGBT movement in Rwanda have made a remarkable and appraisable work toward the advocacy of removal of the anti-homosexuality law in the Rwandan penal code. Their views revolve not only around their intentions to create a tolerant society, but also point to their appreciation of how the government has responded to their actions. Cassien (Programs director at Health Development Initiative), a health and Human rights organisation in Rwanda and that also support to advance LGBT rights in Rwanda, stated that:

“I believe that activities which has been done will help the society to understand what is happening, as an organisation like ours that promotes the rights for everyone, including LGBT people, society can also testify how Rwanda is progressive on Human rights. In addition, we need proof to preach people what is legal and what the government supports, some people will be happy, others will be not. People’s feelings are mixed”. (Cassien 2016, Personal interview)

On the other hand, Dr. Etienne, executive director Project San Francisco, a health research institution based in Kigali has also shared his views when asked if the legal positive position toward homosexuality can increase tolerance to all, he mentioned that he is not quite sure if it can really increase tolerance because people have their own feelings and beliefs towards something, whenever he brings such topic with his colleagues, it receives a negative attitudes towards it, he emphasized that in the Rwandan society, homosexuality is still seen as an abomination, however his institution explains to people that somebody has the rights to be who they are and have also the rights to choose

what they want to be. Dr Etienne believe that testimonies from LGBT community members would help society to change their mind set rather than the presence of the law. He concludes that:

“I don’t think that the law can increase tolerance, we have to educate people about tolerance that it is all about accepting yourself, who you are, accepting someone else for what they are and respect their rights”. (Dr. Etienne, NGO executive Director).

The study extended its research not only to those who are involved directly with LGBT community but also with those who would be indirectly involved. Ms Wooley has shared her experience. As former coordinator of the Global Youth Connect, she was involved in an organization working in different countries worldwide that “provide[d] young leaders (ages 14-35) from a wide range of ethnic, national, economic and religious backgrounds with opportunities to learn more about human rights and enhance their ability to take action on pressing human rights issues.” Explaining what she thinks about the legal position that Rwanda has taken to nullify the homosexuality legislation, she suggests the homosexuality law is still under cover and is not something that she thinks most people would be free to discuss in public spheres. If by mistake you bring up the topic, she suggests that this results in a reaction that may involve anger or confrontation between people around their contrasting ideas on the subject:

In our program, we organize meetings with young people to discuss different social issues, and LGBT discussion are the best to make people active and people have many curious question about it, we have testified that at the end people change their mind on the issues because we invite LGBT groups to come and explain about themselves. You can’t talk about human rights without extending that to all human being, the discussion really made a massive difference in attitude. (GYC, former coordinator).

From the diverse perceptive of respondents regarding rising tolerance and visibility to LGBT people, NGOs seem to be at the forefront of recognizing the rights of LGBT. However, the problem is the underlying contradiction between progressive laws and consistent discrimination and harassment of LGBT employees in practice. It is proposed therefore that henceforth both managers and the executive should create mechanisms to address visibility and discrimination at workplace in their policies.

4.5 Advocacy as a tool

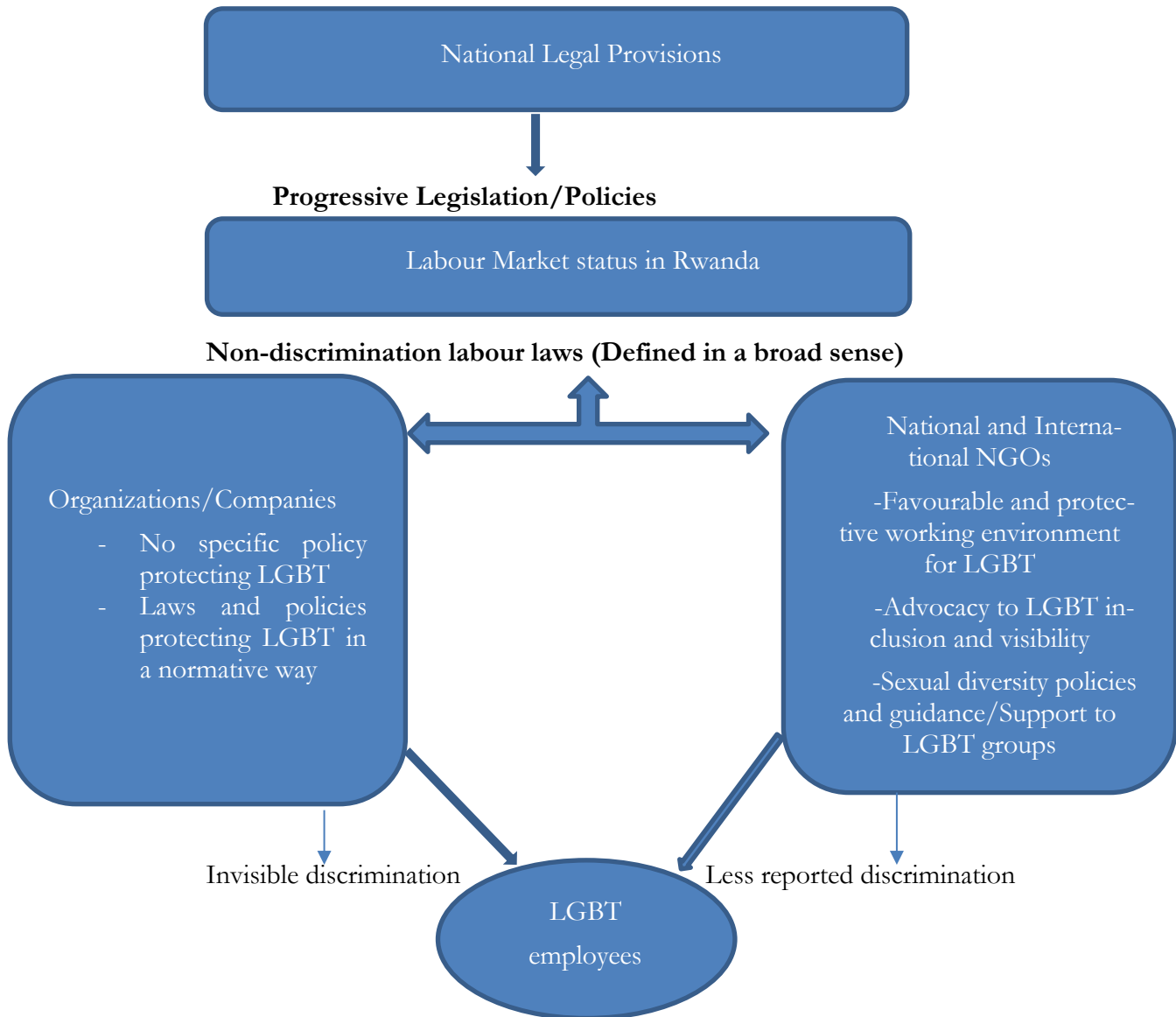
In responding to the research question of this study, NGO and international NGOs have worked mutually to address the issue of sexual diversity within their organizations. On their agenda setting, NGOs have contributed to visibility of LGBT population in Rwanda in involving them in decision making, through national level platform with government officials. A major agenda setting that both organizations, HDI and Projet San Francisco is advocacy led

project and capacity building for LGBT groups in Rwanda. Projet San Francisco's executive director has shared on how his organization and the entire staff implement non-discrimination policy, he therefore states that:

“We serve Rwandans regardless their sexual orientation, we are currently implementing a 5 years project focusing on LGBT population and we have won that trust to conduct the project professionally, advocacy is done during with our meetings with our stakeholders” when asked about policies to advance their rights and address visibility he mentioned that “ I know it is not any easy task to explain to your staff which has different view on something but we request them to be professional and have been able to develop a module on ‘Human subject protection’ in which every staff has to know and have an idea on acceptance and avoid any harmful situation towards his/her colleague at work”. (Dr Etienne 2016, personal interview).

As this quotation shows, in Rwanda the government demonstrates its willingness to support relevant activities and foster good relationships. However, the LGBT movement is mainly known in relation to health provision by the Ministry of Health in Rwanda. Both HDI and Projet San Francisco have used the health sector as an entry point to address wider issues facing LGBT people. However, this advocacy work is now starting to move beyond health to the creation of opportunities for LGBT groups, including by linking them with other stakeholders that may have expertise besides health, such as business creation and capacity building. The implication of the government willingness to support such activities, forms the basis for creating trust and strengthening partnership that can capitalise on the support NGOs give to LGBT groups.

4.6 Findings analysis in figure



Source: Field study, August-September 2016

Chapter 5: Conclusion

5.1 Overview of Findings and their implications

This chapter mainly explains some of the puzzles within policy practices and perceived discrimination around LGBT employment and employees in the private formal sector. Despite a favourable legal environment in Rwanda, the findings suggest that the absence of laws that explicitly protect LGBT employees against discrimination and harassment at their workplace remains a problem. Even though some organizations have those regulations and legal provision, they remain more in theory than a reality in practice.

However, the case of Rwanda can show how a conducive environment for LGBT employees can be reinforced through the legalised status of homosexuality, which ensures that national legislation on discrimination also prohibits any form of discrimination against LGBT citizens and workers. Therefore, organizations can draw from those legislations to create their internal own conducive employment policies. Policy mechanisms are still lacking inside most organizations, however. This chapter also found that a certain reluctance to take action around experiences of lived discrimination can affect LGBT employees, subjected to the heteronormative attitudes around them, reflected also in the organizations where they work. As Priola et al. demonstrated, organizational culture may be a strong hype to influence heteronormative behaviours to create a hindrance to LGBT workers, because it is built on naturalized power that is embedded in dominant discourse which limits the ability of LGBT to constructively talk about their sexuality at work. (Priola et Al, 2014).

National legislations and employment or labour policies are made clear on prohibition of discrimination. In Rwanda there are many factors that hinders the working atmospheres for LGBT to be conducive, beside the heteronormative beliefs, Rwanda as a country that influenced also by Christianity would hamper the explicit implementation of those policies. Moreover, the fact that sexual identity is a “private matter” this amplifies LGBT issues to be voiceless despite those supportive laws.

On other hand although national non-governmental organizations have progressively contributed to advocate for the rights of LGBTs sometimes they stick into one sector and develop it more but, it cannot open the doors for other opportunities for LGBTs. The theory that states that, the more an organization is gay friendly or have embracing sexual diversity practices the more is tolerant wouldn't work for the Rwandan case due to various factors stated above. As O'Mahoney states: “organizational policies and practice should focus on recognizing the uniqueness and the value of each individual in the workplace”. (O' Mahoney, 2014). In this case, the recognition of uniqueness and value of each individual would imply that human rights fundamentals in Rwanda are respected for all. More organization and employers need to acknowledge and accept the differences among their employees as part of daily life.

5.2 conclusion

To conclude this chapter, the author sought to deconstruct the puzzles of existing legal provisions and persisting discrimination of LGBT employees at workplace. The workplace of LGBT employees in the Rwandan formal private sector presents a mixed and complex situation in which LGBT agonize indirect discrimination which can also be perceived as invisible, henceforth lesbians and gays in the labour force in Rwanda fear to report that agony.

The author had realised that the fear of discrimination or for being discriminated keep LGBT employees vulnerable and invisible. On the side of the employers, they have expressed that they have never receive any complaint of LGBT discrimination and have never thought that their organizations would have such people.

The invisibility of LGBT presence in the organization results their rights to be disregarded. LGBT employees have emphasized that a heteronormative organization culture system influences the silencing of LGBT in their organizations. Nevertheless, national and international NGOs in Rwanda have taken a considerable part to address lesbians and gays visibility and equality and advocated for it.

It is important also that the considerable step should go beyond policy theory to practice not only for the concerned organizations but also should be a journey toward embracing diversity, tolerance to all, since Rwanda have learnt a lesson for what discrimination can bring to a particular group after what happened to its dark history of genocide.

5.3 Recommendations

Rwanda has taken an admirable step towards prohibiting discrimination. It is a remarkable and ambitious intervention from different stakeholders, the author believes also if further interventions are taken would influence more on diversity and equality in many and possible levels of decision making but this can be realisable if:

5.3 a. *Employer*

To avoid any form of discrimination at workplace, they should:

- Put in practice organizational non-discrimination policy than theorizing them
- Enhance or create mechanisms to address discrimination at workplace explicitly for LGBT employees
- Evaluate policy implementation and conduct internal organizational surveys to ensure that the practice of the policy is being realised

5.3 b. National and international NGOs

Although national and international NGOs have demonstrated willingness and some achievements to address LGBT rights and visibility, there still some intervention to make such:

- Continue to advance agendas on sexual diversity with engaging multiple stakeholders and the government as main decision maker and policy designer
- Enhance advocacy strategies on LGBT visibility through creating event and campaigns

5.3 c. Government and its institutions

- Monitor and evaluate existing anti-discrimination legislations and policies from the bottom to the top level management (local authorities, village[Umugudu], and district [Akarere]).
- Expand inclusive national legislations or policies and entities such; labour laws, labour unions for better understanding of their interpretation.

5.3 d. LGBT employees

In order to overcome mistreatments at workplace and even beyond the workplace LGBT employees should:

- Take action by consulting existing LGBT associations in Rwanda to address their discrimination at the national level since the laws are favourable and meant to be productive and they can use that advantage to exercise their rights as well.

5.4 Recommendation for further research

- Conduct a study beyond health issues since such researches were the only conducted in the field of LGBT in Rwanda. Therefore, a study on attitudes of the society towards homosexuality in Rwanda would probably allow other research to know how address issues of LGBTs in the Rwandan context.

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Appendices

Appendix 1: Interview guides

SHORT SURVEY OF EMPLOYERS (10)

NAME

RP TITLE

Business companies/ organizations Questionnaire

My e-mail:

My phone:

My name is Eugene Toussaint Musangwa I am a Masters student at ISS (Institute of Social Studies of Erasmus University Rotterdam in the Hague/Netherlands). I am doing my masters in Social Studies in Social Policy for Development major. This study explores Rwanda's progressive legal position on LGBT rights with involvement of Rwandan civil society, international NGOs working on LGBT issues and business sectors towards advancing the rights of LGBT and their visibility on employment rights within equal opportunity practice in Rwanda. This study will help to improve efficiency of Rwandan business environment to practice maximum utilisation of talents of the full spectrum of the population (men, women, nationals, foreigners, LGBT, disabled and others). For the purposes of ensuring equality of opportunity in Rwanda, this short survey requires max. It will be completely anonymised, and if you wish me to share the final study with you, please add your e-mail contact. Thank you for your assistance!

Number:

Male/Female:

Sector:

Age: 25-35 35-55 over 55

Education Attainment: High School/College/Masters/

Do you own your own company?

Are you an employer? YES/NO

Contact e-mail in case you want copy of study in December 2016:

1. Does your organization have non-discriminatory employment policies?
If, yes: How applicable are these policies in your organization and where and how do you apply them? No, why?
2. What kind of non-discriminatory policy do you have in your organization?
3. Are Sexual orientation and gender identity included in your non-discriminatory policies?

4. If you do have a policy, are there other informal procedures you have to that are non-discriminatory? If you don't have a policy, are there informal procedures you have to that are non-discriminatory?
5. Which of these categories do you think is hardest to employ:
 - Elderly people - Women - LGBT (gay, Lesbians, Bisexuals, Trans genders) - Disabled
6. Do you have any LGBT employees at present? Yes/Don't Know/No
7. How comfortable would you be having an LGBT employee in your organization?
8. Are there things you do to create safe environment to Elderly People-Women-LGBT-Disabled employees?
9. How would/do your staff feel working with an LGBT co-worker?
10. Do you see any link between those policies and productivity of your employees in the organisation?
11. OPEN QUESTIONS FOR EMPLOYEES/LGBT PEOPLE (25 min).
12. via networks)
- 13.
14. NAME RP TITLE
15. Chamber of Commerce Questionnaire
16. My e-mail: My phone:
- 17.
18. My name is Eugene Toussaint Musangwa, I am a Masters student at Institute of Social Studies of Erasmus University Rotterdam in the Hague/Netherlands. I am doing my masters in Social Studies in Social Policy for Development major. This study explores Rwanda's progressive legal position on LGBT rights with involvement of Rwandan civil society, international NGOs working on LGBT issues and business sectors towards advancing the rights of LGBT and their visibility on employment rights within equal opportunity practice in Rwanda. This study will help to improve more particularly the efficiency of Rwandan business environment to practice maximum utilisation of talents of the full spectrum of the population (men, women, nationals, foreigners, LGBT, disabled and others). For the purposes of ensuring equality of opportunity in Rwanda. It will be completely anonymised, and if you wish me to share the final study with you, please add your e-mail contact. Thank you for your assistance!
19. -----

20. Name (anonymised)
21. When were you last unemployed? For how long:
22. Are you employed right now? Which sector:

23. How long have you been working in your present post?

If you would like a copy of the final study sent in December 2016, please provide

Your e-mail:

1. Talk about how you find the work environment where you are now, or in your last job
2. Can you tell me about the best things about the job and maybe some of the problems?
 1. Can you describe some experiences where you felt disadvantaged compared to other colleagues?
 2. Do you feel that on the whole your employer practices/practiced equal opportunities in the workplace?
 3. Does your organisation offer any specific protection against harassment at work? If yes, can you describe any situation where protection was given?
 4. Have you ever experienced any form of discrimination at your work place? If yes, was it related to your sexual orientation/gender identity?
 5. In which of the following places do you discuss your sexual orientation or gender identity:
 - a. At work
 - b. with friends
 - c. In the family
 6. Does your company have non-discriminatory policies?
If yes, do you think that these are helpful to protect you and also to disclose your sexuality? If no, Why?
 7. Do you think Rwanda's positive legal position towards homosexuality increases tolerance to all?
If yes, (explain how), No, why?

NAME

RP TITLE

30 minutes.

NGO (Local and International) Questionnaire

My e-mail:

My phone:

My name is Eugene Toussaint Musangwa, I am a Masters student at Institute of Social Studies of Erasmus University Rotterdam in the Hague/Netherlands. I am doing my masters in Social Studies in Social Policy for Development major. This study explores Rwanda's progressive legal position on LGBT rights with involvement of Rwandan civil society, international NGOs working on LGBT issues towards advancing the rights of LGBT and their visibility on employment rights within equal opportunity practice in Rwanda. This study will help to improve more particularly the efficiency of Rwandan working environment to practice maximum utilisation of talents of the full spectrum of the population (men, women, nationals, foreigners, LGBT, disabled and others). For the purposes of ensuring equality of opportunity in Rwanda. It will be completely anonymised, and if you wish me to share the final study with you, please add your e-mail contact. Thank you for your assistance!

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For copies the final Study (due December 2016) please provide e-mail contacts:

1. Please discuss how you find the equal opportunities situation in your working environments, within your NGO?
2. Does your NGO promote equal opportunities and sexual diversity as an explicit part of your policies?
3. How do you advocate for including sexual diversity in equal opportunities policies more generally?
4. How do you link your own organisation's commitment to sexual diversity with equal opportunities in the workplace for LGBT people in Rwanda?
5. Can you describe some successes and some challenges you faced in this kind of work?
6. Does your organization work with the government to promote/protect LGBT rights?
7. How does your organization's objectives advance visibility and equal opportunities for LGBT people?
8. How often does your organization advocate for changing attitudes toward LGBT people and what are the strategies that you use to approach it?

9. How supportive is the government on your work to advance LGBT rights?
10. Do you think Rwanda's positive legal position towards homosexuality increases tolerance to all?

