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**REPORT ON VIOLENCE AND VIOLATIONS BASED ON REAL OR PRESUMED SEXUAL ORIENTATION OR GENDER
IDENTITY DURING THE MONTH OF SEPTEMBER 2024**

10TH OCTOBER 2024

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1. Introduction

This is the 16th monthly report on violence and other human rights violations on the basis of sexual orientation and gender identity/ expression since the Anti-Homosexuality Act (AHA) came into force on 30th May 2023. The report discusses cases in which known or suspected LGBTIQ persons were targeted for violence and violations purely on the basis of their SOGIE as reported in the month of September 2024. This is a follow up to the reports produced earlier in this series and therefore seeks to build on the data available about the enforcement of the AHA 2023 from 30th May 2023 to date.

2. Methodology

This report provides an overview of cases of violence and human rights violations on the basis of SOGIE that were reported to the HRAPF legal aid clinic during the month of September 2024. The data for this report was collected using both qualitative and quantitative methods of data collection, and it was independently verified and analysed to ensure its accuracy.

Quantitative data was obtained from a review of case files, which method yielded data on the number of cases handled and the number of cases in which acts of violence or other human rights violations were identified. This data was then subjected to a further in-depth qualitative analysis to ascertain the circumstances under which the incidents occurred, in order to ascertain that only cases in which such acts were perpetrated purely or primarily on the basis of real or presumed SOGIE are included in the report.

The data presented in this report is limited by the fact that it covers only cases reported through the HRAPF legal aid network. The report presents a fair picture of the situation for LGBTIQ persons across the country as reported to HRAPF's countrywide network of community paralegals, regional legal aid centres, specialized legal aid desks and the main legal aid clinic, but it may not be representative of all LGBTIQ persons' lived realities during the month, as we acknowledge the possibility that not all cases that occurred in September 2024 were reported to HRAPF's network.

3. Nature and number of cases reported

HRAPF handled a total of 72 cases in the month of September 2024, an increase of 28.6% from the 56 cases handled in August 2024. Out of the 72 cases handled, 16 cases involved actions that directly targeted people for negative treatment on the basis of their SOGIE, representing 22.2% of all the cases handled during the month of September 2024. The number of cases in which persons were directly targeted due to their SOGIE has steadily reduced from 34 in July, 20 in August, and 16 in September. However, the number of victims affected by these violations increased from 24 persons in August 2024, to 27 persons in September 2024, although this is still less than the number of victims in July 2024, 40.

Out of the 16 cases in which LGBTIQ people were specifically targeted for detrimental treatment during the month of September 2024, 9 cases involved violence and threats of violence against persons on the basis of their SOGIE, 5 were arrests on sexuality related charges while 2 were eviction cases.

This section of the report provides detailed data on these cases.

3.1 Cases involving actual and threatened violence

Cases involving violence and threats of violence against individuals on the basis of their real or presumed SOGIE were the highest category of cases registered during the month of September 2024, at 9 verified cases affecting 14 persons. This was a slight reduction from the 10 cases affecting 12 persons reported in August 2024.

i. Cases of actual violence on the basis of sexual orientation/ gender identity

There were 5 cases of actual violence against persons on the basis of their real or presumed SOGIE in September 2024, affecting 5 persons. This violence was perpetrated by unknown persons in 4 cases and members of the general community where the victim resided in 1 case. All the cases involved physical violence and the victims sustained injuries, some of which were serious. The 5 cases were reported from the districts of Gulu, Isingiro, Kampala, Kiboga, and Wakiso,

The table below discusses these cases in detail:

No.	Case code	Date of reporting	District	Nature of violence	Perpetrator	Brief facts	No. of victims
1.	HRAPF/PA/689/2024	09/09/24	Kampala	Physical assault	General community	The victim in this case met a man on a popular gay dating app, and the two agreed to meet. However, when he came for the meeting, the person he had come to meet immediately started beating him and trying to take his bag and phone. A passer-by shouted that she was going to call	1

						the police and the assailant fled.	
2.	HRAPF/PA/690/2024	21/09/24	Gulu	Physical assault	Unknown persons	The victim in this case was attacked in his house at about 3.00am on 16 th September by 5 people who immediately started beating him and cursing at him. They told him they were tired of him promoting homosexuality in their village and wanted him to 'die with that evil habit'.	1
3.	HRAPF/PA/691/2024	23/09/24	Wakiso	Physical assault	Unknown persons	The client in this case met a man on a dating site and they agreed to meet at that man's house. When the client arrived at the home, two more people came in and started beating him up, accusing him of trying to teach their friend homosexuality. They also stole his phone and money in the process.	1
4.	HRAPF/PA/692/2024	12/09/24	Kiboga	Physical assault	Unknown persons	The clients' employer found him sleeping on the same bed with a male colleague in their workers' quarters and immediately called out that the two were having sex. The noise attracted a crowd, which dragged the two out to beat them. The client's colleague was able to escape but the client was beaten brutally and then set on fire by the crowd, sustaining serious injuries all over his body.	1

5.	HRAPF/PA/693/2024	8/9/2024	Isingiro	Physical assault	Unknown persons	The client, a resident of Nakivale refugee settlement, was on his way to church when he was waylaid by 5 men. The men came at him in a group, calling him a homosexual and hurling insults at him before one of them stabbed him in the leg while others hit him with sticks on the head and back.	1
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ii) Cases involving threats of violence based on sexual orientation and/or gender identity

A total of 4 cases involving threats of violence against persons on the basis of their real or presumed SOGIE were reported in September 2024. These directly affected 9 persons. All these cases involved threats of physical violence directed towards the victims due to their SOGIE. The threats were perpetrated by the general community in 2 cases, family members in 1 case and unknown persons in 1 case. Two cases were registered in Kampala and the other two cases were registered in Wakiso.

No.	Case code	Date of reporting	District	Nature of threats	Perpetrator	Brief facts	No. of victims
1.	HRAPF/PA/694/24	30/09/24	Wakiso	Threats of physical violence	Community members	The clients were arrested on charges of homosexuality but later released on police bond. Upon their release, they went back to the village where they had been staying but found their neighbours quite hostile to them. The neighbours and other people in the village told them they had learnt the reason for their arrest, and that if they did not leave the village, the community	3

						would attack and harm them.	
2.	HRAPF/PA/695/24	28/09/24	Kampala	Threats of physical violence	Family member	The clients' mother found out through rumours that the client is gay, and informed the whole family. They sat him down and asked him to leave the family home, and they also warned him that if he refused to change his ways, they would cane him as a punishment.	1
3.	HRAPF/PA/696/2024	2/09/24	Wakiso	Threats of physical violence	Community members	The clients reported being constantly harassed and threatened with beating by their neighbours, who had accused them of being homosexuals on various occasions. Indeed, the local area leaders also conducted a raid on the clients' home to 'conduct a search' for evidence of homosexuality.	4
4.	HRAPF/PA/697/2024	17/09/24	Kampala	Threats of Physical Violence	Unknown persons	On 16 th September 2024, the client was at home when some people started throwing stones on his roof, demanding that homosexuals leave their village or else they would handle them as they saw fit. The matter was reported to police but no arrests have been made yet.	1

3.2 Arrests

There was an increase in the number of arrests on sexuality related charges from 1 arrest in August 2024, affecting 2 individuals to 5 arrests affecting 9 individuals in September 2024. These arrests were registered from the districts of Kampala (2), Kalangala (1), Mbale (1), and Wakiso (1). All these cases are still at police pending investigations and the victims were released on police bond. In 3 of these cases, the victims were charged with homosexuality contrary to section 2 of the AHA 2023; in 1 case the charge was having carnal knowledge against the order of nature while in the last case, although it was made clear to the victim that they were being arrested for homosexuality, they were charged with cyber harassment under the Computer Misuse Act.

This table provides a detailed breakdown of the arrest:

No.	Case code	Date of reporting	District	Charge	Brief facts	Number of Victims
1.	HRAPF/PA /700/24	9/09/24	Kampala	Homosexuality	The client met a person on a popular gay dating app and the two agreed to meet near Lukuli Police station after chatting online for two weeks. When the client showed up at the meeting place, he was immediately arrested by two police officers. They told him that were working to erase the habit of homosexuality in Uganda, and they took him to Lukuli police station where he was detained on charges of homosexuality. They demanded for money for his release, which he did not have, and he was released on 10 th September 2024 following HRAPF's intervention.	1
2.	HRAPF/PA /701/2024	8/09/24	Wakiso	Homosexuality	The first client in this case was arrested on 8 th September by police officers and the area defence secretary. They informed him that the reason for the arrest was theft of a phone but when they got to the station, they immediately demanded access to his phone gallery, where they found pornographic videos depicting same-sex sexual activity, and accused him of being a homosexual. The police officers and defence	3

					secretary then went to the homes of two of the client's friends, took them to the station and went through their phones as well, finding gay porn in one. All three clients were thereafter charged with homosexuality and detained from 8 th September 2024 until 24 th September 2024 after HRAPF filed an application for their conditional release in court.	
3.	HRAPF/PA /702/24	3/09/24	Kalangala	Homosexuality	The clients were living together in Kalangala but failed to pay their rent for 2 months. On 29 th August 2024, the landlord came to their place with area chairperson to demand for his money/ evict them, but the chairperson instead started interrogating them about why they live together in a small room yet they are both women. He accused them of being homosexuals and took them to Kalangala Police Station where they were detained until 3 rd September 2024.	2
4.	HRAPF/PA /703/2024	4/09/2024	Mbale	Unnatural offences	The client hosted a male friend on the 4th day of September 2024 at around 8:00pm. A few minutes after they entered the house, they heard the neighbours screaming from outside, demanding that the client and his friend come out so they can teach them a lesson to stop being homosexuals. They locked themselves in the house for fear of being lynched and when the police came to the scene, the two were arrested, charged with having carnal knowledge against the order of nature and subjected to anal examinations and HIV tests.	2
5.	HRAPF/PA /704/2024	10/09/2024	Kampala	Cyber harassment	The client in this case was entrapped by a person he met on a gay dating app. The two agreed to meet but when they met, the person dragged him to Lukuli Police station, accusing him of being a homosexual. He	1

					was formally charged with cyber harassment before he was released after paying a bribe.	
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3.3 Evictions

In September 2024, there were 2 cases of evictions from rented property that were reported to HRAPF's legal aid clinic, affecting 4 individuals. This was a reduction from the 9 cases affecting 10 individuals recorded in August 2024. 1 case each was reported from the districts of Hoima and Wakiso. The evictions were perpetrated by the landlords in 1 case and in the second case, the landlord worked with the LC Leadership to evict the victims.

The Constitutional Court judgement has greatly contributed to the reduction of eviction cases as property owners are no longer at risk of being arrested for letting out their properties to homosexuals or persons presumed to be homosexuals. For instance, 17 evictions affecting 17 people were reported in May, and this number reduced to 12 cases affecting 14 people in June 2024. This number reduced further to 10 cases affecting 11 people in July to 9 cases affecting 10 people in August, finally falling to 2 cases in September 2024.

No.	Case code	Date of reporting	District	Perpetrator	Brief facts	Number of Victims
1.	HRAPF/PA/698 /24	5/09/2024	Hoima	Landlord	The client's friends and peers from the village accused her of being a lesbian, and reported her to her landlord. Based on the rumours, the clients' landlord threatened that if she did not vacate the premises immediately, she (the landlord) would have the client arrested for being a homosexual.	1
2.	HRAPF/PA/699 /2024	30/09/24	Wakiso	Landlord, Local area leadership	The area chairperson and defence secretary went to the clients' home and informed them that they had received reliable information that the clients were homosexuals, and that the council would consult with their landlord to come to a solution about the matter. The following day, their landlady came and	3

					told them that they would not continue staying on her premises as she could not host homosexuals in her premises.	
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4. Comparison with August 2024

There was an increase in the overall number of cases reported in September 2024 from 56 cases to 72 cases. However, the number of cases involving actions that deliberately targeted persons for negative treatment on the basis of their real or presumed SOGIE reduced from 20 in August 2024 to 16 in September, while the number of victims affected by these violations increased from 24 persons in August 2024 to 27 persons in September 2024.

In both months, the highest number of recorded cases were cases involving violence and threats of violence against individuals on the basis of their real or presumed sexual orientation, with 10 cases affecting 12 individuals in August 2024, and 9 cases involving 14 individuals in September 2024. Cases involving arrests on sexuality related charges increased from 1 case affecting 1 individual in August 2024 to 5 cases in September, affecting 9 individuals. The cases of eviction reduced from 9 cases affecting 10 individuals in August 2024 to 2 cases affecting 4 individuals in September 2024.

5. Comparison with September 2023

In September 2023, four months into the implementation of the AHA, a total of 68 cases were handled involving LGBTIQ persons, of which 49 cases involved actions that directly targeted persons on the basis of their real or presumed SOGIE (72.1%) of all cases handled. The actions in these cases affected a total of 59 people and included; 24 cases of real or threatened violence, 22 eviction cases and 3 arrests on sexuality related charges. In contrast, 72 cases involving LGBTIQ persons were handled in September 2024, of which 16 cases involved actions of targeted/ deliberate homophobia (22.2% of all cases handled) and 27 persons were affected. It is worth noting that there has been a significant reduction in the proportion of cases in which individuals were deliberately targeted for violence and violations between September 2023 and September 2024, which reduction can be attributed to the judgment of the Constitutional Court in April 2024, which nullified section 9 of the AHA, as well as the general reduction in homophobic rhetoric in public spaces, which was much higher in September 2023 just after the law had come into force.

6. Comparison with September 2022 (pre-AHA)

In September 2022, a total of 31 cases were handled involving LGBTQ persons, of which 9 cases involved actions that directly targeted persons on the basis of their real or presumed SOGIE (29%). The actions in these 9 cases affected a total of 11 people, and included 5 cases of real or threatened violence, 2 evictions and 2 arrests. There has been a clear increase in the number of cases being handled between the two time periods, with the general number of cases increasing dramatically from 31 in September 2022 to 72 in September 2024, an increase of 41 cases. The cases in which LGBTQ people have been specifically targeted also doubled from 9 in September 2022 to 16 in September 2024, indicating that, even though the cases of violations and violence against LGBTQ persons seem to be going down in 2024, the figures are still significantly higher than they were prior to the passing of the AHA 2023.

7. The first 16 months of the AHA 2023 in Uganda

In the first 16 months of the AHA 2023, a total of 1,351 cases involving LGBTIQ persons have been handled across the HRAPF legal aid network, of which 703 (52%) targeted LGBTIQ people on the basis of their sexuality, affecting a total of 898 persons. The breakdown of cases so far is as follows:

Nature of violation	June to December 2023	January 2024	February 2024	March 2024	April 2024	May 2024	June 2024	July 2024	August 2024	September 2024	Total number of cases
Evictions	164	30	32	23	19	16	12	10	9	2	317
Violence	137	25	24	20	17	20	15	14	10	9	291
Arrests	38	4	3	9	8	5	5	11	1	5	89
Other forms of discrimination	6	0	0	0	0	0	0	0	0	0	6
Total	345	59	59	52	44	41	32	35	20	16	703

The victims in these cases are:

Nature of violation	June to Dec 2023	January 2024	February 2024	March 2024	April 2024	May 2024	June 2024	July 2024	August 2024	September 2024	Total number of victims
Evictions	204	35	47	26	23	17	14	11	10	4	391
Violence	171	32	32	20	20	22	16	15	12	14	354

Arrests	59	6	3	20	18	11	5	14	2	9	147
Other forms of discrimination	6	0	0	0	0	0	0	0	0	0	6
Total	440	73	82	66	61	50	35	40	24	27	898

Cases of violence and threats of violence still have the highest number of cases overall, and the highest number of victims, and the reduction in cases of evictions have continued to decline steadily since the pronouncements of the Constitutional Court during the month of April 2024 nullifying section 9, which criminalised the letting of premises ‘for purposes of homosexuality’, a clear indication that criminalisation of SOGIE has a direct and profound impact on human rights violations against LGBTQ persons.

Chart 1: Cases of violence and violations based on SOGIE from January 2024 to September 2024

Trends in cases of SOGIE motivated violence, Jan to Sept 2024

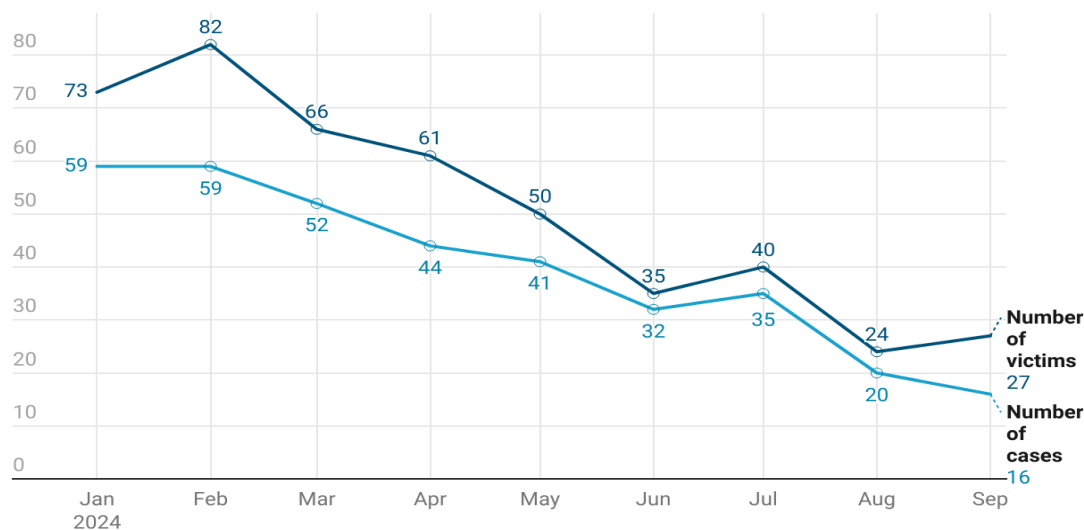


Chart: HRAPF Legal Aid Clinic • Source: HRAPF • Created with Datawrapper

Chart 2: Trends in cases of eviction from before and after the court judgment in Fox Odoi and 21 others v Attorney General and 3 others (2nd April 2024)

Trends in eviction cases following the Constitutional Court judgment on 2nd April 2024

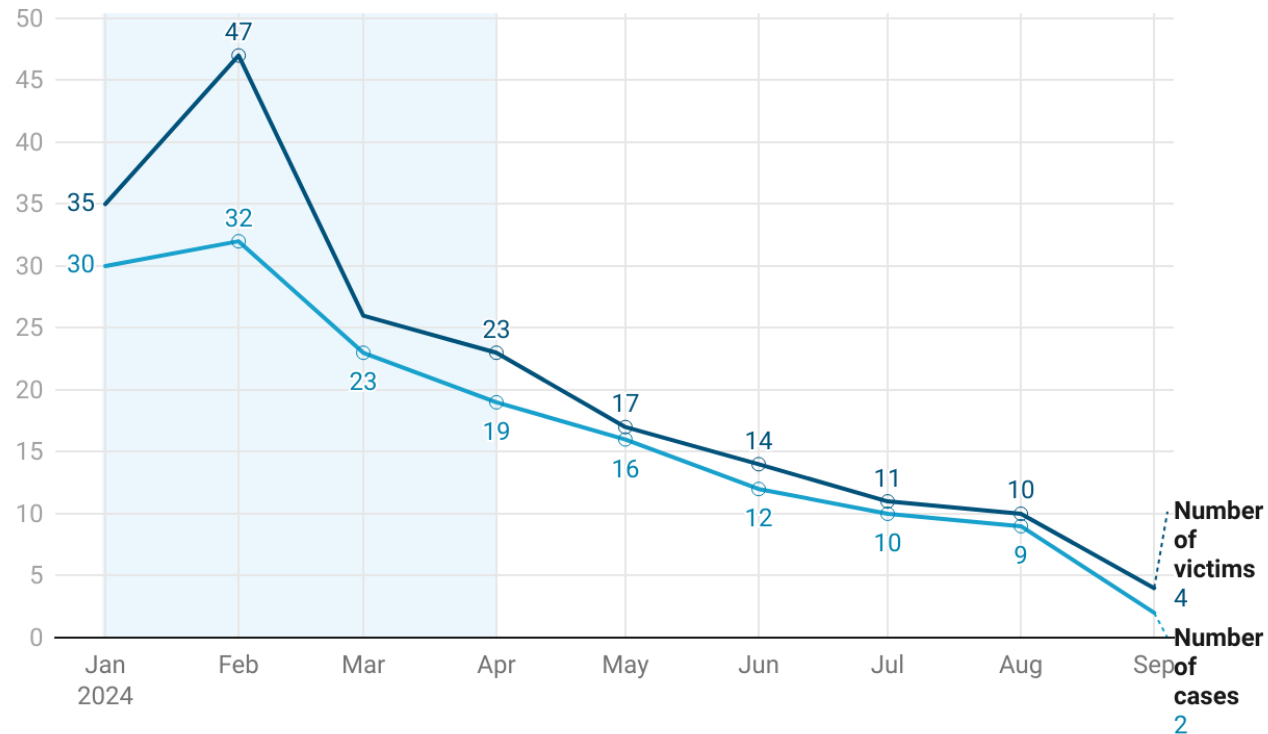


Chart: HRAPF • Source: HRAPF Legal aid clinic • Created with Datawrapper

Chart 3: Trends in arrests of individuals on the basis of their real or presumed SOGIE/ in the course of enforcing the AHA 2023

Arrests of individuals on basis of real or presumed SOGIE, Jan to Sept 2024

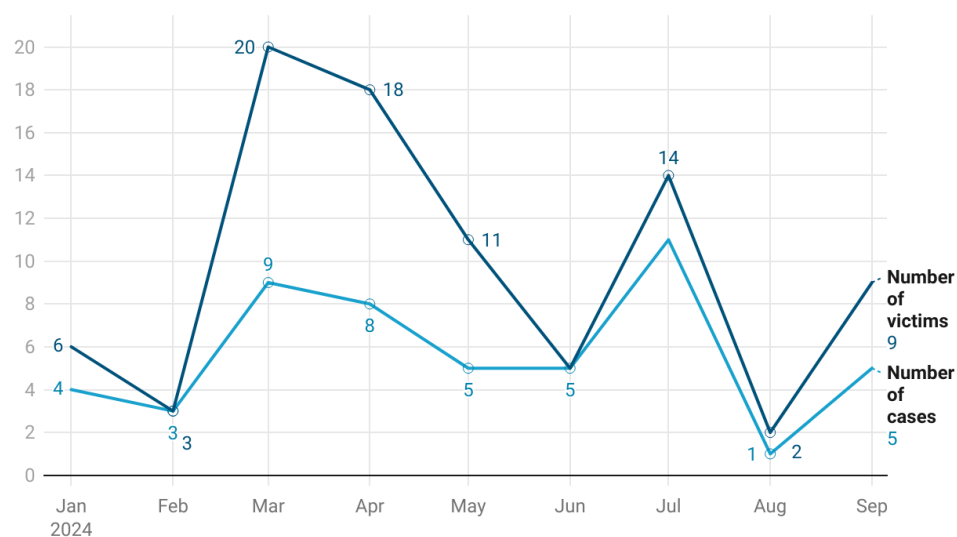


Chart: HRAPF • Source: HRAPF Legal aid clinic • Created with Datawrapper

8. Conclusion

There is a noticeable downward trend in cases of violations and violence against individuals on the basis of their real or presumed SOGIE and, while some of these can be directly attributed to the change in the law brought about by the April 2nd 2024 Constitutional Court judgment in the Consolidated Petitions Nos. 14, 15, 16 and 85 of 2024 (*Fox Odoi-Oywelowo and 21 others v Attorney General and 4 others*), particularly for evictions, the big reduction in cases of violence and threats of violence is primarily a factor of the reduced homophobic rhetoric in public spaces. It is worth noting however that arrests of individuals on the basis of their sexuality still maintain a less certain trendline, constantly fluctuating and leaving LGBTQ persons across the country in perpetual fear of a potential arrest for as long as the law remains as it is.