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**Uganda's Compliance with the International Convention on Civil and Political Rights
Suggested List of Issues Relating to LGBTI Rights**

Submitted by The Advocates for Human Rights

a non-governmental organization in special consultative status with ECOSOC since 1996

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The Advocates for Human Rights (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. Established in 1983, The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publications. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States. A growing number of victims fleeing persecution based on their sexual orientation or gender identity in Uganda have requested legal assistance from The Advocates in applying for asylum in the United States. First-hand information from asylum-seekers about the human rights violations that they experienced in Uganda has been used in this submission with their permission.

EXECUTIVE SUMMARY

1. This report addresses Uganda's compliance with its international human rights obligations towards LGBTI persons.
2. Actual or perceived LGBTI individuals in Uganda live in a hostile, and sometimes deadly, environment, facing constant threats of physical and emotional violence, persecution, and discrimination from Ugandan officials, police, and private individuals.
3. This stakeholder report also addresses Uganda's compliance with its international human rights obligations toward members of the political opposition. Ugandan authorities use excessive force against political opponents, including LGBTI individuals. They also arbitrarily arrest and detain political opponents, including LGBTI individuals and threaten the freedom of association and expression of political opponents.
4. Information for this report includes direct information from The Advocates' Ugandan asylum clients, including in-depth interviews with a client who identifies as gay and as a member of the LGBTI community (pseudonym Joseph), and from secondary sources. All client information is used with permission.

Uganda fails to uphold its obligations under the International Covenant on Civil and Political Rights

I. Excessive use of force and extrajudicial executions (2004 Concluding Observations paragraph 16)

5. In its 2004 Concluding Observations, the Human Rights Committee ("Committee") expressed concern about excessive use of force by police officers, including extrajudicial executions of civilians.¹ The Committee recommended that Uganda prosecute the perpetrators and increase training for law enforcement.²
6. Uganda's Second Periodic Report offers no response to the Committee's concerns about excessive use of force by law enforcement.
7. During the 2021 election cycle, multiple supporters of political opposition leaders were killed.³ In 2020, Ugandan police ran Ritah Nabukenya over with a truck after she attended a political meeting with Robert Kyagulanyi, known as Bobi Wine, reportedly because she was wearing

¹ Human Rights Committee, *Consideration of reports submitted by States Parties under article 40 of the Covenant, Concluding Observations: Uganda*, adopted by the Committee at its 80th session, UN Doc. CCPR/CO/80/UGA (4 May 2004), ¶ 16.

² Human Rights Committee, *Consideration of reports submitted by States Parties under article 40 of the Covenant, Concluding Observations: Uganda*, adopted by the Committee at its 80th session, UN Doc. CCPR/CO/80/UGA (4 May 2004), ¶ 16.

³ United States Bureau of Democracy, Human Rights, and Labor, "Uganda 2020 Human Rights Report," accessed Apr. 6, 2021, <https://www.state.gov/wp-content/uploads/2021/03/UGANDA-2020-HUMAN-RIGHTS-REPORT.pdf>

red insignia that is commonly associated with Kyagulanyi's party.⁴ Police claim her motorcycle crashed, killing her, and claims to be investigating, although no findings have been released.⁵

8. Daniel Kyeyune, another supporter of Kyagulanyi was killed in February 2020 by an officer of the military's Local Defense Unit, who shot into a crowd waiting to see Kyagulanyi's motorcade on its way back from Nabukenya's funeral.⁶ The military contested the claims and attempted to discredit bystander cell phone video showing the officer shooting into the crowd and claimed it would investigate, although no findings have been released.⁷
9. A client of The Advocates, who was previously active in the People Power Movement and left Uganda for the United States after being persecuted on the basis of political opinion, reported retaliatory attacks against his family. Police officers detained this client's relative, hoping to learn where the client was located. Shortly thereafter, the client's relative was missing for two days before his body was found.⁸
10. LGBTI individuals in Uganda are targeted for violence because of their sexual orientation and/or gender identity. 50% of respondents to a survey of LGBTI individuals in Uganda reported experiencing violence from law enforcement.⁹ One client interviewed for this report described how their friend was targeted and murdered for being gay.¹⁰ They described living in a state of constant fear of physical violence by State actors and private individuals as a gay man living in Uganda.¹¹ Another client reported repeated harassment whenever she and her girlfriend went out in public. In a separate incident, four armed men attacked and sexually assaulted this client and her girlfriend. They then killed the client's girlfriend when she tried to fight back.¹²
11. Two men dressed in army uniforms came to the home of a client who was a youth mobilizer in the People Power movement. They ransacked her house and searched her laptop and phone.

⁴ United States Bureau of Democracy, Human Rights, and Labor, "Uganda 2020 Human Rights Report," accessed Apr. 6, 2021, <https://www.state.gov/wp-content/uploads/2021/03/UGANDA-2020-HUMAN-RIGHTS-REPORT.pdf>

⁵ United States Bureau of Democracy, Human Rights, and Labor, "Uganda 2020 Human Rights Report," accessed Apr. 6, 2021, <https://www.state.gov/wp-content/uploads/2021/03/UGANDA-2020-HUMAN-RIGHTS-REPORT.pdf>

⁶ United States Bureau of Democracy, Human Rights, and Labor, "Uganda 2020 Human Rights Report," accessed Apr. 6, 2021, <https://www.state.gov/wp-content/uploads/2021/03/UGANDA-2020-HUMAN-RIGHTS-REPORT.pdf>

⁷ United States Bureau of Democracy, Human Rights, and Labor, "Uganda 2020 Human Rights Report," accessed Apr. 6, 2021, <https://www.state.gov/wp-content/uploads/2021/03/UGANDA-2020-HUMAN-RIGHTS-REPORT.pdf>

⁸ Interviews conducted by The Advocates (2019).

⁹ Sexual Minorities Uganda, "Safety and Security of the LGBTIQ+ Community in Uganda: A Pre-COVID 19 to Post-COVID 19 Situational Analysis," accessed June 2021, <https://sexualminoritiesuganda.com/safety-and-security-of-the-lgbtq-community-in-uganda/>.

¹⁰ Interview with asylum client Joseph (June 17, 2021).

¹¹ Interview with asylum client Joseph (June 17, 2021).

¹² Interviews are hereinafter referred to as "Interviews conducted by The Advocates (2019)." Details have been removed to maintain confidentiality and to protect the identities of clients and their families.

One of the men sexually assaulted her. In a subsequent incident, three individuals forced her into a vehicle and subsequently punched her in the stomach and kicked her.¹³

12. Law enforcement officers who use excessive force or extrajudicially kill individuals largely act with impunity. The Ugandan government is “reluctant to investigate, prosecute, or punish officials who committed human rights abuses, whether in the security services or elsewhere in the government.”¹⁴ On November 26, 2016, police and military officials killed over 100 people in Kasese, a town in Western Uganda.¹⁵ The government failed to hold the perpetrators accountable, prompting one report to call the Ugandan army a “beacon of impunity.”¹⁶
13. One client pressed charges of theft against another individual. At a preliminary court hearing, the defendant spoke of the client’s sexual orientation. The client dropped the charges for fear of being arrested for homosexuality.¹⁷
14. **Suggested questions** relating to excessive use of force and extrajudicial executions:
 - What steps has the State Party taken toward carrying out prompt, impartial, effective, and transparent investigations of the deaths of opposition leaders, and ensuring effective prosecutions of those allegedly responsible?
 - What steps has the State Party taken to investigate all attacks on LGBTI individuals and their community and prosecute perpetrators of such attacks?
 - What measures are in place to ensure that victims of human rights abuses at the hands of law enforcement have adequate access to justice?
 - What steps has the State Party taken to ensure access to justice for the families of victims of extrajudicial killings?

II. Arbitrary Arrest and Detention and Torture of LGBTI individuals (2004 Concluding Observations paragraph 17)

15. Since 2016, politicians have spoken against homosexuality publicly. The Ethics and Integrity Minister proposed imposing the death penalty for same-sex relations, resulting in increased attacks against LGBTI persons.¹⁸ The open hostility and discriminatory views expressed

¹³ Interviews conducted by The Advocates (2019).

¹⁴ United States Bureau of Democracy, Human Rights, and Labor, “Uganda 2020 Human Rights Report,” accessed Apr. 6, 2021, <https://www.state.gov/wp-content/uploads/2021/03/UGANDA-2020-HUMAN-RIGHTS-REPORT.pdf>.

¹⁵ Human Rights Watch, “Uganda: No Justice for 2016 Kasese Massacre by Security Forces,” accessed July 12, 2021, <https://www.hrw.org/news/2018/10/10/uganda-no-justice-2016-kasese-massacre-security-forces>.

¹⁶ Liam Taylor, “*Beacon of impunity*: US eyes Uganda ties as abuses continue,” Mar. 4, 2021, <https://www.aljazeera.com/news/2021/3/4/us-threatens-sanctions-against-ugandan-leader>.

¹⁷ Interviews conducted by The Advocates (2019).

¹⁸ Press Release, OutRight Action International, Uganda Threatens to Re-Introduce “Anti-Homosexuality Act (Oct. 10, 2019),

publicly by Ugandan politicians has negatively impacted LGBTI individuals. For example, “Homophobic comments by Uganda’s president and other politicians are making some LGBT+ Ugandans too scared to vote in elections.”¹⁹

16. Ugandan law criminalizes a person having “carnal knowledge of any person against the order of nature” and any person permitting a male to have “carnal knowledge ... against the order of nature.”²⁰ Persons convicted of these felonies may be subject to seven years’ imprisonment.²¹
17. In May 2021, Uganda’s Parliament approved a Sexual Offenses Bill, which further criminalizes homosexuality by punishing homosexual acts by Ugandans while outside of Uganda and criminalizing failure to report such acts.²²
18. In its 2004 Concluding Observations, the Committee expressed concern about arbitrary arrest and detention in Uganda. The Committee was also concerned about reports of the use of torture in detention facilities. The Committee recommended Uganda promptly and thoroughly investigate cases of arbitrary arrest and detention.²³
19. In its Second Periodic Report, Uganda cites the 2012 Prohibition of Torture Act and the 2017 Prevention and Prohibition of Torture Regulations which provide for a complaint and investigation procedure. The report also highlights several cases of arbitrary arrest and torture heard in court.²⁴
20. The Ugandan police have arbitrarily arrested LGBTI individuals on multiple occasions.²⁵ A client of The Advocates confirmed that the police often raided locations where members of the LGBTI community met.²⁶ A group of five to ten people attacked another client after

<https://outrightinternational.org/content/uganda-plans-re-introduce-anti-homosexuality-act>; Thomas Reuters, *Anti-gay rhetoric ramps up fear among LGBT+ Ugandans ahead of polls*, accessed June 2021, <https://www.reuters.com/article/us-uganda-lgbt-election/anti-gay-rhetoric-ramps-up-fear-among-lgbt-ugandans-ahead-of-polls-idUSKBN29B22W>).

¹⁹ Thomas Reuters, *Anti-gay rhetoric ramps up fear among LGBT+ Ugandans ahead of polls*, accessed June 2021, <https://www.reuters.com/article/us-uganda-lgbt-election/anti-gay-rhetoric-ramps-up-fear-among-lgbt-ugandans-ahead-of-polls-idUSKBN29B22W>).

²⁰ Uganda Penal Code Chapter XIV, Section 145, accessed June 6, 2021, <https://www.refworld.org/docid/59ca2bf44.html>.

²¹ Uganda Penal Code Chapter XIV, Section 146 (accessed: June 6, 2021), <https://www.refworld.org/docid/59ca2bf44.html>.

²² Human Rights Watch, *Uganda: Reject Sexual Offenses Bill* (May 6, 2021), <https://www.hrw.org/news/2021/05/06/uganda-reject-sexual-offenses-bill>.

²³ Human Rights Committee, *Consideration of reports submitted by States Parties under article 40 of the Covenant, Concluding Observations: Uganda*, adopted by the Committee at its 80th session, UN Doc. CCPR/CO/80/UGA (4 May 2004), ¶ 17.

²⁴ Human Rights Committee, *Second periodic report submitted by Uganda under article 40 of the Covenant, due in 2008*, (19 Nov. 2020), UN Doc. CCPR/C/UGA/2, ¶ 96-105.

²⁵ Amnesty International, “Uganda 2020,” <https://www.amnesty.org/en/countries/africa/uganda/report-uganda/>; Human Rights Watch, “Uganda: Stop Police Harassment of LGBT People,” accessed 2021, <https://www.hrw.org/news/2019/11/17/uganda-stop-police-harassment-lgbt-people>; United States Bureau of Democracy, Human Rights, and Labor, “Uganda 2020 Human Rights Report,” accessed Apr. 6, 2021, <https://www.state.gov/wp-content/uploads/2021/03/UGANDA-2020-HUMAN-RIGHTS-REPORT.pdf>.

²⁶ Interview with asylum client (June 17, 2021).

discovering the client having a sexual encounter with a man. Police responded to the scene and detained the client. While detained, officials beat and verbally abused the client.²⁷

21. On November 10, 2019, the police arrested 125 individuals in the only LGBTI bar in Kampala, Ram Bar, on supposed Anti-Tobacco Law charges, despite only a few people actually using sisha at the time of the raid.²⁸ “The Ugandan media outlet Kuchu Times reported that victims were dragged and thrown onto police trucks.”²⁹ A client of The Advocates described his own arrest the night of the Ram Bar raid, which resulted in abuse by the police, and his firing.³⁰
22. In 2020, the government began using COVID-19 as pretext for arresting LGBTI individuals and shutting down shelters that accepted LGBTI individuals.³¹ Twenty-three LGBTI youth were arrested from a shelter, which resulted in 19 being charged with “negligent acts likely to spread infectious diseases” and “disobeying legal orders” and being detained without access to lawyers or medical treatment, including anti-retroviral medications.³²
23. Multiple sources report that LGBTI persons experience physical and sexual violence while in detention. Joseph reports that he and his boyfriend were arrested after an acquaintance reported them to the police. During the three days they spent in detention, police officers subjected Joseph and his boyfriend to anal examinations and physical abuse. Joseph confirmed that almost every gay man was forced to undergo an anal examination while detained.³³ Other detained individuals forced them to perform sexual acts.³⁴ Joseph also reported being harassed because of their sexual orientation through threats and slurs.³⁵ On October 21, 2019, police

²⁷ Interviews conducted by The Advocates (2019).

²⁸ Human Rights Watch, “Uganda: Stop Police Harassment of LGBT People,” accessed 2021, <https://www.hrw.org/news/2019/11/17/uganda-stop-police-harassment-lgbt-people>.

²⁹ Human Rights Watch, “Uganda: Stop Police Harassment of LGBT People,” accessed 2021, <https://www.hrw.org/news/2019/11/17/uganda-stop-police-harassment-lgbt-people>.

³⁰ Interview with asylum client Joseph (June 17, 2021).

³¹ Amnesty International, “Uganda 2020”; Human Rights Watch, “Uganda: Stop Police Harassment of LGBT People,” accessed 2021, <https://www.hrw.org/news/2019/11/17/uganda-stop-police-harassment-lgbt-people>; United States Bureau of Democracy, Human Rights, and Labor, “Uganda 2020 Human Rights Report,” accessed Apr. 6, 2021; Press Release, Office of the High Commissioner, UN rights experts fear Uganda is using COVID-19 emergency powers to target LGBT people, (April 27, 2020), accessed Apr. 15, 2021, <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25832&LangID=E> 2021, <https://www.state.gov/wp-content/uploads/2021/03/UGANDA-2020-HUMAN-RIGHTS-REPORT.pdf>.

³² Amnesty International, “Uganda 2020,”

<https://www.amnesty.org/en/countries/africa/uganda/report-uganda/>; Human Rights Watch, “Uganda: Stop Police Harassment of LGBT People,” accessed 2021, <https://www.hrw.org/news/2019/11/17/uganda-stop-police-harassment-lgbt-people>.

³³ Interview with asylum client Joseph (June 17, 2021); see also United States Bureau of Democracy, Human Rights, and Labor, “Uganda 2020 Human Rights Report,” accessed Apr. 6, 2021, <https://www.state.gov/wp-content/uploads/2021/03/UGANDA-2020-HUMAN-RIGHTS-REPORT.pdf>; United Kingdom Home Office, “Uganda: Sexual Orientation and Gender Identity and Expression,” (April 2019), accessed Apr. 6, 2021, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/792036/CPI_N_Uganda_SOGIE_EXT_April_2019.pdf.

³⁴ Interview with asylum client Joseph (June 17, 2021).

³⁵ Interview with asylum client Joseph (July 17, 2021).

arrested 16 individuals associated with Let's Walk Uganda, a program advocating for LGBTI youth. A doctor forcibly administered anal examinations of these individuals.³⁶

24. Ugandan security forces have also carried out arbitrary arrests against political opposition leaders, including arresting Kyagulanyi when he tried to access a scheduled campaign event.³⁷ Multiple individuals have been killed at protests and events held by opposition leaders.³⁸ On two occasions, government officials arbitrarily detained a client.³⁹ One client, who was active in protesting against the ruling party, was detained by government officials on two occasions. During the first incident, which stemmed from the client's participation in the People Power Movement and in protests against the ruling party, officials detained, interrogated, and hit him. In a separate incident, two men detained and interrogated the client after the client posted anti-governmental opinions on social media. The client faced additional interrogation after these individuals brought him to a police station. Officials detained and interrogated his mother and brother, also torturing his brother in the process.⁴⁰
25. Another client, who was a youth mobilizer in the People Power Movement, reported that two individuals, one wearing a military uniform, forced her into their vehicle and subsequently questioned and severely beat her.⁴¹

26. Suggested questions relating to arbitrary arrest and detention and torture:

- What steps has the State Party taken toward adopting a moratorium on punishing individuals under Chapter XIV Section 145(a) and 145(c), with a view to repealing the same and decriminalizing homosexuality?
- What steps has the State Party taken toward repealing all sections of the Sexual Offenses Bill, 2019 that criminalize or increase punishments for same-sex relations between consenting adults, impose reporting obligations on family members' of LGBTI individuals, or allow for prosecution of LGBTI Ugandans participating in consensual same-sex relations outside of Uganda?
- What measures are in place to prevent the introduction of any new laws that further criminalize homosexuality, increase punishment for homosexual acts between consenting adults, or lead to discrimination against LGBTI individuals?

³⁶ Human Rights Watch, "Uganda: Stop Police Harassment of LGBT People", accessed July 9, 2021, <https://www.hrw.org/news/2019/11/17/uganda-stop-police-harassment-lgbt-people/>.

³⁷ Human Rights Watch, "Uganda: Elections Marred by Violence," (January 2021), <https://www.hrw.org/news/2021/01/21/uganda-elections-marred-violence>; Human Rights Watch, "Arrest of Uganda's Bobi Wine Spells Trouble for 2021 Election," accessed 2021, <https://www.hrw.org/news/2020/01/09/arrest-ugandas-bobi-wine-spells-trouble-2021-election>.

³⁸ United States Bureau of Democracy, Human Rights, and Labor, "Uganda 2020 Human Rights Report," accessed Apr. 6, 2021, <https://www.state.gov/wp-content/uploads/2021/03/UGANDA-2020-HUMAN-RIGHTS-REPORT.pdf>

³⁹ Interviews conducted by The Advocates (2019).

⁴⁰ Interviews conducted by The Advocates (2019).

⁴¹ Interviews conducted by The Advocates (2019).

- What steps has the State Party taken to stop pre-textual arrests of LGBTI individuals?
- What steps has the State Party taken to investigate claims of arbitrary arrests and attacks against political opposition?
- What, if any, training has the State Party provided to law enforcement on the treatment of individuals in detention, especially LGBTI individuals?
- What steps has the State Party taken to prevent physical and sexual violence against LGBTI persons in detention? What steps has the State Party taken to investigate these incidents?
- What steps has the State Party taken to investigate claims of torture against LGBTI individuals and political opponents and to punish perpetrators?

III. Freedom of association and expression (2004 Concluding Observations paragraph 22)

27. In its 2004 Concluding Observations, the Committee expressed concern about use of force by police to disperse peaceful demonstrations by political opponents and urged Uganda to ensure the full enjoyment of the right to freedom of association for all people.⁴²
28. In its Second Periodic Report, Uganda cited the 2013 Public Order Management Act that “provides for regulation of public meetings, the duties and responsibilities of police in regulating public meetings and other measures of safeguarding public order.”⁴³ Uganda also highlighted the 2016 Non-Governmental Organizations Act, which strengthens the capacity of the NGO sector and the “mutual partnership with the government.”⁴⁴ The law also established the National Bureau of Non-Governmental Organizations and its Board which handles registrations of NGOs.⁴⁵
29. Uganda’s Constitution and laws grant freedom of association, but the government restricts local organizations, especially those advocating for human rights of LGBTI persons.⁴⁶

⁴² Human Rights Committee, *Consideration of reports submitted by States Parties under article 40 of the Covenant, Concluding Observations: Uganda*, adopted by the Committee at its 80th session, UN Doc. CCPR/CO/80/UGA (4 May 2004), ¶ 22.

⁴³ Human Rights Committee, *Second periodic report submitted by Uganda under article 40 of the Covenant, due in 2008*, (19 Nov. 2020), UN Doc. CCPR/C/UGA/2, ¶ 150.

⁴⁴ Human Rights Committee, *Second periodic report submitted by Uganda under article 40 of the Covenant, due in 2008*, (19 Nov. 2020), UN Doc. CCPR/C/UGA/2, ¶ 150.

⁴⁵ Human Rights Committee, *Second periodic report submitted by Uganda under article 40 of the Covenant, due in 2008*, (19 Nov. 2020), UN Doc. CCPR/C/UGA/2, ¶ 155.

⁴⁶ United States Bureau of Democracy, Human Rights, and Labor, “Uganda 2020 Human Rights Report,” accessed Apr. 6, 2021, <https://www.state.gov/wp-content/uploads/2021/03/UGANDA-2020-HUMAN-RIGHTS-REPORT.pdf>.

30. Members of the political opposition have also faced barriers to free association. Wine and other members of the opposition have received pushback from the ruling party. Wine was arrested in November 2020 and March 2021.⁴⁷ Ahead of the 2021 presidential election, officials detained hundreds of opposition members.⁴⁸ Reports of torture, including electric shocks, waterboarding, and extended solitary confinement, accompanied the arrests.⁴⁹
31. The Advocates' client described how he and others in the LGBTI community could only meet in homes or safe spaces, not public places. The only known public LGBTI meeting spot was raided by police.⁵⁰ Even meeting in homes, however, does not guarantee freedom of association for or safety of LGBTI individuals.
32. Members of the LGBTI community in Uganda report that they are forced to hide their opinions on sexuality or gender identity. Many members of the LGBTI community have experienced violence. In this light, over 54% of respondents to a survey of LGBTI individuals reported violence from family members.⁵¹ An Advocates' client shared that, both as a youth and an adult, they experienced psychological harm and trauma because they identify as gay.⁵² They reported that themselves and other members of the LGBTI community are forced to lead secret lives to avoid harassment, discrimination, and violence from employers, landlords, the police, and private citizens.⁵³ The client described how others suspected them as being gay if they were not seen with women or dressed in bright or tight clothing.⁵⁴
33. **Suggested questions** relating to freedom of association and expression:
- What measures has the State Party put in place to ensure the freedom of association of political opponents, including members of the LGBTI community?
 - What steps has the State Party taken to prevent arbitrary police raids of meetings of the LGBTI community?

⁴⁷ Reuters Staff, *Uganda opposition candidate Bobi Wine arrested, police fire tear gas at protesters*, Reuters, Dec. 30, 2020, <https://www.reuters.com/article/uganda-politics-idINKBN29419B>; Rodney Muhumuza, *Uganda's Bobi Wine arrested while protesting in the capital*, Associated Press, Mar. 15, 2021, <https://apnews.com/article/yoweri-museveni-kampala-elections-bobi-wine-arrests-f8349719f285adb2660e22fcb72b5e5>.

⁴⁸ Halima Athumani and Max Bearak, *Stories of torture emerge as Uganda releases Bobi Wine supporters*, Accessed Mar. 12, 2021, <https://www.washingtonpost.com/world/2021/03/12/uganda-opposition-torture/>.

⁴⁹ Halima Athumani and Max Bearak, *Stories of torture emerge as Uganda releases Bobi Wine supporters*, The Washington Post, Mar. 12, 2021, <https://www.washingtonpost.com/world/2021/03/12/uganda-opposition-torture/>.

⁵⁰ Interview with asylum client Joseph (June 17, 2021).

⁵¹ Sexual Minorities Uganda, "Safety and Security of the LGBTIQ+ Community in Uganda: A Pre-COVID 19 to Post-COVID 19 Situational Analysis," accessed June 2021, <https://sexualminoritiesuganda.com/safety-and-security-of-the-lgbtq-community-in-uganda/>.

⁵² Interview with asylum client Joseph (June 17, 2021).

⁵³ Interview with asylum client Joseph (June 17, 2021).

⁵⁴ Interview with asylum client Joseph (June 17, 2021).

- What steps has the State Party taken to investigate and punish allegations of excessive use of force by law enforcement against peaceful demonstrators, especially against LGBTI individuals?
- What steps, if any, has the State Party taken to protect LGBTI individuals from violence and harassment from their families and other private actors?

IV. Discrimination in access to housing, education, employment, and health care (ICCPR Article 2 and General Comment No. 18)

34. LGBTI individuals in Uganda face discrimination in housing. Joseph and their boyfriend were evicted from their apartment after his neighbors complained that having a gay couple in building was a “bad influence.”⁵⁵ Themselves and their partner moved to another apartment and still were subject to harassment.⁵⁶ Joseph described how a straight person befriended their boyfriend in order to blackmail them, threatening to out them to the police.⁵⁷ This person assaulted Joseph’s boyfriend, stole their money and phones, and still reported them to the police for being homosexual.⁵⁸ Joseph again lost their housing after police arrested them for being gay, revealing their orientation to his neighbors and landlord.⁵⁹ A different client was forced to leave his residence after being discovered having sex with a man.⁶⁰ See also paragraph 22. Many LGBTI individuals, in addition to receiving blame for the virus, have been unable to work as result of the COVID-19 pandemic, exacerbating what is often an already precarious financial situation. Evictions of LGBTI individuals have forced many to return to unsafe living situations.⁶¹

35. LGBTI individuals in Uganda experience employment discrimination. Joseph attested to the difficulties in obtaining and maintaining employment as a LGBTI person, especially for those with less education. Joseph explained “Being queer and uneducated in Africa is the worst thing.”⁶² At one job, Joseph’s employer threatened to investigate them for being gay, leading Joseph to quit out of fear.⁶³ Joseph tried working in a more remote position with the hope that having less interaction with other employees would lessen his chance of being outed to his employer or the police, but ultimately was fired after being arrested at

⁵⁵ Interview with asylum client Joseph (June 17, 2021).

⁵⁶ Interview with asylum client Joseph (June 17, 2021).

⁵⁷ Interview with asylum client Joseph (June 17, 2021).

⁵⁸ Interview with asylum client Joseph (June 17, 2021).

⁵⁹ Interview with asylum client Joseph (June 17, 2021).

⁶⁰ Interviews conducted by The Advocates (2019).

⁶¹ Nita Bhalla and Alice McCool, *RPT-FEATURE-Arrests, evictions and scapegoating: Coronavirus takes a toll on LGBT+ Africans*, Reuters, Apr. 16, 2020, <https://www.reuters.com/article/health-coronavirus-lgbt-africa/rpt-feature-arrests-evictions-and-scapegoating-coronavirus-takes-a-toll-on-lgbt-africans-idUSL8N2C40JE>.

⁶² Interview with asylum client Joseph (June 17, 2021).

⁶³ Interview with asylum client Joseph (June 17, 2021).

Ram Bar (see paragraph 22).⁶⁴ Joseph's boyfriend has lost all of his jobs due to his sexual orientation, a fact which is exacerbated by the fact that his boyfriend has less education.⁶⁵

36. LGBTI individuals experience discrimination in accessing their right to education. Joseph described how actual or perceived LGBTI students are often harassed in school by professors and other students and face the threat of being kicked out for being homosexual.⁶⁶ In high school, classmates harassed them for having a "soft voice" and having little interest in sports.⁶⁷ "People thought being gay was untraditional, not African".⁶⁸ They feared self-identifying as gay because of the harassment they already faced.⁶⁹ Joseph felt they had to be secretive around professors and teachers to avoid additional harassment or potential violence, and knows of other LGBTI students who faced harassment and had to leave school.⁷⁰

37. LGBTI individuals also experience discrimination in access to health services.⁷¹ LGBTI patients are often turned away from services or worse.⁷² Joseph described how their friend was beaten by her doctor because the doctor suspected that she was a lesbian.⁷³

38. **Suggested questions** relating to discrimination in housing, education, employment, and health care:

- What, if any, laws has the State Party enacted to prohibit discrimination against LGBTI persons, including in education, housing, employment and access to services?
- What steps has the State Party taken to prevent arbitrary eviction of LGBTI individuals based on their sexual orientation or gender identity?
- What steps, if any, has the State Party taken to improve the public's opinion of the LGBTI community with the goal of preventing discrimination and harassment of and violence towards LGBTI individuals and safeguarding their freedom of expression and opinion?
- What measures are in place to ensure employers cannot discriminate against anyone based on their sexual orientation or gender identity? What steps has the

⁶⁴ Interview with asylum client Joseph (June 17, 2021).

⁶⁵ Interview with asylum client Joseph (June 17, 2021).

⁶⁶ Interview with asylum client Joseph (June 17, 2021).

⁶⁷ Interview with asylum client Joseph (June 17, 2021).

⁶⁸ Interview with asylum client Joseph (June 17, 2021).

⁶⁹ Interview with asylum client Joseph (June 17, 2021).

⁷⁰ Interview with asylum client Joseph (June 17, 2021).

⁷¹ United Kingdom Home Office, "Uganda: Sexual Orientation and Gender Identity and Expression," (April 2019), accessed Apr. 6, 2021,

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/792036/CPIN_Uganda_SOGIE_EXT_April_2019.pdf.

⁷² Interview with asylum client Joseph (June 17, 2021).

⁷³ Interview with asylum client Joseph (June 17, 2021).

State Party taken to investigate incidents of discrimination against LGBTI individuals accessing employment?