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REPORT ON CASES OF VIOLENCE AND VIOLATIONS BASED ON REAL OR PRESUMED SEXUAL ORIENTATION AND/ OR GENDER IDENTITY DURING THE MONTH OF NOVEMBER 2023

7th December 2023

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1. Introduction

The Anti Homosexuality Act has, as at the end of November 2023, been in force for a period of six months. Human Rights Awareness and Promotion Forum (HRAPF) has continued to document cases of violence and human rights violations based on real or presumed sexual orientation or gender identity and expression (SOGIE) and has published monthly reports for every month since the AHA came into force. This is the report of the sixth month of the AHA's enforcement, featuring cases reported to HRAPF's legal aid network in the month of November 2023 in which known or suspected LGBTQ persons were targeted for violence and violations on the basis of their SOGIE. The report also contains an overview of the cases of violence and violations recorded over the six-month period, as well as a comparison with the same period (November) last year (2022).

2. Methodology

As with previous reports in this series, the report provides an overview of reported cases of violence and human rights violations on the basis of SOGIE that were reported to and handled by the HRAPF legal aid clinic in the month of November 2023. The report employs both qualitative and quantitative methods of data collection to collect and analyse the data shared in this report.

Quantitative data was obtained from a review of case files to ascertain the number of cases handled and the cases in which the particular incidents of violence and violations reported herein occurred. This data was then subjected to a further in-depth qualitative analysis to ascertain the circumstances under which the incidents occurred. Only cases in which there is reason to believe that the actions in the incidents deliberately targeted LGBTIQ persons primarily or wholly on the basis of their real or presumed sexual orientation and/or gender identity are included in the report.

A recurring limitation of this report is that it contains only cases that have been reported to HRAPF through our legal aid network, which consists of the main legal aid clinic in Kampala, regional legal aid centres, specialised legal aid desks, and the network of over 200 community paralegals spread across the country. This network is spread out enough to cover the majority of the districts in the country and all regions, but it is worth noting that there may indeed be areas where cases are not reported at all, thus limiting the data available for this report. HRAPF also recognises that some cases could have been reported to other legal providers. This report therefore presents an accurate picture of the situation for LGBTIQ persons as reported to HRAPF, but may not necessarily be representative of the situation for all LGBTIQ persons across the country.

3. Nature and number of cases reported

HRAPF handled a total of 69 cases involving LGBTIQ persons in the month of November 2023. This was a notable decrease from the 83 cases registered in October 2023. Out of the 69 cases handled, 39 cases involved actions that directly targeted people for negative treatment on the basis of their SOGIE, representing 56.95% of all the cases handled during the month of November 2023. This is a

39% decrease from the 64 cases recorded in October 2023. These cases affected 44 persons compared to 85 in October 2023, a decrease by almost one half.

Out of the 39 cases in which LGBTIQ people were specifically targeted for detrimental treatment, 20 were cases of unlawful evictions from rented properties affecting 24 persons, 9 were cases of violence and threats of violence affecting 10 persons, 7 were arrests for sexuality-related reasons affecting 7 persons while 3 were civil matters reported by LGBTI persons where they had been discriminated due to their sexuality, affecting 3 persons. This section of the report provides detailed data on these cases.

3.1 Evictions from property and communities

There were 20 cases of unlawful evictions from rented property that were reported to HRAPF's legal aid clinic, affecting 24 persons. The cases were reported from the districts of Kampala (9), Wakiso (6), Gulu (3) and Mbale (1). The evictions were perpetrated primarily by the property owners/ landlords (15), followed by local council authorities working with landlords and the general community (4) and family members (3). In many of these cases, the neighbours expressed suspicion about the victims' sexuality, prompting the landlords to evict the clients.

The table below discusses these cases in detail:

No.	Case Code	Date Of Reporting	District	Perpetrator	Brief Facts	Number Of Victims
1.	HRAPF/PA/255/23	13 th November 2023	Kampala	Landlord	The client in this case was evicted on the 3 rd of November 2023 after their neighbours reported to the landlord that they were a homosexual, and threatened to vacate the premises if the client was not evicted.	1
2.	HRAPF/PA/256/2023	19 th November 2023	Gulu	Landlord and Local area leaders	The client was evicted from her rented accommodation and from the village where she was living after she refused to hand over a queer friend she was	1

					giving refuge in her house. The friend had come to her the day before while fleeing a threat of violence from the community, and the neighbours reported to the landlord and chairperson that the client was hiding them, who demanded that the client bring them out.	
3.	HRAPF/PA/ 257/2023	21 st November	Gulu	Landlord	In this case, the client received a letter from the LC 1 chairperson, warning her about her immorality, which had apparently been reported by the landlord. Shortly after that on 21 st November 2023, she was evicted from the house by her landlord, and the area local leaders advised her to leave the village entirely.	1
4.	HRAPF/PA/ 258/2023	21 st November 2023	Gulu	Landlord	The client in this case was evicted by her landlord because he had rumors about her sexuality. The landlord was apparently informed by neighbours that they had seen her working with homosexuals while pretending to be doing HIV prevention and care work, and that she must therefore be one of the homosexuals.	1
5.	HRAPF/PA/ 260/2023	22 nd November	Wakiso	Family	The client fell on hard times and had to move in with his sister, who informed their eldest brother that he had moved in with her because he was chased	1

					away from his home for being a homosexual. The older brother then called and demanded that he leave their sister's home as well, because he was hanging out with homosexuals and practicing homosexuality.	
6.	HRAPF/PA/261/2023	22 nd November	Kampala	Landlord	The client was evicted after the landlord found out that he was gay. The landlord found out this after a neighbor opened the door to his home without knocking and found him with his partner.	1
7.	HRAPF/PA/262/2023	22 nd November 2023	Wakiso	Community and local leaders	The clients were arrested in a highly publicised manner in Busia over charges of engaging in homosexuality, but they were later released. They escaped to Kenya but could not afford to stay there, and ended up returning to Busia, where they were castigated by the community and forced to move to Kampala.	2
8.	HRAPF/PA/263/2023	23 rd November 2023	Kampala	Family	The client was evicted by his parents after his brother told them that he was a homosexual. The brother got this information by going through the client's phone.	1
9.	HRAPF/PA/264/2023	23 rd November 2023	Mbarara	Landlord	The client was evicted by the landlord after the police informed the landlord that he was arrested on homosexuality-related charges. This happened when, following his arrest, the police took him	1

					to his home for a search, and informed the landlord that they were checking his house to see if he had some of the items always kept by homosexuals (lubricants). After his release, the landlord insisted that he leave the house.	
10.	HRAPF/PA/265/2023	23 rd November 2023	Kampala	Landlord	The clients reported that they were evicted by the landlady after she found them together in the house when she came in without knocking.	2
11.	HRAPF/PA/266/2023	20 th October 2023	Wakiso	Landlord	The client's former partner stole his phone and sent intimate pictures of him and his current partner to his landlord and his aunt. His landlord told him to leave his premises and his aunt told him never to return to her home. Some people in the area where he lives also later found out and started threatening to lynch him and his friends.	1
12.	HRAPF/PA/267/2023	23 rd November 2023	Mbale	Family	The client was sent away from home by his father on suspicion that he was involved in same-sex activities with his friends.	1
13.	HRAPF/PA/268/2023	23 rd November 2023	Kampala	Landlord	The client invited his friend, a transgender woman, to visit him sometime in April, but the neighbours started to become suspicious that the two were having a sexual relationship because of the friend's appearance and	1

					mannerisms. They reported him to his landlord who eventually evicted him.	
14.	HRAPF/PA/269/2023	24 th November 2023	Kampala	Landlord	The client has been living in the same rented house since 2019. Recently, he had a small party at his home and one of his friends got drunk and asked the landlady's son out. The son reported to his parents that the client and his friends were homosexuals and some of them were dressing like women, and the landlady reacted by demanding that the client leave immediately. She got a group of young men (friends of her son) to threaten to harm the client and his friends if they did not leave.	1
15.	HRAPF/PA/270/2023	24 th November 2023	Kampala	Landlord	The landlord forcefully removed the client's property from the house as a way of evicting him and accused him of nonpayment of rent and being a homosexual.	1
16.	HRAPF/PA/271/2023	24 th November 2023	Wakiso	Landlord, community leaders	An organization was evicted because of their work with LGBTIQ persons. The landlord alleged that there was too much hostility about them from the community, and as such he could not continue to host them. The organisation has been evicted two times in the last six months due to the assumed sexuality of the persons who live at the shelter/access services from the	2

					organisation.	
17.	HRAPF/PA/ 272/2023	25 th November 2023	Wakiso	Landlord	The client was evicted from her rented home because most of her customers (she is a make-up artist) 'appeared' to the neighbours to be gay.	1
18.	HRAPF/PA/ 273/2023	26 th November 2023	Kampala	Landlord	The client's landlord evicted him after he found out that the client is gay. This happened when the client's partner started harassing him and when he tried to end the relationship, the partner started loudly quarreling at him and calling him a homosexual, which the neighbours heard.	2
19.	HRAPF/PA/ 274/23	28 th November	Wakiso	Local area leaders, community	The client was arrested in 2021 and charged with aggravated defilement of a male minor, which case was later withdrawn by the Director of Public Prosecutions. When he was released from prison, he discovered that his house had been vandalised and some items stolen, and that the people in the community said that they did not want him in their village because he is a homosexual.	1
20.	HRAPF/PA/ 275	28 th November 2023	Kampala	Landlord, Family	The client was outed by his younger brother to his family and landlord. The landlord evicted him and the family also stopped him from going back home.	1

3.2 Cases of violence

HRAPF recorded a remarkable reduction in the number of cases involving actual or threatened violence based on real or presumed sexual orientation in November 2023 compared to October 2023 and earlier months. In November 2023, 8 cases were registered affecting 8 persons, while there were 28 of these in October 2023 – a notable 71.4% decrease.

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 November 2023, affecting 5 persons. This violence was perpetrated by unknown persons in 3 cases and in 2 cases by known family members. Physical assaults were involved in 4 cases and verbal assaults in 1 case.

Out of the 5 cases, 3 cases happened in Kampala while 1 case happened in Rukungiri district, and 1 in Kileleshwa district.

The details of these cases are discussed in the table below:

No.	Case code	Date of reporting	District	Nature of violence	Perpetrator	Brief facts	Number of Victims
1.	HRAPF/PA/02/2023	20 th November 2023	Rukungiri	Physical assault, False imprisonment	Aunt	The client was forcefully removed from a taxi while she was heading to Mbarara. Four unknown men grabbed her and forcefully took her to her paternal aunt's home in Rukungiri, where the aunt locked her in the room and called her	1

						church friends to pray for her. She was kept in the house for 3 days without being allowed to move out while they continued praying for her almost constantly that she would change her ways and get married.	
2.	HRAPF/PA/259/2023	21 st November 2023	Kole	Physical Assault	Cousin and his friends	The client, a transgender man, was accosted on the road by his cousin on his way back home with his girlfriend. The cousin blocked the road and called his friends who started shouting and throwing stones at them, and one of them bit the client's right hand.	1
3.	HRAPF/PA/237/2023	21 st November 2023	Kampala	Physical Assault	Unknown persons	The client was attacked by 5 men who accused her of being a homosexual. When the client reported the matter to police, she was instead advised to report the matter to LC 1	1

						chairperson, but she was afraid she would be chased away from the village if the chairperson found out why they beat her, so she did not.	
4	HRAPF/PA/238/2023	21 st November 2023	Kampala	Physical assault	Unknown people, roommate	On 9/11/2023, the client was attacked by 2 unknown persons while she was coming from Kansanga. The client stated that during the attack, the individuals said they would 'finish gay people in Uganda'. Later, they sent the client threatening messages as well. She reported the matter to the police.	1
5	HRAPF/PA/240/23	20 th November	Kampala	Verbal Assault	Family	The client lived with her sister who constantly verbally insulted her, and told people that she acquired HIV and TB because she is a homosexual. The sister routinely used abusive and derogatory language in reference to	1

						her.	
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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 November 2023, affecting 4 persons. These threats were primarily threats of physical violence.

The threats were perpetrated by the general community in 2 cases, neighbours in one case and family members in one case. All these cases were registered in Kampala district.

This table provides a detailed breakdown of the threats:

No.	Case code	Date of reporting	District	Nature of threat	Perpetrator	Brief facts	Number of Victims
1.	HRAPF/PA/258/2023	14 th November	Kampala	Threat of physical harm	Neighbour	The client has, since the enactment of the AHA, been threatened repeatedly with physical harm by her neighbours and boda boda riders near her home. The threats have of late become so severe and so common that she was forced to stop staying in her home and to seek refuge in a crisis shelter.	1
2.	HRAPF/PA/259/2023	20 th November 2023	Kampala	Threat of physical violence	Family	The client, who had fallen on hard times, went to live with his sister, and when she found out that his troubles were	1

						related to his sexuality, she informed his older brother who castigated the client for his 'homosexual ways' before threatening to have him arrested and/ or beaten if he did not change. After this, the two then asked that he leave the home entirely or risk being reported to the police.	
3.	HRAPF/PA/260/2023	21 st November 2023	Kampala	Threat of physical violence	Community members	The client reported that she and her partner were experiencing threats from the neighbors, who were assuming that the clients are homosexuals. This was because the client and partner moved there before the partner started transitioning, and the neighbours started noticing the client's bodily changes resulting from hormonal replacement therapy.	2
4.	HRAPF/PA/261/2023	21 November 2023	Kampala	Threat of physical harm	Community members ⁶	The client states that boda boda men around her place of residence have been verbally harassing her because she is a lesbian and they have always been threatening to beat her	1

					up.	
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3.3 Cases of arrest

In November 2023, HRAPF handled a total of 7 cases in which individuals were arrested on sexuality related charges. These are compared to 6 cases involving 10 individuals handled in October. Out of the 7 cases, 4 were charged with offences under the AHA, and 2 were taken to court while 2 were released on police bond. In the two cases that went to court, one was charged with aggravated homosexuality at Makindye Chief Magistrates Court while the other charged with homosexuality at Mbale Chief Magistrates Court. For the other 2 cases which are still at police, the 2 clients were released on police bond, from Hoima and Iganga districts.

Three people were arrested on sexuality related charges which are under the Penal Code and not under the AHA. Of these, 1 person was charged with indecent practices in Kampala, 1 charged with procuring unnatural offences in Buikwe and 1 person was arrested due to her sexuality but there were no charges preferred against her in Kampala.

A total of 7 individuals were affected in these cases, as illustrated in the table below.

No.	Case code	Date of reporting	District	Charge	Brief facts	Number of Victims
1.	HRAPF/PA/265/2023	9 th November 2023	Kampala	Indecent Practices	Our client was at church for overnight prayers with other young men when the complainant slapped him and made an alarm that he was trying to 'sodomise' him. The client was arrested and charged with indecent practices.	1
2.	HRAPF/PA/267/2023	11 th November 2023	Buikwe	Procuring unnatural offences	The client, a health worker, was arrested from her clinic and accused of supplying lubricants to homosexuals. This happened after one of her patients was arrested and found with sachets of personal	1

					lubricant, and when asked where he got them from, he mentioned that he got them from her (she runs a KP DIC). She was charged with procuring unnatural offences and held for a few hours before being released on bond.	
3.	HRAPF/PA/268/23	18 th November 2023	Iganga	Homosexuality	The client was in a bar and he struck up a flirtation with a gentleman he met there. They shared drinks and talked for a while before the client tried to kiss him. The man moved out shortly and then returned with police officers who arrested the client and detained him for two days at Buligo police post on charges of homosexuality.	1
4.	HRAPF/PA/269/2023	20 th November 2023	Mbale	Homosexuality	On 15/10/2023 the client was arrested and detained at police where he was charged with practicing homosexuality with a 20-year old man. The other person was not charged, although there seems to be no proof that he was in fact a victim in this case.	1
5.	HRAPF/PA/270/202	21 st November 2023	Kampala	Aggravated Homosexuality	The client was arrested by police officers on allegations of aggravated homosexuality and child trafficking after two young men accused him of having lured them into having sex	1

					with him. The young men, who are believed to be aged 19 and 20 although the police reports that they are 16 and 17 respectively, had been working in the client's small businesses (a rolex/ chapatti stand and a betting/ gambling place) since 2022. He started to worry that they were stealing from him and when he tried to fire them, they reported to the police that they had been sexually assaulted by the client, and demanded money from him for 'compensation'.	
6.	HRAPF/PA/271/23	21 st November 2023	Kampala	No charges preferred	The client, a transgender woman, was arrested while she was on her way to Serena hotel by traffic police officers for cross-dressing. She was detained at Nakasero police station for one night before being released without charge.	1
7.	HRAPF/PA/271/23	29 th November 2023	Hoima	Homosexuality	The client was arrested on 29 th November 2023 and charged with homosexuality. The basis of the arrest was a complaint made by an ex-lover of the client, who claimed that he had been lured into having sex with the client and had started to suffer health complications as a result. He demanded a huge sum of money	1

					from the client for treatment.	
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3.4 Other cases reported by clients

During the month of November 2023, 3 clients reported other challenges they had faced due to their sexuality, specifically matters of discrimination, and the details of their cases are elaborated below.

No.	Case Code	Date of Reporting	District	Nature of case	Brief facts	Number of Victims
1.	HRAPF/PA/01/23	20 th /11//23	Wakiso	Unfair dismissal	The client, a masculine-presenting lesbian woman, was terminated from her volunteer position as a medical official for a rugby team by the coach. This dismissal occurred after a team member who knew about her sexual orientation joined the team and informed the coach of her sexuality.	1
2.	HRAPF/PA/03/23	21 st November 2023	Wakiso	Denial of employment	The client was arrested on allegations of homosexuality in September 2023 and he was detained at Nsangi police station. After his release, he lost his job and has since been unable to find employment in the area as the story of his arrest is well known. No one wants to employ him because of his presumed sexuality.	1
3.	HRAPF/PA/04/23	22 nd November 2023	Kampala	Denial of a passport	The client is a transgender woman who wanted to get a passport but had a national identity card which	1

					identified her as male. While at the passport control office, the officer interviewing her asked her why she was cross dressing and wondered whether she was a man or a woman. The officer halted her interview and requested her to bring her parents. She complied with the demand and returned with her mother but they were both humiliated when the officer instead invited other people from the office to come and see them, and referred to them both in derogatory terms. She was not allowed to finish the interview even after this and was therefore unable to get her passport.	
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4. Comparison with October 2023

There has been a reduction in the number of cases reported overall as well as the number of cases involving actions that deliberately targeted persons for negative treatment on the basis of their real or presumed SOGIE. In October 2023, a total of 83 cases involving LGBTIQ persons were reported across our networks as compared to 69 in November 2023, a reduction of 16.8%. In terms of cases that specifically targeted individuals on the basis of their SOGIE, there was a reduction from 64 cases affecting 85 persons to 39 cases affecting 44 persons in November 2023.

In both months, the highest number of cases registered were evictions, with 20 cases of evictions affecting 24 persons in November and 28 evictions affecting 37 persons in October 2023. The cases of violence and threats of violence reduced drastically from 27 cases affecting 35 persons in October 2023 to 9 cases affecting 10 persons in November 2023. It is also important to note that cases of arrests on sexuality related charges increased from 6 in October to 7 in November 2023 affecting 7 persons, although there were more people affected (10) in October, compared to the 7 in November.

5. Comparison with the period from 1st November 2022 to 31st November 2022

In November 2022, a total of 39 cases were handled involving LGBTIQ persons, of which 10 cases involved actions that directly targeted persons on the basis of their real or presumed SOGIE. The cases involved 5 incidents of real or threatened violence and 5 evictions. There were no sexuality-related arrests in the period.

The total number of cases handled in November 2023 increased from the same period in 2022, from 39 to 69, as has the number of cases in which individuals have been targeted for detrimental treatment on the basis of their sexuality, from 10 cases in November 2022 to 39 cases in November 2023. This increase can be attributed to the enforcement of the AHA in 2023.

6. The first six months of the AHA 2023 in Uganda

In the first six months of the AHA 2023, a total of 436 cases involving LGBTQ persons have been handled across the legal aid network, of which 299 (67.95%) targeted LGBTIQ people on the basis of their sexuality, affecting a total of 379 persons. The breakdown of cases so far is as follows:

Nature of violation	June 2023	July 2023	August 2023	September 2023	October 2023	November 2023	Total number of cases
Evictions	19	26	22	22	26	20	135
Violence	23	21	19	24	33	9	129
Arrests	4	6	6	3	6	7	32
Other forms of discrimination based on SOGIE	N/A	N/A	N/A	N/A	N/A	3	3
Total	46	53	47	49	65	39	299

The victims in these cases are:

Nature of violation	June 2023	July 2023	August 2023	September 2023	October 2023	November 2023	Total number of victims
Evictions	20	33	26	31	36	24	170

Violence	23	24	22	37	41	10	157
Arrests	7	10	11	5	10	7	50
Other forms of discrimination based on OSGIE						3	3
Total	50	67	59	73	87	44	380

In comparison with the same 6-months period in 2022, a total of 230 LGBTIQ cases were handled in that period, of which 79 cases (34.3%) contained actions that deliberately targeted LGBTIQ persons for detrimental treatment. This translates to an increase of 206 in the overall total number of cases handled, from 230 in June to November 2022 to 436 cases in the period from June to November 2023, and an increase of 220 (91.3%) in the number of cases involving actions targeting LGBTIQ persons specifically, from 79 in June to November 2022 to 299 in June to November 2023, a 278% increase.

It is thus reasonable to infer that nearly all the cases by which the general case load has been increased are in fact homophobia-driven incidents that could be directly attributed to the enactment of the AHA.

7. Conclusion

It is clear that the situation for LGBTIQ persons in Uganda in the wake of the enactment of the AHA continues to be particularly difficult, with cases of deliberate and targeted homophobia continuing to affect several individuals as discussed above. Arrests also continue and people continue to be charged under the Anti-Homosexuality Act 2023, and under the Penal Code Act. Cases of violence have drastically reduced in the past one month, but we are yet to see if the trend holds in December 2023.