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

6TH SEPTEMBER 2024

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1. Introduction

This is the 15th 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 persons were targeted for human rights violations and violence purely on the basis of their SOGIE as reported to HRAPF's legal aid clinic in the month of August 2024. By drawing upon previous reports in this series, this analysis seeks to contribute to a comprehensive understanding and build on the data available about the enforcement of the AHA from 30th May 2023 to date.

2. Methodology

This report provides an overview of cases of human rights and violence on the basis of SOGIE reported to the HRAPF legal aid clinic in August 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 derived from a comprehensive examination of case files providing insights into the volume of cases processed and the frequency of instances involving violence or human rights violations. Subsequently, a meticulous qualitative analysis was undertaken to delve into the specific circumstances surrounding these incidents, ensuring that only cases unequivocally or predominantly rooted in real or perceived SOGIE-based discrimination were included in this report.

The data presented in this report is subject to limitations arising from its exclusive reliance on 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, specialised 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 August 2024 were reported to HRAPF's network.

3. Nature and number of cases reported

HRAPF handled a total of 56 cases in the month of August 2024, a reduction of 22.2% from the 72 cases handled in July 2024. Out of the 56 cases handled, only 20 cases involved actions that directly targeted people for negative treatment on the basis of their SOGIE, representing 35.7% of all the cases handled during the month of August 2024. This was a 41.2% decrease in the number of cases in which individuals were targeted for negative treatment on the basis of their SOGIE, from 34 cases in July 2024 to 20 cases in August 2024 (a 41.2% decrease), and the number of victims of these incidents decreased from 40 persons in July to 24 persons in August 2024 (a 40% decrease).

Out of the 20 cases in which LGBTIQ people were specifically targeted for detrimental treatment during the month of August 2024, 10 cases involved violence and threats of violence against persons on the basis of their SOGIE, 9 were cases of eviction from rented properties while 1 case was an arrest on sexuality related reasons. 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 August 2024 at 10 verified cases affecting 12 persons. This was a reduction from the 14 cases affecting 15 persons reported in July 2024.

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

There were 8 cases of actual violence against persons on the basis of their real or presumed SOGIE in August 2024, affecting 9 persons. This violence was perpetrated by unknown persons in 6 cases, neighbours in 1 case and unknown persons in corroboration with the victims' friend in 1 case. All the cases involved physical violence and the clients sustained injuries, some of which were serious. 5 of these cases were reported in Wakiso and 1 case each in the districts of; Mbale, Mukono and Gulu.

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/67 3/24	2/08/24	Mbale	Physical assault	Neighbours	The client was assaulted by unknown men while he was coming from a club. As he approached the men, they started mocking him while asking him whether he was a boy or a girl. He kept quiet and ignored them, but instead they started assaulting him while accusing him of being a homosexual.	1
2.	HRAPF/PA/66 6/2024	9/08/24	Gulu	Physical assault	Community members	One of the client's neighbours had suspicions that the client was in a	1

						romantic relationship with his wife. Based on these suspicions, he started threatening the client that he would harm her if she did not stop misleading his wife into homosexuality related behaviours. He then proceeded and intentionally knocked down the client using a motorcycle motorcycle and the client she sustained serious bodily injuries.	
3.	HRAPF/PA/67 1/2024	14/08/24	Wakiso	Physical assault	Unknown persons	The client was assaulted by persons unknown to him while he was coming from work heading to his home. While assaulting him, they accused him of being a homosexual.	1
4.	HRAPF/PA/67 2/2024	21/08/24	Wakiso	Physical assault	Unknown persons	The client was assaulted while at his rented house. Some men who were unknown to the client came to his home, greeted him and then proceeded to slap and kick him for a few minutes while stating that he was the homosexual they have been looking for.	1
5.	HRAPF/PA/67 0/2024	26/08/24	Mukono	Physical assault	Unknown persons	The clients were attacked by some men who were unknown to them while they were seated at their home. The men who attacked them accused	2

						them of being homosexuals. Prior to the attack, the clients had received threats of violence from unknown persons who threw notices requiring them to vacate their village or else they would harm them.	
6.	HRAPF/PA/66 8//2024	27/08/24	Wakiso	Physical assault	Community members	The client, who works as a peer with an organisation which provides medical services to key populations was contacted by some persons who were unknown to him but pretended to be clients in need of medical supplies. The client agreed to meet them to avail them with the medical supplies which they had requested for. Unfortunately, as soon as the client reached, they started assaulting him while accusing him of promoting homosexuality. They ordered him to stop giving medical supplies like lubricants to homosexuals because that was promoting homosexuality and that they had been following him for a long time. The client sustained serious injuries as a result of the attack.	1
7.	HRAPF/PA/66	28/08/24	Wakiso	Physical	Unknown	The client met a person via Facebook,	1

	7/2024			assault	persons	and they communicated for a few days. The client then later proposed to visit his friend who also agreed to the proposal and gave the directions to his home to the client. When the client reached to the place he had been directed to, he found five men who badly assaulted him accusing him of being gay, and then stole all his belongings he had at that time including his phone.	
8.	HRAPF/PA/66 9/2024	28/08/24	Wakiso	Physical assault	Unknown person	The client linked up with a person on Grindr and they agreed to meet at the client's home. The person came with 4 other men. When they reached the client's home, they all entered, pounced on him and started assaulting him while accusing him of being a homosexual. The client was rescued by his neighbours who came out to see what was happening after he made an alarm and the men ran away.	1

ii) Cases involving threats of violence based on sexual orientation and/or gender identity

A total of 2 cases involving threats of violence against persons on the basis of their real or presumed SOGIE were reported in August 2024. These directly affected 3 persons. All these 2 cases were threats of physical violence. The threats were perpetrated by community members in 1 case and neighbours in the other. These cases were registered in Serere and Kabarole districts.

No.	Case code	Date of reporting	District	Nature of threats	Perpetrator	Brief facts	No. of victims
1.	HRAPF/PA/674/24	06/08/24	Serere	Threats of physical violence	Community members	The client works as a peer and he usually supplies health consumables to different community members. Some of the community members started accusing him of being a homosexual and they usually threatened to harm him regardless of the fact that he has on several occasions tried to clarify on the kind of work he does a peer.	1
2.	HRAPF/PA/675/24	20/08/24	Kabarole	Threats of physical violence	Neighbours	The client works as a peer with a KP-led organisation. She received a client who had been assaulted and at the same time had nowhere to stay and she offered to shelter her for some weeks. Some of her neighbours knew the person she had hosted and when they saw her at the client's home, they started accusing the client of being a homosexual and also threatened to harm her if she did not vacate their village with her new friend.	2

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3.2 Evictions

In August 2024, there were 9 cases of evictions from rented property that were reported to HRAPF's legal aid clinic, affecting 10 individuals. This was a slight reduction from the 10 cases recorded in July 2024, affecting 11 individuals. The cases were reported from the districts of Wakiso (5), Kampala (3) and Jinja (1). The evictions were perpetrated primarily by the property owners/ landlords (7), landlords working with the LC leadership in 2 cases.

No.	Case code	Date of reporting	District	Perpetrator	Brief facts	Number of Victims
1.	HRAPF/PA/676/24	06/08/2024	Jinja	Landlord	The client was approached by his landlord who started asking him questions about his sexuality and also cautioned him about hosting his male counterparts at the premises. A few days later, the client's landlord pinned up a notice on the walls and at the main entrance to the rentals which was setting rules, these rules among others included; that homosexuals were not allowed on the premises. The client expressed concerns that this notice targeted him as his landlord had suspicions that he was a homosexual and a few days after his landlord issued him with an eviction notice ordering him to vacate his premises on grounds that he was a badly-behaved tenant.	1
2.	HRAPF/PA/677/2024	12/08/24	Wakiso	Friend	The clients were issued with an eviction notice by their landlord. She noted in the eviction notice that she had received several complaints from the client's	1

					neighbours that they were homosexuals and on that basis she ordered them to vacate and that if they refuse to vacate her premises she would report the matter to the local authorities.	
3.	HRAPF/PA/6 78/24	15/08/24	Wakiso	Landlord	The client was evicted by his landlord on suspicions of being a homosexual. The client's landlord issued him with an eviction notice complaining that the client was hosting so many boys whose conduct didn't seem good as per his assessment as a community elder and that the client himself was suspected to be involved in conducting homosexuality-related activities.	1
4.	HRAPF/PA/6 79/24	15/08/24	Kampala	Landlord	The client was evicted by his landlord a few months after his landlord learnt that the client had been arrested and detained at Old Kampala Police station on charges of promotion of homosexuality. His landlord informed him that his arrest was a confirmation that the client was a homosexual and that for that reason he couldn't continue letting out his premises to him.	1
5.	HRAPF/PA/6 80/2024	15/08/ 24	Wakiso	Landlord, Community leaders	The client was evicted by his landlord and the area local leaders. This was after his landlord reported him to the area leaders that he was a homosexual, whereupon he was summoned to answer to the allegations by their area local council committee. After the meeting, the client was issued with an eviction notice ordering him to vacate as he hadn't provided enough information to disprove the allegations which	1

					had been reported by his landlord.	
6.	HRAPF/PA/6 81/24	21/08/24	Kampala	Landlord	The client was evicted by his landlord on suspicions of being a homosexual. This was after his neighbours accused him and reported him to their landlord that he was a homosexual, their landlord relied on the allegations which were being stated by the clients' neighbours and he evicted him.	1
7.	HRAPF/PA/6 82/2024	21/08/24	Kampala	Landlord	The client was evicted by her landlord on suspicions of being a homosexual. The client's landlord alleged that the client had feminine appearance and characters and that she was therefore a homosexual. The client's landlord started to verbally insult the client on a daily basis and she would at times threaten to harm her. Fearing for her life, the client ran away from her rented house and she is currently staying at a church.	1
8.	HRAPF/PA/6 83/24	28/08/24	Wakiso	Landlord, Community leaders	The client is an organisation which offers health services to Key Populations. They were evicted from the community after their landlord reported them to their area chairperson that they were operating a clinic which offered services to homosexuals and sex workers. The area leaders issued them with an eviction notice ordering them to vacate their village as they were not comfortable with the kind of persons they worked with.	1
9.	HRAPF/PA/6 84/2024	28/08/24	Kampala	Landlord	The client's neighbour learnt about her sexuality and he started setting up his male friends to come and	1

					initiate intimate relationships with her. He would loudly tell his friends that that is my lesbian neighbour I told you about in the presence of the client. When the client rejected all her neighbours' friends, he started becoming aggressive towards her and at some point, they had a bitter quarrel which compelled many of their neighbours including their landlord to converge and see what had happened between them. That it was at that point, that the client's neighbour stated that the client was a homosexual and that he was a good friend who was trying to correct her but the client never listened to her. After a few days, the client's landlord ordered her to vacate her premises.	
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3.3 Arrests

There was a drastic decrease in the number of arrests on sexuality related charges from 11 arrests in July affecting 14 individuals to 1 arrest in August affecting 2 individuals. This arrest was registered in Lwengo district.

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/68 5/24	21/08/24	Lwengo	Homosexuality	The client was arrested when he went to visit his friend. While in the friend's house, a neighbour alerted police officers from Mbirizi police station that they were homosexuals and the officers came and immediately arrested the client together with the	2

					friend who was hosting him. The friend made a statement and he was released on that day while the client was detained from 19 th to 22 nd August 2024 when he was released on police bond.	
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4. Comparison with July 2024

There was a reduction in both the overall number of cases reported in August 2024, and the number of cases involving actions that deliberately targeted persons for negative treatment on the basis of their real or presumed SOGIE. In July 2024, a total of 72 cases involving LGBTIQ persons were reported as compared to August 2024, where 56 cases were reported. In terms of cases where individuals were specifically targeted on the basis of their real or presumed SOGIE, 34 cases affecting 39 persons were reported in July 2024 and 20 cases affecting 24 persons were reported in August 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 14 cases affecting 15 individuals in July and 10 cases involving 12 persons in August 2024. The cases of evictions reduced slightly by one case. There was a drastic decrease in the number of cases involving arrests on sexuality related charges from 11 arrests affecting 14 individuals in July 2024 to 1 arrest affecting 2 individuals in August 2024.

5. Comparison with August 2023

In August 2023, three months after the AHA came into force, a total of 71 cases were handled involving LGBTIQ persons, of which 47 cases involved actions that directly targeted persons on the basis of their real or presumed SOGIE (63.1%) of all cases handled. The actions in these cases affected a total of 59 people and included 22 eviction cases, 19 cases of real or threatened violence and 6 arrests on sexuality related charges.

In contrast, 56 cases involving LGBTIQ persons were handled in August 2024, of which 20 cases involved actions of targeted/deliberate homophobia (35.7% of all cases handled) and 24 persons were affected.

The number of cases in which individuals were specifically targeted for detrimental treatment purely on the basis of their SOGIE has reduced significantly between the two months, from 63.1% of all cases handled in July 2023, to 35.7% of all cases handled in August

2024, the 15th month of implementation of the AHA and the fifth consecutive month following the decision of the Constitutional Court doing away with some provisions of the Act.

The nullification of some provisions under the AHA by the Constitutional Court has greatly contributed to the decrease in eviction cases. However, it should be noted that the violations are currently still high compared with the Pre-AHA period and thus efforts should be geared towards advocating for the annulment of the entire law.

6. Comparison with August 2022 (pre-AHA)

In August 2022, the Bill for the Anti-Homosexuality Act, 2023 had not yet been tabled. However, anti-gay rhetoric had started to rise following the story of a one Mukisa Elisha alleging recruitment into homosexuality and abuse, which sparked extensive public debate about homosexuality in Uganda, and quite probably marked a turning point in the journey towards the Anti Homosexuality Act, 2023. Violations had therefore started to rise. In that month, a total of 45 cases were handled involving LGBTQ persons, of which 13 cases involved actions that directly targeted persons on the basis of their real or presumed SOGIE. The actions in these 13 cases affected a total of 13 people, and included 9 cases of real or threatened violence, 3 evictions and 1 arrest.

For August 2024, 56 cases involving LGBTIQ persons were handled, of which 20 cases involved actions of targeted/ deliberate homophobia (35.7% of all cases handled) and 24 persons were affected.

Therefore, the number of cases handled and the number of violations recorded in August 2024 are still higher than those recorded in August 2022. The number of cases rose by 11 cases (24.4% increase) while the number of cases with violations rose by 7 cases (53.8% increase) and the number of persons affected rose by 11 persons (84.6%).

This indicates that the number of cases and the number of violations are still much higher than the pre-AHA values – which further buttresses the continued role of the AHA in increased violations against LGBTIQ persons. The number of cases in which individuals were specifically targeted for detrimental treatment purely on the basis of their SOGIE has reduced significantly between the two months, from 63.1% of all cases handled in July 2023, to 35.7% of all cases handled in August 2024, the 15th month of implementation of the AHA and the fifth consecutive month following the decision of the Constitutional Court doing away with some provisions of the Act.

7. The first 15 months of the AHA 2023 in Uganda

In the first 15 months of the AHA 2023, a total of 1,258 cases involving LGBTIQ persons have been handled across the legal aid network, of which 686 (54.5%) targeted LGBTIQ people on the basis of their sexuality, affecting a total of 874 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	Total number of cases
Evictions	164	30	32	23	19	16	12	10	9	315
Violence	137	25	24	20	17	20	15	13	10	281
Arrests	38	4	3	9	8	5	5	11	1	84
Other forms of discrimination	6	0	0	0	0	0	0	0	0	6
Total	345	59	59	52	44	41	32	34	20	686

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	Total number of victims
Evictions	204	35	47	26	23	17	14	11	10	387
Violence	171	32	32	20	20	22	16	15	12	340
Arrests	59	6	3	20	18	11	5	14	2	138
Other forms of discrimination	6	0	0	0	0	0	0	0	0	6
Total	440	73	82	66	61	50	35	40	24	871

Despite evictions remaining the most prevalent violation and affecting the highest number of victims, a discernible decrease has been observed since the Constitutional Court decision invalidating provisions criminalizing the leasing of premises for homosexual purposes. This underscores the efficacy of decriminalization in reducing the incidence of such violations.

8. Conclusion

Despite the ongoing challenges posed by the continued implementation of the Anti-Homosexuality Act (AHA), it is clear that the legal framework significantly influences the human rights situation for LGBTIQ individuals in Uganda. The Constitutional Court's modification of the AHA has led to a discernible reduction in certain types of SOGIE-based violence and violations, a trend that has remained relatively consistent over the past months. However, the provisions of the law that were not nullified continue to be a significant source of violence and violations against LGBTIQ persons, particularly violence from individuals which usually go unpunished by the state as the clients fear reporting such cases to the police for fear of the police focusing on their sexual orientation instead.