



## **KENYA FILM CLASSIFICATION BOARD**

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### **STATEMENT BY THE CHIEF EXECUTIVE OFFICER DR. EZEKIEL MUTUA(MBS) ON THE INTRODUCTION OF A GAY CHILDREN’S PROGRAM ON DISNEY ISSUED ON OCTOBER 28<sup>TH</sup>, 2017**

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The attention of the Kenya Film Classification Board (KFCB) has been drawn to reports that Disney digital television channel is set to broadcast a program that includes homosexuality in its storyline. According to the reports, the network is planning to air the second season of “Andi Mark”, which features teenagers “struggling with their sexuality”.

The plot of the Television series, which is already airing in the United States, has scenes with subtle messages that seek to normalise homosexuality among young people. In one episode, for example, teenage boys confess to having romantic feelings towards another boy. This deliberate glorification of homosexuality is, without doubt, part of a wider scheme by the media to promote the Lesbian Gay, Bisexual and Transgender (LGBTQ) agenda among children through TV programs.

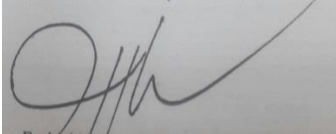
In light of immense public concerns that the program is likely to be aired in Kenya on pay TV networks that distribute the Disney channel, the Board would like to state the following:

- I. As regulator mandated to regulate the creation, broadcasting, distribution, exhibition and possession of film and broadcast content in Kenya, KFCB will not allow any gay content to air in the country as that would be against the law and KFCB Classification Guidelines. Any attempt to introduce such a program will be met with the full force of the law in line with the Film and Stage Plays Act, Cap222 as well as the Constitution.

- I. It is important to note homosexuality is illegal in Kenya. In Article 11(1), the Constitution of Kenya recognises culture as the foundation of the nation and as the cumulative civilization of the Kenyan people. In Article 45(2), the Constitution only recognises marriage between people of the opposite sex. Under these provisions, homosexuality is not part of the culture espoused by the Kenyan people with particular regard to the institution of family. The family is the basic unit of society and children must be given correct information that family is a union between two people of opposite gender.
- II. Any other content, doctrine or literature promoting same-sex relationships is not only against our culture but also retrogressive and illegal. Any creation, distribution, broadcasting, exhibition or even possession of such unpalatable content in Kenya is in violation of the Films and Stage Plays Act, Cap222 as well as the KFCB Classification Guidelines.
- III. Although Disney is accessible through subscription, which gives parents the discretion to decide which programmes are suitable for their children, it is KFCB's duty as a regulator to ensure that children are protected from inappropriate content. Content that is inimical to children's growth and development will, therefore, not be allowed to broadcast in Kenya's regulatory jurisdiction.
- IV. The Board has held discussions with with DSTV and other pay TV channels operating in Kenya and warned them not to allow gay content to air on any of their channels. While we respect the Constitution and the right to freedom of expression, we have a responsibility to protect children from unsuitable content and to ensure content being distributed in the country conforms to national values and culture.

V. The Board takes this opportunity to ask Disney channel and all pay TV and Free-to-Air networks to ensure the programme is not aired in Kenya as that will amount to a serious contravention of the laws of Kenya.

VI. We appeal to viewers to be alert and monitor the content accessed by their children through pay TV channels and mobile devices to protect them from being exposed to harmful content.

A rectangular box containing a handwritten signature in black ink. The signature is stylized and appears to be 'E. Mutua'.

Dr. Ezekiel Mutua, MBS  
**CHIEF EXECUTIVE OFFICER**