

July 17, 2023

Dear Ambassador Tai,

Thank you for meeting with our community on June 23 to discuss the U.S.-Kenya Strategic Trade and Investment Partnership (STIP) and our concerns about President William Ruto's support for anti-LGBTQ rhetoric. During this meeting, we asked you to pause STIP negotiations until President Ruto commits to rejecting any bill or policy that would pile new anti-LGBTQ+ criminal penalties on Kenyans. The Family Protection Act, an example of such a bill, has been submitted to the Kenyan Parliament and includes life imprisonment as well as the death penalty.

During your July 17-19 trip to Nairobi, we are requesting that you prioritize protecting the lives, freedoms, health and rights of LGBTQ+ people and their communities in Kenya. In partnership with LGBTQI+ groups in Kenya, we reiterate our request that you pause STIP negotiations until President Ruto commits to vetoing this bill.

Pausing the trade talks aligns with the Biden Administration's position of defending LGBTQI+ rights globally. This move would advance a worker-centered, inclusive trade policy. Moreover, stopping trade talks would send a message to countries around the world that the United States does not tolerate the violation of LGBTQI+ rights. Leaving this leverage on the table does not further the Administration's expressed priorities and sets a frightening precedent for future trade deals.

Since we last spoke, conditions for Kenyan civil society have only grown worse. This past week, police in Kenya have responded to protesters with widespread violence. The United Nations Human Rights Office reports that up to 23 people may have been killed, with dozens injured.¹ The overall human rights situation is being undermined, with widely publicized attacks on the press—including by your counterpart—as well as deadly crackdowns on peaceful protesters by the government.

To show solidarity with the LGBTQI+ community during your trip, we urge you to engage in the following activities while in Kenya:

- Prioritize in your talking points the request to President Ruto and Cabinet Minister for Trade Kuria that the government commit to rejecting any bill or policy that would enact new anti-LGBTQ+ criminal penalties on Kenyans.
- Include LGBTQI+ individuals who are directly impacted by recent attacks in your roundtables.
- Visit a healthcare facility that has faced the possibility of closure or has experienced challenges in service provision due to recent violations of LGBTQI+ rights.

¹ <https://www.cnn.com/2023/07/14/africa/kenya-protests-united-nations-intl/index.html>

We urge you to stand up for the rights of LGBTQI+ people and to cease STIP negotiations until the Family Protection Bill is defeated.

Thank you,

American Jewish World Service

AVAC

Health GAP (Global Access Project)

National LGBTQ Task Force Action Fund

NETWORK Lobby for Catholic Social Justice

Pride at Work

Public Citizen

Treatment Action Group