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Uganda: Query response on the situation and treatment of the LGBTQI+ community

August 2023 (COI between 1st January 2020 and 31st July 2023)

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A. Explanatory Note

Background

This report presents Country of Origin Information (COI) on Uganda focusing on issues identified to be of relevance in refugee status determination for Ugandan nationals of the LGBTQI+ community.

The COI presented in this report is illustrative but not exhaustive of the information available in the public domain, nor is it determinative of any individual human rights or asylum claim. All sources are publicly available and a direct hyperlink has been provided.

A list of sources and databases consulted is also provided in this report, to enable users to conduct further research and source assessments. Research concentrated on events that took place between 1st January 2020 and 31st July 2023. All sources included in this report were accessed between May and mid-August 2023.

The following reports, which post-date the cut-off point have been included given that they address issues of relevance for this report:

- Global Press Journal, [*'More Hunted Than Before': LGBTQ Ugandans Live in Fear Under Anti-Homosexuality Law*](#), 1 August 2023
- African Human Rights Coalition, [*Ugandan Lesbians Are Being Targeted For Blackmail - AHRC Warning To Ugandan LGBTQI+ Community*](#), 2 August 2023
- Human Rights Awareness and Promotion Forum (HRAPF), [*Two Months After: Report on Violence and Violations on the Basis of Real or Presumed Sexual Orientation and/or Gender Identity Two Months After the Anti-Homosexuality Act Came into Force*](#), 9 August 2023
- The East African, [*It is hypocrisy: Uganda responds to World Bank funding freeze*](#), 9 August 2023

Disclaimer

This document is intended to be used as a tool to help to identify relevant COI and the COI referred to in this report can be considered by decision makers in assessing asylum applications and appeals. While we strive to be as comprehensive as possible, no amount of research can ever provide an exhaustive picture of the situation. It is therefore important to note that the absence of information should not be taken as evidence that an issue, incident or violation does not exist. **This report is also not a substitute for individualised case-specific research and therefore this document should not be submitted in isolation as evidence to refugee decision-making authorities.** Whilst every attempt has been made to ensure accuracy, the authors accept no responsibility for any errors included in this report.

B. List of Sources

Not all of the sources listed here have been consulted for each issue addressed in the report. Additional sources to those individually listed were consulted via database searches. This non-exhaustive list is intended to assist in further case-specific research. To find out more about an organisation, view the 'About us' tab of a source's website.

Databases

[Asylos's Research Notes](#) [subscription only]

[EUAA COI Portal](#)

[European Country of Origin Information Network \(ECOI\)](#)

[Immigration and Refugee Board of Canada – Responses to Information Requests](#)

[Relief Web](#)

[UNHCR Refworld](#)

Media

[African Arguments](#)

[All Africa](#)

[Al Jazeera](#)

[The East African](#)

[Edge Media Network](#)

[Equal Eyes](#)

[Global Gayz](#)

[The Guardian](#)

[ILGA monitor](#)

[Inter Press Service](#)

[Kuchu Times](#)

[The New Humanitarian](#)

[Reuters](#)

[Pink News](#)

Sources

[76 Crimes](#)

[Afro Barometer](#)

[Africa Center for Strategic Studies](#)

[African Commission on Human and Peoples' Rights](#)

[African Human Rights Coalition](#)

[African Studies Centre Leiden](#)

[Akina Mama Wa Afrika \(AMWA\)](#)

[Amnesty International](#) (Uganda)

[Article 19](#)

[Bertelsmann Stiftung – BTI Transformation Index](#)

[CIVICUS](#)

[Civil Rights Defenders](#)

[Civil Society Coalition On Human Rights And Constitutional Law](#)

[Commonwealth Equality Network](#)

[Defend Defenders \(Uganda\)](#)

[EASO's List of sources in its report 'Researching the situation of lesbian, gay, and bisexual persons \(LGBT\) in countries of origin'](#)

[Equal Rights Trust](#)

[Freedom House \(Uganda\)](#)

[Frontline Defenders](#)

[Global Action for Trans Equality \(GATE\)](#)

[HER Internet](#)

[Human Dignity Trust \(Uganda\)](#)

[Human Rights Awareness And Promotion Forum \(HRAPF\)](#)

[Human Rights Watch \(Uganda\)](#)

[Institute for Human Rights and Development in Africa](#)

[International Bar Association](#)

[International Centre for Prison Studies](#)

[International Commission of Jurists](#)

[International Federation for Human Rights \(Africa\)](#)

[International Lesbian, Gay, Bisexual and Trans and Intersex Association \(ILGA\)](#)

[ILGA Database](#)

[International Service for Human Rights](#)

[InterPride](#)

[Kaleidoscope Trust](#)

[Key Populations](#)

[Organization for Refuge, Asylum & Migration \(ORAM\)](#)

[Outright International](#)

[Pew Research Center](#)

[Rainbow Railroad](#)

[Rella Women's Foundation](#)

[Sexual Rights Initiative](#)

[Sexual Minorities Uganda \(SMUG Int\)](#)

[Social Science Research Network](#)

[The Taala Foundation](#)

[Tranz Network Uganda \(TNU\)](#)

[Uganda Human Rights Commission](#)

[Uganda Key Populations Consortium](#)

[Uganda Prisons Service](#)

[United Nations Committee Against Torture](#)

[United Nations Committee on Economic, Social and Cultural Rights](#)

[United Nations Committee on the Elimination of Discrimination Against Women](#)

[United Nations Independent Expert on sexual orientation and gender identity](#)

[United Nations News Centre](#)

[United Nations Office of the High Commissioner for Human Rights \(OHCHR\)](#) (Uganda)

[United Nations Secretary General reports](#)

[United Nations Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context](#)

[United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions](#)

[United Nations Special Rapporteur on extreme poverty and human rights](#)

[United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression](#)

[United Nations Special Rapporteur on the right to education](#)

[United Nations Special Rapporteur on the situation of human rights defenders](#)

[United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment](#)

[United Nations Special Rapporteur on violence against women, its causes and consequences](#)

[United Nations Women](#)

[United States Department of State](#) (Annual human rights reports & religious freedom reports)

I. Background and Introduction

In June 2023 Amnesty International responded to the call for submissions by the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity in the upcoming thematic report on colonialism and sexual orientation and gender identity to be presented at the 87th session of the General Assembly.¹ The report described that many of the laws across the 62 countries criminalizing same-sex conduct, including Uganda, trace their origins back to colonialism and that “colonial powers have contributed to fuelling and entrenching gender-based stereotypes, generating misconceptions about diverse sexualities and gender identities and entrenching discrimination and violence through law and systems of governance. These continue to have a pervasive and long-lasting effect. It is in the backdrop of this homophobic and transphobic social climate that more recent proposals to criminalize aspects of LGBTI identities have been recently proposed or passed in countries such as Ghana, Uganda and Pakistan”.² The report further noted that:

However, the devastating impact of colonization is not limited to these laws, for it has had a more far-reaching role in shaping how gender and sexuality are understood today. The governance and disciplining of nonnormative experiences of sexuality and gender identity and expression played a crucial role in justifying the colonization project. Colonization was often justified as necessary to ‘correct’, ‘modernize’, and ‘civilize’ diverse practices of gender and sexuality within different populations, which were seen as ‘sexual perversion’ and as a sign of ‘backwardness’ and ‘savagery’⁴

Heteronormativity and rigid gender binaries unilaterally introduced by colonial powers through laws, policing, field of medicine, literature and education were meant to discipline and control this ‘sexual perversion’ of the colonies construed in opposition to European sexual mores.⁵ [...]

The economic, social and political devastation and inequities institutionalized by different forms of colonialism continue to shape LGBTI rights today. Central to the colonization project was its power to determine and establish ‘modernity’ for itself and ‘backwardness’ in the colonies in how gender and sexuality are understood. The power of the Eurocentric conceptual framing promoted as a universal norm continues to hold sway in determining the framing of gender and sexuality.³

4 Scott Lauria Morgensen, “Settler Homonationalism: Theorizing Settler Colonialism within Queer Modernities”, April 2010, GLQ: The Journal of Lesbian and Gay Studies, Volume 16, Issue 1-2, pp.105–131.

5 See for instance the impact of colonization process on long existing same-sex sexuality and transgender identities in Sub-Saharan Africa: Amnesty International, Making Love A Crime Criminalization of Same-sex Conduct in Sub-Saharan Africa, (Index: AFR 01/012/2013), 11 September 2013, Africa: Making love a crime: Criminalization of same-sex conduct in Sub-Saharan Africa – ERRATUM - Amnesty International

¹ Amnesty International, [Colonialism and sexual orientation and gender identity: Submission to the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity](#), 15 June 2023

² Amnesty International, [Colonialism and sexual orientation and gender identity: Submission to the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity](#), 15 June 2023, Introduction p.4 and Conclusions p.8

³ Amnesty International, [Colonialism and sexual orientation and gender identity: Submission to the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity](#), 15 June 2023

With specific regards to Uganda the report noted “three provisions introduced in 1950s under the British rule, punishes ‘carnal knowledge against the order of nature’ with life imprisonment and ‘indecent acts’ with up to seven years’ imprisonment. These provisions were retained after Uganda gained independence in 1962”.⁴

The Human Rights Awareness and Promotion Forum (HRAPF) publishes annual reports on human rights violations based on sexual orientation and gender identity. The report for 2020 summarised that “The year 2020 was a unique year: the entire country was largely on lockdown for most of the year due to the COVID-19 pandemic”, which “made LGBT persons more ‘visible’ as they were forced to stay home, thus exposing them to hostility from the general public”.⁵ The same source further noted that “the COVID-19 lockdown greatly affected the capacity of LGBT persons to report violations to HRAPF and other legal aid service providers and justice mechanisms. The lockdown meant that many had to either resolve conflicts in their own ways or simply let the violation go without seeking redress”.⁶ These issues are all discussed in more detail in the respective sections of the report.

The HRAPF described the following background context in Uganda during 2021:

2021 was a combination of two separate but also related momentous events that have been known to significantly affect the human rights situation for LGBT persons in Uganda: COVID-19 (and all its accompanying restrictions and well documented difficulties for LGBT persons) and the 2021 Presidential and Parliamentary elections. During this year, LGBT persons grappled with the usual to high levels of homophobia, transphobia, lesbophobia, biphobia, tacitly encouraged by the unfavourable legal and policy framework, as well as dealing with the extra vulnerabilities brought about by the election period and the COVID-19 pandemic. As such, the year 2021 presented unique difficulties for the LGBT community, thrusting more LGBT people into the limelight both through the politicking and electioneering activities of politicians as well as actions of police and local authorities in invading LGBT organisations and events and sensationalising arrests involving LGBT persons.⁷

In terms of number of violations HRAPF reported “A total of 253 human rights violations were committed against LGBT persons based on their sexual orientation and gender identity in 2021, of which 176 were human rights violations committed by state actors while 77 were violations perpetrated by non-state actors where the state failed in its obligation to protect LGBT persons from abuses of their rights by non state actors. This number is lower than the total number of violations committed against

⁴ Amnesty International, [*Colonialism and sexual orientation and gender identity: Submission to the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity*](#), 15 June 2023, COLONIAL-ERA LAWS THAT DISCRIMINATE AGAINST LGBTI PEOPLE p.6

⁵ Human Rights Awareness and Promotion Forum (HRAPF), [*The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity*](#), June 2021, Preface p.4

⁶ Human Rights Awareness and Promotion Forum (HRAPF), [*The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity*](#), June 2021, 6.2 Number of human rights violations p.36

⁷ HRAPF, [*The Uganda Report of human rights violations based on sexual orientation and gender identity 2021*](#), June 2022, Preface p.4

LGBT persons in 2020, which was 289 (196 by state actors and 93 by non-state actors), and higher than the number recorded in 2019, which was 236”.⁸

The Uganda Human Rights Commission do not specific address the situation for the LGBTI community in its annual reports on the State of Human Rights and Freedom in Uganda. The only mention in the reports for 2020⁹, 2021¹⁰ and 2022¹¹ was in the 2022 report which explained that following the establishment of new cities, it conducted training for city 195 leaders on effective service delivery “considering the critical role they play in the protection and promotion of human rights, including the advancement of development as a whole”. Among the “emerging issues arising from the training” it included “alleged cases of recruitment of school-going children into acts related to the lesbian, gay, bisexual, transgender and intersex movement (LGBTI)”.¹²

Language

Report Out describes that “‘Kuchu’ is a ‘catch all’ umbrella description used by some Ugandans to describe both sexual orientation and gender identity”.¹³ ‘Abasiyazi’ is a pejorative term used to describe homosexuals in Luganda¹⁴ and ‘ebisiyaga’ to refer to homosexuality¹⁵. The Guardian noted in November 2021 that “Queer people are often referred to in Uganda as “ebisiyaga”, the husk of a sugarcane – in other words, worthless rubbish”.¹⁶

II. Legal Framework

a. Legislation

i. Constitution

⁸ HRAFP, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, 4.2. Number of violations p.9

⁹ Uganda Human Rights Commission, [23rd Annual Report on the State of Human Rights and Freedom in Uganda in 2020](#), 2021

¹⁰ Uganda Human Rights Commission, [24th Annual Report on the State of Human Rights and Freedom in Uganda in 2021](#), 2022

¹¹ Uganda Human Rights Commission, [25th Annual Report on the State of Human Rights and Freedom in Uganda in 2022](#), 2023, 9.3.2.12 Training of new city leaders p.244

¹² Uganda Human Rights Commission, [25th Annual Report on the State of Human Rights and Freedom in Uganda in 2022](#), 2023 9.3.2.12 Training of new city leaders p.244

¹³ ReportOUT, Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020, 2020, 7. Respondents Demographics p.28

¹⁴ Human Rights Awareness and Promotion Forum (HRAFP), [Arrests, evictions and violence: Reports of Violations Against LGBT persons for the first month following the passing of Uganda’s Anti-Homosexuality Bill 2023](#), 21 April 2023

¹⁵ British Asian LGBTI, [Interview with Kasha Jacqueline Nabagesera](#), undated (accessed 10 July 2023)

¹⁶ The Guardian, [Sculptor Leilah Babirye: ‘In Uganda you can be jailed for talking about gay issues’](#), 9 November 2021

As explained by ILGA, there was no recognition of and no constitutional protections against discrimination owing sexual orientation or gender identity in Uganda's Constitution as of 2020.¹⁷ The U.S. Department of State explained in its annual human rights report covering 2022 that "The law prohibits discrimination based on sex, among other categories, but does not explicitly prohibit discrimination on the basis of sexual orientation, gender identity or expression, or sex characteristics. The law does not recognize LGBTQI+ individuals, couples, or their families".¹⁸ The same source further noted:

The country did not permit individuals to change their gender identity marker on legal and identifying documents to bring them into alignment with their gender identity. The law also did not provide the option of identifying as "non-binary/intersex/gender non-conforming." Human rights activists reported that transgender persons could officially change their names, but government officials blocked them from changing their gender marker on official documents. One individual, however, Cleopatra Kambugu, legally changed her gender identity marker to female in 2021.¹⁹

Amnesty International further described that in September 2021, "Cleopatra Kambugu announced on social media that she had become the first trans woman to obtain a Ugandan national identification card and passport which recognized her female gender".²⁰

ii. Criminal code

ILGA detailed as of 2020, that "Section 145 of the Penal Code (1950), as amended in 2000, prescribes life imprisonment for anyone who 'has carnal knowledge of any person against the order of nature'. It has remained on the books in all subsequent versions of the Penal Code".²¹ A further report from ILGA noted that "Other sections of the Penal Code are reportedly also used to target people of diverse sexual orientations and gender identities and, especially, those of diverse gender expressions, such as Section 139 (Prohibition of prostitution), Section 148 (Indecent practices), Section 167 (Rogues and vagabonds), and Section 381 (Personation in general)".²² A January 2021 Erasing 76 Crimes article noted that "Provisions criminalizing 'personation' [fraudulent impersonation] in the Penal Code are also misapplied to arrest and charge transgender persons".²³

¹⁷ ILGA, State Sponsored Homophobia, [Global Legislation Overview Update](#), 2020, Africa, p.124

¹⁸ US Department of State, [2022 Country Report on Human Rights Practices: Uganda](#), 20 March 2023, Section 6. *Discrimination and Societal Abuses, Reproductive Rights, Discrimination, Acts of violence, criminalization, and other abuses based on sexual orientation, gender identity or expression, or sex characteristics*

¹⁹ US Department of State, [2022 Country Report on Human Rights Practices: Uganda](#), 20 March 2023, Section 6. *Discrimination and Societal Abuses, Reproductive Rights, Discrimination, Acts of violence, criminalization, and other abuses based on sexual orientation, gender identity or expression, or sex characteristics*

²⁰ Amnesty International, [Report 2021/22; The State of the World's Human Rights; Uganda 2021](#), 29 March 2022

²¹ ILGA, State Sponsored Homophobia, [Global Legislation Overview Update](#), 2020, Africa, p.124

²² International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), [Our Identities Under Arrest; A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expression](#), December 2021, Uganda p.112

²³ Erasing 76 Crimes, [Uganda: Media bias leads to harassment of trans women](#), 5 January 2021

An October 2020 article in African Arguments on discrimination faced by and legal support available for the LGBTQ+ community in Uganda noted that “Queer people are also persecuted by the law. Uganda’s penal code still criminalises same-sex acts through colonial era laws against ‘carnal knowledge against the order of nature’. And although the 2014 anti-homosexuality act, which increased penalties against LGBTQ+ persons, was repealed by the courts, it sanctioned a climate of greater hostility towards sexual minorities”.²⁴ Similarly, the Bertelsmann Stiftung Report on Uganda covering the period 1st February 2019 to 31st January 2021 explained that “sexual minorities continue to face discrimination in the country and homosexual acts remain criminalized by a statute maintained from colonial times”.²⁵

In March 2021 the Committee on the Elimination of Discrimination Against Women (CEDAW) published its list of issues and questions in relation to the combined eighth and ninth periodic reports of Uganda, noting that “In view of the fact that same-sex relations and marriages remain illegal under the Penal Code, please clarify what steps are being taken to revise this provision”.²⁶

Al Jazeera noted in June 2021 that:

On May 3, the parliament passed the Sexual Offences Bill, which was initially meant to prevent and punish sexual violence, further criminalising homosexuality. The bill was put forward by civil society organisations working to end sexual violence against women who apparently considered the provisions criminalising same-sex acts to be rational.

The bill punishes any “sexual act between persons of the same gender” with up to 10 years in prison and also further criminalises sex work and discriminates based on HIV status. If assented to by President Museveni, this law would also punish Ugandans who perform these sexual acts outside Uganda and uphold a death penalty for certain sexual offences.²⁷

ILGA detailed with regards to the Sexual Offences Bill:

In 2021, the “Sexual Offences Bill” was passed by Parliament, which listed “sexual act[s] contrary to the order of nature” as one of the sex crimes for which offenders could be imprisoned for up to 10 years and listed on a national sex-offender registry. The bill was vetoed by President Yoweri Museveni, however, reportedly on the grounds that the provisions therein are already covered by other laws.²⁸

In response to the passing of the sexual offences Bill, the OHCHR reported in May 2021 that “Such provisions violate Uganda’s human rights obligations and risk undermining public health, leaving people afraid to come forward for essential testing and treatment, and so affecting critical HIV prevention and treatment efforts. They also risk further fuelling the spread of HIV in Uganda and sub-Saharan Africa”.²⁹

²⁴ African Arguments, [“Someone willing to help people like me”: Uganda’s LGBTQ paralegals](#), 29 October 2020

²⁵ Bertelsmann Stiftung, [BTI 2022 Country Report Uganda](#), 23 February 2022, *I. Political Transformation*, 3 Rule of Law p.14

²⁶ CEDAW, [List of issues and questions in relation to the combined eighth and ninth periodic reports of Uganda*](#), 10 March 2021, para 20

²⁷ Al Jazeera, [Uganda: Fueling anti-LGBTQI sentiment to stay in power](#), 19 June 2021

²⁸ ILGA, [World database](#), undated current webpage (accessed 23 June 2023), *Uganda*

²⁹ OHCHR, [Press briefing notes on Uganda](#), 7 May 2021

Reporting on the Bill ahead of enactment, UNHCR indicated that “a few clauses would be detrimental to certain categories of the population, including the provision on “unnatural offences”, defined in the bill as sexual relations with persons of the same sex, which was discriminatory for LGBTQI+ persons, and the provision considering HIV as an aggravating circumstance, which stigmatized persons living with HIV/AIDS”.³⁰

In July 2021 Amnesty International published its submission for the UN Universal Periodic Review for Uganda and recommended that the state “Amend the Sexual Offences Act 2021 to ensure that it is compliant with international human rights standards”.³¹

Amnesty International further described in its annual report for 2021:

In August, President Museveni refused to give his assent to the Sexual Offences Bill 2021 on grounds that it should be reviewed to address redundant provisions already provided for in other legislation. The bill, which was passed by parliament in May, proposed several provisions for the prevention of sexual violence, including greater punishment for sexual offenders, and the protection of survivors during trials concerning sexual offences and other crimes. The proposed law, however, criminalized consensual same-sex sexual relations, sex work and HIV transmission and provided for a sex offenders’ register that would include people accused, even retrospectively, of consensual same-sex sexual relations and sex work.³²

The Daily Monitor reported in August 2021 that “President Museveni has rejected to assent to the Sexual Offences Bill, saying many provisions are redundant and already provided for in other legislations”.³³

In August 2021 Erasing 76 Crimes noted that “Uganda’s Constitutional Court has annulled sections of the Anti-Pornography Act 2014, ruling that the clauses were vague, unconstitutional, and uncertain. Critics of the bill have alleged that it was used by police and security agencies to intimidate and harass transgender people and sex workers”.³⁴

ILGA further noted that:

Other areas of the Penal Code which are reported to disproportionately target sex workers, trans women, and other marginalised groups, included 168(1)(c) and 168(1)(d). These provisions against “rogues and vagabonds” criminalised loitering, among other things, but were declared unconstitutional and therefore

³⁰ UN Human Rights Council Working Group on the Universal Periodic Review, [Report of the Office of the United Nations High Commissioner for Human Rights: Compilation on Uganda](#), 9 November 2021, para 9

³¹ Amnesty International, Uganda: Guarantee human rights: Amnesty International submission for the UN Universal Periodic Review, 40th session of the UPR Working Group, January-February 2022, 30 July 2021

³² Amnesty International, [Report 2021/22: The State of the World's Human Rights; Uganda 2021](#), 29 March 2022

³³ The Daily Monitor, [Museveni rejects sexual offences and succession Bills](#), 18 August 2021

³⁴ Erasing 76 Crimes, [Uganda’s Constitutional Court annuls Anti-Pornography Act](#), 20 August 2021

void in December 2022 by the Constitutional Court of Uganda in Francis Tumwesige Ateenyi v. Attorney General (2022).³⁵

Erasing 76 Crimes similarly explained that in December 2022, the Constitutional Court “struck down two key provisions of the Penal Code that label anyone a ‘rogue and vagabond’ because of a presumption of poverty or presumption of intention to commit a crime. The sections are routinely used by police to harass, detain, and arrest sexual minorities, especially transgender people and sex workers, as well as the poor”.³⁶

Ahead of the Anti-Homosexuality Bill 2023 being signed into law at the end of March 2023, the UN Human Rights chief Volker Türk urged Yoweri Museveni not to sign the Bill, warning that it would “lead to ‘systematic’ human rights violations”, “runs counter to the country’s international legal obligations on human rights” and would “have serious negative repercussions on society as a whole, and erode gains made over years”.³⁷ He also described the Bill as “probably among the worst of its kind in the world”.³⁸

Amnesty International reported that “On 21 March 2023, the Ugandan Parliament passed the Anti-Homosexuality Bill, with 387 out of 389 MPs voting in favour. On 21 April 2023, Uganda’s President, Yoweri Museveni refused to sign into law the Anti-Homosexuality Bill, 2023, sending it back to Parliament in Uganda for reconsideration of several clauses. On 2 May, 341 MPs voted for the amended bill and sent it back to President Museveni who assented to it”.³⁹

Pink News reported at the beginning of May 2023 on the passing of the Anti-Homosexuality Bill for second time, stating that:

The country’s Anti-Homosexuality Bill was originally passed by the parliament on 21 March and made simply identifying as LGBTQ+ a criminal offence.

However, Uganda’s President Yoweri Museveni didn’t sign it into law – instead sending it back to parliament with recommendations for alterations.

One of the key changes made is that it no longer criminalises people for identifying as LGBTQ+, the Associated Press (AP) reported. President Museveni recommended that this section be removed, as it could create “constitutional challenges”.

Nevertheless, the newly-passed bill appears to largely retain its original form.

When the bill was sent back to parliament on 20 April, Uganda’s deputy attorney general, Jackson Kafuuzi, reportedly advised the East African nation’s parliament to remove the mandatory death penalty for “aggravated homosexuality”.

However, it still includes a death sentence for “aggravated homosexuality”, which applies to certain same-sex acts, like sexual relations involving people living with HIV, as well as serious criminal offences such as rape and sexual abuse of children.

³⁵ ILGA, [World database](#), undated current webpage (accessed 23 June 2023), *Uganda*

³⁶ Erasing 76 Crimes, [Court kills ‘rogue and vagabond’ laws that target Ugandan sexual minorities](#), 13 January 2023

³⁷ UN News, [Uganda: UN rights chief calls on President not to sign anti-homosexuality bill](#), 22 March 2023

³⁸ UN News, [Uganda: Türk urges President not to sign shocking anti-homosexuality bill](#), 22 March 2023

³⁹ Amnesty International, [Uganda: President’s approval of anti-LGBTI Bill is a grave assault on human rights](#), 29 May 2023

The bill also retains measures around jailing people for advocating or promoting LGBTQ+ rights. After being passed by lawmakers for a second time, the bill will now return to Museveni to sign into law or veto.⁴⁰

Amnesty International also explained that “On 20 April 2023, the European Parliament passed a resolution on the universal decriminalization of homosexuality considering recent developments in Uganda, which called on President Museveni not to give his assent to the Anti-Homosexuality Bill or any other similar legislation in future”.⁴¹

A statement by Sexual Minorities Uganda (SMUG) alongside four other organisations in March 2023 summarised the Anti-Homosexuality Act as follows:

Key provisions of the unlawful act include:

- Criminalization of consensual sex and even intimacy between people of the same gender
- Imprisonment of 2-5 years for those found guilty of “promotion of homosexuality”
- Imprisonment of 2 years for those found guilty of “aiding and abetting homosexuality”
- Designation of HIV-positive status as an aggravating factor
- Criminalization of any gender identity or expression outside of the binary of male or female⁴²

ILGA described that “In March 2023, the Anti-Homosexuality Bill 2023 (2023) was introduced in Parliament following a period of increased debate around homosexuality in Uganda”, which contained new provisions as follows:

Section 1 of the Bill includes definitions that are of concern, such as defining "homosexuality" as "same gender or same sex sexual acts" and "homosexual" as "a person who engages or attempts to engage in same gender sexual activity". These definitions conflate sexual orientation with sexual acts. Moreover, "touching" is defined in a manner that encompasses any form of physical contact with a person of the same sex, leading to the possibility of equating such conduct with homosexuality.

Section 2 of the Bill punishes the offense of homosexuality with a sentence of ten years' imprisonment when a person "(a) penetrates the anus or mouth of another person of the same sex with his penis or any other sexual contraption; (b) uses any object or sexual contraption to penetrate or stimulate the sexual organ of a person of the same sex; (c) touches another person with the intention of committing the act of homosexuality; (d) holds out as a lesbian, gay, transgender, a queer or any other sexual or gender identity that is contrary to the binary categories of male and female". This provision effectively permits the criminalization of any physical contact between same-sex individuals and facilitates the prosecution of individuals based on their professed or perceived sexual orientation or gender identity.

Additionally, Section 3 provides for the same ten-year imprisonment penalty for "aggravated homosexuality," which applies in circumstances where "(a) person against whom the offence is

⁴⁰ Pink News, [Uganda passes cruel Anti-Homosexuality Bill for second time](#), 2 May 2023

⁴¹ Amnesty International, [Uganda: President Museveni must urgently veto draconian Anti-Homosexuality Bill](#), 20 April 2023

⁴² Sexual Minorities Uganda (SMUG), Robert F. Kennedy Human Rights, Center for Constitutional Rights, The Council for Global Equality, and Movement Law Lab, [Persecution & Criminalization of LGBTQIA+ Community in Uganda: Demands for International Engagement to Protect Queer & Trans People](#), 31 March 2023

committed is below the age of eighteen years; (b) offender is a person living with HIV; (c) offender is a parent or guardian of the person against whom the offence is committed; (d) offender is a person having authority or control over the person against whom the offence is committed; (e) victim of the offence is a person with disability; (f) offender is a serial offender; or (g) offender applies, administers or causes to be used by any man or woman any drug, matter or thing with intent to stupefy or overpower him or her so as to enable any person to have unlawful carnal connection with any person of the same sex." The punishment of "serial offenders" would be particularly [sic] harmful for individuals prosecuted on the basis of their professed or alleged sexual orientation or gender identity. Furthermore, individuals charged with "aggravated homosexuality" are required to undergo HIV testing. Section 4 of the Bill criminalizes alleged attempts to commit homosexuality or aggravated homosexuality, imposing penalties of two and ten years' imprisonment, respectively. Furthermore, [sic] Section 5(1) provides protection for individuals who claim to be "victims" of homosexuality, effectively institutionalizing the "homosexual panic" defense, while Section 5(2) empowers courts to order offenders to compensate such "victims" of homosexuality. Moreover, Section 8 punishes with two years imprisonment any person who "aids, abets, counsels or procures" another person to engage in homosexuality. Section [sic] 9 punishes with two years imprisonment any person "who conspires with another to induce another person of the same sex by any means of false pretence [sic] or other fraudulent means to permit any person of the same sex to have unlawful carnal knowledge of him or her". Section [sic] 10 punishes with ten years imprisonment the "procuring of homosexuality by threats". Moreover, Section [sic] 11 punishes with two years imprisonment any person "who detains another person with the intention to commit acts of homosexuality". Finally, Section [sic] 12 punishes with seven years imprisonment the operation of houses, rooms, set of rooms or places of any kind for purposes of homosexuality; equating hotels, lodges and rented houses where homosexuals stay with brothels, which would potentially encourage landlords to deny housing to LGBT individuals.⁴³

Article 19 explained that "The president sent it back to parliament for review on 20 April 2023 with minor recommendations, including removal of sanctions for identifying as LGBTQI+, but retaining 'engaging in acts of homosexuality' as an offence. He also proposed 'rehabilitation' for members of the community, among other recommendations".⁴⁴ The Human Rights Awareness and Promotion Forum (HRAPF) undertook a legal and human rights analysis of the Act⁴⁵ and amendments⁴⁶, describing the Act as unconstitutional, retrogressive and which would worsen the HIV situation in Uganda, some provisions as redundant and that "the punishments in the Bill are too harsh and disproportionate to the offences".⁴⁷

Following the enactment of the legislation, the UN Experts described making homosexuality punishable by death an "egregious violation of human rights" and that "The imposition of the death penalty based on such legislation is per se an arbitrary killing and a breach of article 6 of the International Covenant on

⁴³ ILGA, [World database](#), undated current webpage (accessed 23 June 2023), *Uganda*

⁴⁴ Article 19, [Uganda: Anti-Homosexuality Law is an attack on human rights](#), 31 May 2023

⁴⁵ Human Rights Awareness and Promotion Forum (HRAPF), [A legal and human rights analysis of the Anti-Homosexuality Bill 2023, as enacted by parliament](#), 3 May 2023

⁴⁶ Human Rights Awareness and Promotion Forum (HRAPF), [A legal and human rights analysis of the amendments to the Anti-Homosexuality Bill 2023v](#), 3 May 2023

⁴⁷ Human Rights Awareness and Promotion Forum (HRAPF), [A legal and human rights analysis of the Anti-Homosexuality Bill 2023, as enacted by parliament](#), 3 May 2023

Civil and Political Rights (ICCPR)".⁴⁸ Furthermore, "LGBTI persons will constantly live in fear and stress for their life and physical integrity for simply living according to their sexual orientation," the experts said, highlighting also the mental health-associated risks".⁴⁹ The accompanying press release noted that "The Ugandan legislation has been criticised as one of the world's harshest anti-LGBT laws".⁵⁰

Amnesty International cautioned that "This law will have a devastating impact on LGBTI individuals in Uganda, who already face persecution and discrimination. It will fuel violence and discrimination against LGBTI individuals and reinforce stigma and stereotypes related to homosexuality. It will also have a chilling effect on freedom of expression, as individuals who support LGBTI rights may fear persecution and imprisonment".⁵¹ In response to the Bill receiving Presidential assent Amnesty International stated that:

This is a desperately dark day for LGBTI rights and for Uganda. The signing of this deeply repressive law is a grave assault on human rights and the Constitution of Uganda and the regional and international human rights instruments to which Uganda is a party. The Anti-Homosexuality Bill, 2023 will do nothing other than enshrine discrimination, hatred and prejudice against LGBTI Ugandans and their allies into law. It's unconscionable that they risk losing their lives, their freedom, their privacy, their freedom of expression and their ability to live free from discrimination.⁵²

In response to the Bill being enacted Human Rights Watch reported:

The Anti-Homosexuality Act of 2023 violates multiple fundamental rights guaranteed under Uganda's constitution and breaks commitments made by the government as a signatory to a number of international human rights agreements. [...]

The law discriminates against people with disabilities, contrary to Uganda's Constitution, by making the offence of homosexuality aggravated if the "victim" has a disability, thereby denying persons with disabilities the capacity to consent to sex.⁵³

The International Commission of Jurists explained in mid-June 2023 that "Several human rights activists and civil society organizations advocating for the human rights of LGBTI persons have filed a petition in the Ugandan Constitutional Court to challenge the "Anti-Homosexuality Act, 2023".⁵⁴ Erasing 76 Crimes noted in early June 2023 that "Human rights activists have filed two petitions challenging its constitutionality, but neither has yet been acted upon by the Constitutional Court. Petitioners are

⁴⁸ UN, [Uganda: UN experts condemn egregious anti-LGBT legislation](#), 29 March 2023

⁴⁹ UN, [Uganda: UN experts condemn egregious anti-LGBT legislation](#), 29 March 2023

⁵⁰ UN, [Uganda: UN experts condemn egregious anti-LGBT legislation](#), 29 March 2023

⁵¹ Amnesty International, [Uganda: President's failure to veto anti-LGBTI Bill an 'abhorrent' violation of LGBTI rights](#), 2 May 2023

⁵² Amnesty International, [Uganda: President's approval of anti-LGBTI Bill is a grave assault on human rights](#), 29 May 2023

⁵³ Human Rights Watch, [Uganda's President Signs Repressive Anti-LGBT Law](#), 30 May 2023

⁵⁴ ICJ, [Uganda: The enactment of "the Anti-Homosexuality Act, 2023" will foster further stigma, discrimination and violence against lesbian, gay, bisexual, transgender and intersex persons](#), 13 June 2023

preparing motions for a temporary restraining order to block enforcement of the law pending a decision by the Constitutional Court”.⁵⁵

In mid-June 2023, SMUG International further explained that:

Three petitions challenging the Anti-Homosexuality Act, 2023 have so far been filed by activists at the Constitutional Court. The petitions intend to overturn the law for being unconstitutional. The Attorney General has responded to Constitutional Petition Number 014 of 2023 filed by Hon. Fox Odoi-Oywelowo, Frank Mugisha and 6 (six) Others, rejoinder affidavits are being prepared for filing. In an effort to stop the enforcement of the law pending the determination of the petitions, Hon. Fox Odoi-Oywelowo, Frank Mugisha and 6 (six) Others have filed an application for a temporary injunction.⁵⁶

In July 2023, the UN Human Rights Committee’s concluding observations on the second periodic report of Uganda stated that:

12. The Committee is deeply concerned by the enactment of the Anti-Homosexuality Act in May 2023, which criminalises consenting sexual relations between adults of the same sex and further stigmatises lesbian, gay, bisexual, transgender and intersex (LGBTI) persons. The Committee also expresses its grave concern at the sentences foreseen under the Act, which among others include the death penalty for ‘serial offenders’ and lengthy prison sentences for a wide range of ‘offences’, including up to twenty years’ imprisonment for ‘promoting homosexuality’.⁵⁷

iii. Other relevant legislation affecting LGBTQI+ persons

As detailed by ILGA, the following legal barriers to freedom of expression on sexual and gender diversity issues were in place in Uganda, as of 2020:

1995	Under Section 9 of the Press and Journalist Act (1995), the Media Council is authorised to censor films, plays, and other media content. [...]
1996	The Broadcasting Council, established under the Electronic Media Act (1996), is empowered to regulate radio content under the Minimum Broadcasting Standards, which bans content contrary to public morality. [...]
2013	Since 2013, the Communications Act (2013) obliges broadcasters to ensure that any programme is not contrary to public morality.
2016	Section 30(1)(a) of the Non-Governmental Organizations Act (2016) prohibits the registration of an organisation when its objectives, as specified in its constitution, “are in contravention of the laws of Uganda”
2019	In 2019, the Uganda Communications Commission adopted the Standards for General Broadcast Programming in Uganda. Article 6(5) determines that “information, themes or subplots on

⁵⁵ Erasing 76 Crimes, [Cruel Ugandan anti-gay law takes effect; legal challenges pending](#), 6 June 2023

⁵⁶ SMUG International, [Effect of Anti-Homosexual Act 2023 in Uganda](#), 16 June 2023

⁵⁷ UN Human Rights Committee, [Concluding observations on the second periodic report of Uganda \(advance unedited version\)](#), 26 July 2023, p.3

	lifestyles such as homosexuality, lesbianism, bisexuality, transsexualism, transvestism, paedophilia and incest” should not “promote, justify or glamorize” them. Further, explicit dialogue or information concerning the above topics should not be broadcasted. In addition, Article 8.6 states that sex education programmes should not encourage or promote “unnatural sex acts”. ⁵⁸
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Civil Rights Defenders explained in April 2020 that measures introduced to restrict freedom of movement in response to the Covid-19 pandemic were being enforced by the police, army and Local Defense Unit patrols.⁵⁹ The source reported that “the authorities are using the enforcement of the restrictions as an excuse to crack down on the LGBTI+ community, according to reports by our Ugandan partner organisation Sexual Minorities Uganda”.⁶⁰ In July 2021 Amnesty International published its submission for the UN Universal Periodic Review for Uganda and noted that “Security forces used directives to control Covid-19 infection as a pretext to arbitrarily arrest and detain dozens of LGBTI people” citing the following incidents:

On 23 March 2020, 23 young LGBTI people living in a shelter were arrested. Four were released on medical grounds during the first three days after their arrest, and the remaining 19 were charged with “negligent acts likely to spread infectious diseases” and “disobeying legal orders”. They were detained without access to their lawyers or to medical treatment. Some were denied access to antiretroviral medications. They were released on 18 May 2020, and in June the High Court awarded each of them compensation of UGX 5 million (US\$1,360) for being arbitrarily detained by the police for 50 days.^{46 61}

46 Amnesty International, Amnesty International Report 2020/21: The state of the world's human rights, 7 April 2021, [amnesty.org/en/documents/pol10/3202/2021/en](https://www.amnesty.org/en/documents/pol10/3202/2021/en), p. 372, para. 2.

A joint submission in July 2021 for the Universal Periodic Review of Uganda by the Sexual Minorities Cluster, jointly convened by Human Rights Awareness and Promotion Forum (HRAPF) and Sexual Minorities Uganda (SMUG), stated that “The Anti-Money Laundering Act, 2013, and the Financial Intelligence Authority created thereunder have also become a tool of oppression, with targeted attacks on Civil Society Organisations and human rights activists engaged in the protection and promotion of human rights and good governance”.⁶²

⁵⁸ ILGA, State Sponsored Homophobia, [Global Legislation Overview Update](#), 2020, *Legal barriers to freedom of expression on sexual and gender diversity issues* p.147 and *Legal barriers to the registration or operation of CSOs working on sexual and gender diversity issues* p.165

⁵⁹ Civil Rights Defenders, [Uganda: COVID-19 Used as Pretext to Harass LGBTI+ Community and Journalists](#), 27 April 2020

⁶⁰ Civil Rights Defenders, [Uganda: COVID-19 Used as Pretext to Harass LGBTI+ Community and Journalists](#), 27 April 2020

⁶¹ Amnesty International, Uganda: Guarantee human rights: Amnesty International submission for the UN Universal Periodic Review, 40th session of the UPR Working Group, January-February 2022, 30 July 2021

⁶² Human Rights Awareness and Promotion Forum (HRAPF) and Sexual Minorities Uganda (SMUG) et al., [Universal Periodic Review of Uganda: Joint Submission by Civil Society Organisations Working with Lesbians, Gay, Bisexual, Transgenders and Intersex Persons - to: the Office of the High Commissioner for Human Rights](#), 15 July 2021, p.4

The Sexual Minorities Uganda (SMUG) reported in June 2022 that SMUG leaders and volunteers had been threatened with “arrest and malicious allegations of ‘recruitment of children into homosexuality’ across the country”.⁶³

A July 2022 statement by Sexual Rights Initiative, the Uganda LBQ Loose Network, CREA, and the Coalition of African Lesbians (CAL) on Uganda’s Universal Periodic Review wrote that “LBQ women struggle to report sexual harassment due to sexual orientation not being a protected ground of discrimination and not read into protections on the basis of sex and gender”.⁶⁴ The statement urged the government to “Enact legislation to include discrimination based on sexual orientation and gender identity as a protected ground in the Labour Act”.⁶⁵

The Kampala-based women’s organisation Akina Mama Wa Afrika (AMWA) published a feminist analysis in November 2022 on the sexual reproductive health and rights legal and policy framework in Uganda, in which it noted that “Criminalization of gender diversity consists of laws that prescribe and punish petty offenses as well as cross-dressing, linking gender expression to impersonation”.⁶⁶

In January 2023, the Daily Monitor reported on a controversial bylaw in Kasese that attempted to legalise same-sex relationships in Kasese District, stating that:

In a statutory instrument dated September 16, 2022, the municipal council moved to pass by-laws to provide for enforcement of the human rights and freedoms of the marginalised population as well as increasing access to HIV/TB services in Kasese Municipality.

Deputy House Speaker Thomas Tayebwa yesterday slammed officials from the Rwenzori district, saying the “malicious bylaws” they were attempting to enact to reorganise homosexuals and transgender people as minorities contravenes the national laws.

“I want to make it very clear, there is no local government that can pass a bylaw that contravenes national laws,” Mr Tayebwa warned. [...]

The controversial bylaw was facilitated by Human Rights Advocacy and Promotion Forum (HRAPF), Mr Tayebwa told Parliament before directing the Internal Affairs ministry to investigate the local NGO’s activities. [...]

Mr Adrian Jjuuko, the executive director of HRAPF, admitted they were actively involved in human rights works in the district. He, however, said their focus was on access to HIV and TB services.

“We do support non-discriminatory access to HIV services and so we would support any law to that end. That is not a promotion of homosexuality. It is the promotion of access to HIV services for all persons in the country and it is perfectly legal work,” he told Daily Monitor.⁶⁷

⁶³ SMUG, Statement on Malicious Allegations, [Arrest and Harassment Towards Sexual Minorities Uganda](#), 9 June 2022

⁶⁴ Sexual Rights Initiative, the Uganda LBQ Loose Network, CREA, and the Coalition of African Lesbians (CAL), [HRC50 - Statement on Uganda's UPR by LBQ Loose Network CREA, the CAL and SRI](#), 1 July 2022

⁶⁵ Sexual Rights Initiative, the Uganda LBQ Loose Network, CREA, and the Coalition of African Lesbians (CAL), [HRC50 - Statement on Uganda's UPR by LBQ Loose Network CREA, the CAL and SRI](#), 1 July 2022

⁶⁶ Akina Mama Wa Afrika (AMWA), [An Intersectional Feminist Analysis Of The Sexual Reproductive Health and Rights Legal and Policy Framework In Uganda](#), 11 November 2022, p.10

⁶⁷ The Daily Monitor, [Parliament red flags Kasese's same-sex by-law](#), 26 January 2023

The Guardian stated in an article in March 2023 that “Trans people can legally change their names and IDs, but the procedure for doing so is not specified, and leaves a lot to the discretion of the National Identification and Registration Authority. Activists say that laws which [indirectly criminalise](#) trans people, such as impersonation and public indecency, or those that criminalise same-sex relations, add intense scrutiny”.⁶⁸

For further information, see also the following section [II., \(b\), \(i\) Arrests](#)

b. Implementation

i. Arrests

For information on the arrests of human rights defenders, see section [VI., b. State treatment of LGBTQI+ activists or those supporting their case or those perceived as such.](#)

2020

The U.S. Department of State annual human rights report covering 2020 listed among the ‘significant human rights issues’ in Uganda “the existence of laws criminalizing consensual same-sex sexual conduct between adults”.⁶⁹ It further noted that “Consensual same-sex sexual conduct is criminalized according to a colonial-era law that criminalizes “carnal knowledge of any person against the order of nature” and provides for a penalty of up to life imprisonment. Attempts to ‘commit unnatural offences,’ as laid out in the law, are punishable with seven years of imprisonment. The government occasionally enforced the law”.⁷⁰ Moreover, “Although the law prohibits arbitrary arrest and detention, security forces often arbitrarily arrested and detained persons, especially opposition leaders, politicians, activists, demonstrators, journalists, LGBTI persons, and members of the general population accused of violating COVID-19 restrictions”.⁷¹

The Uganda Police Force’s annual crime report recorded 79 cases of ‘unnatural offences’ in 2020 but it did not record whether these were for same-sex offences.⁷²

The Human Rights Awareness and Promotion Forum (HRAPF) published a report on human rights violations based on sexual orientation and gender identity in 2020 based on contributions from six other

⁶⁸ The Guardian, [LGBTQ+ groups face crackdowns in Uganda as environment turns hostile](#), 14 March 2023

⁶⁹ US Department of State, [2020 Country Reports on Human Rights Practices: Uganda](#), 30 March 2021, *Executive Summary*

⁷⁰ US Department of State, [2020 Country Reports on Human Rights Practices: Uganda](#), 30 March 2021, *Section 6. Discrimination, Societal Abuses, and Trafficking in Persons, Women*

⁷¹ US Department of State, [2020 Country Reports on Human Rights Practices: Uganda](#), 30 March 2021, *Section 1. Respect for the Integrity of the Person, D. Arbitrary arrest or detention*

⁷² Uganda Police Force, [Annual Crime Report 2020](#), 19 April 2021, 1.2.5.3. *Other Sex Related Offences* p.19

organisations.⁷³ The report was based on “only cases reported to HRAPF and its partner organisations that either host regional legal aid centres or legal aid desks, and those handled by HRAPF trained paralegals and reported to HRAPF” and “based on properly documented cases of human rights violations based on real or presumed SOGIE”.⁷⁴ Among the key findings the report noted that:

A total of 398 human rights violations were committed by state actors against LGBT persons based on sexual orientation and gender identity during the year 2020, arising from a total of 96 cases. Out of these, 247 (62%) were human rights violations directly committed by state actors arising from 40 separate cases while 151 (38%) were violations committed through the state's failure to provide effective remedies in cases of abuse of human rights by non state actors arising from 56 different cases.⁷⁵

Reporting with regards to the violation of the right to liberty the report noted that:

This right was violated in a total of 87 verified incidents in 2020, arising from 16 different cases. Arbitrary arrests and prolonged detentions of LGBTI persons arising from the militaristic enforcement of the measures instituted by the state to curb the spread of COVID-19 were common. The vaguely defined offences of ‘doing a negligent act likely to spread infection of disease’ and ‘disobeying lawful orders’ under sections 171 and 117 of the Penal Code Act respectively were used to arbitrarily arrest people en masse, even in circumstances that were quite innocuous, and the police authorities certainly took advantage of this vagueness to target LGBT people for arrests.⁷⁶

It further noted with regards to arbitrary arrests that:

There were 55 incidents of arbitrary arrests of LGBT persons during 2020. These incidents took place when LGBT persons were arrested in the absence of reasonable suspicion that they had committed a crime, or were about to commit a crime; in circumstances where they were charged with crimes that do not exist in law; where they were arrested but not charged at all, as well as in cases where the arrest was based on something entirely different from the charges eventually preferred. Enforcement of the COVID-19 restrictions was used as a blanket justification for most arbitrary arrests.⁷⁷

In January 2020, Edge Media Network reported on an imam in Uganda mocked for mistakenly marrying a man, stating that “A gay rights activist in Uganda says criticism of a local imam who unknowingly married a man in a Muslim ceremony highlights intolerance in the East African country. [...] The imam,

⁷³ Health and Rights Initiative; HOPE Mbale; Human Rights and Economic Empowerment Development (HUREED); Freedom and Roam Uganda; Mbarara Rise Foundation and Tranz Network Uganda

⁷⁴ Human Rights Awareness and Promotion Forum (HRAPF), [*The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity*](#), June 2021, *Preface p.4*

⁷⁵ Human Rights Awareness and Promotion Forum (HRAPF), [*The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity*](#), June 2021, *Key Findings*

⁷⁶ Human Rights Awareness and Promotion Forum (HRAPF), [*The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity*](#), June 2021, 4.2 Number and nature of violations, 4.2.1 Violation of the right to liberty p.21-22

⁷⁷ Human Rights Awareness and Promotion Forum (HRAPF), [*The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity*](#), June 2021, 4.2 Number and nature of violations, 4.2.1 Violation of the right to liberty p.21-22

who says he did not know his partner was male, has been suspended from clerical duty and his partner charged with committing an ‘unnatural’ offense’.”⁷⁸ In February 2020 Erasing 76 Crimes reported that the Muslim cleric was awarded bail having been accused of marrying a man.⁷⁹ The cleric claimed to be unaware of his wife’s gender, and the co-accused was also released having been charged with carnal knowledge against the order of nature.⁸⁰

The U.S. Department of State report for 2020 described:

According to civil society organizations, UPF and LDU [Local Defense Unit] officers—together with local government officials—raided the Children of the Sun Foundation shelter in Kyengera Town on March 29 and arrested 20 LGBTI persons, accusing them of violating COVID-19 public health guidelines by gathering in a closed space. Activists said the mayor of Kyengera, Abdul Kiyimba, personally beat two of the suspects “as he questioned them about their homosexuality.”

Lawyers for the group reported prison authorities repeatedly denied them access to their clients while in pretrial detention, citing government restrictions on movement aimed at combatting COVID-19. On May 15, after the LGBTI persons’ lawyers filed suit, the UPS granted the lawyers access to the 20 LGBTI persons, two of whom stated UPS wardens subjected them to forced anal exams. On May 19, the UPS released 19 LGBTI persons, after the Office of the Director of Public Prosecution dropped all charges on May 15. The UPS released the final person on May 27. LGBTI activists reported on July 21 that they had sued the Kitalya prison deputy commander, Philemon Woniala, and Kyengera mayor Abdul Kiyimba for torture and inhuman treatment. The case continued at year’s end.⁸¹

Reporting on the same incident, ILGA detailed that:

In May 2020, 23 LGBTI people were arrested at a shelter for sexual minorities near Kampala for allegedly gathering in public and violating the lockdown imposed amid the COVID-19 pandemic. After being intimidated by police forces and local residents on the grounds of their sexual orientation,⁹⁹ the detainees were reportedly first charged with engaging in “carnal knowledge” in violation of Section 145 of the Ugandan Penal Code, which criminalises consensual same-sex sexual activity.¹⁰⁰ 19 individuals remained under state custody and were reportedly denied access to their lawyers for weeks before a court order was handed down for them to be released. ¹⁰¹⁸²

99 John Sparks, “Uganda using coronavirus laws to target marginalised LGBT groups”, Sky News, 10 May 2020.

100 Human Rights Awareness and Promotion Forum (HRAPF), Robert F. Kennedy Human Rights, and Sexual Minorities Uganda (SMUG),

Petition for Relief Pursuant to Resolutions 1997/50, 2000/36, 2003/31, 6/4, 15/18, 20/16, 24/7, 15 May 2020.

101 “The Ugandan Government Has Unlawfully Detained 19 People under the Guise of its COVID-19 Response”, Robert F. Kennedy Human Rights, 15 May 2020; A. McCool, “Court orders release of jailed LGBT+ Ugandans after coronavirus charges dropped,” Reuters, 18 May 2020

⁷⁸ Edge Media Network, [Imam in Uganda is Mocked for Mistakenly Marrying a Man](#), 16 January 2020

⁷⁹ Erasing 76 Crimes, [Uganda: Accused of marrying fellow man, Muslim cleric released on bail](#), 26 February 2020

⁸⁰ Erasing 76 Crimes, [Uganda: Accused of marrying fellow man, Muslim cleric released on bail](#), 26 February 2020

⁸¹ US Department of State, [2020 Country Reports on Human Rights Practices: Uganda](#), 30 March 2021, Section 6. *Discrimination, Societal Abuses, and Trafficking in Persons, Women*

⁸² ILGA, State Sponsored Homophobia, [Global Legislation Overview Update](#), 2020, Africa, p.125

Also on the same incident Human Rights Watch noted that “At the root of the arrests is homophobia. According to the legal aid group Human Rights Awareness and Promotion Forum (HRAPF), neighbors complained to local leaders about the presumed sexuality of shelter residents, prompting the mayor, Hajj Abdul Kiyimba, to lead a raid on the home. A video viewed by Human Rights Watch shows Kiyimba berating residents for ‘homosexuality’ and beating them with a stick”.⁸³

In April 2020 UN Experts expressed concern that COVID-19 emergency laws could be being used arbitrarily to target the LGBTQI+ community.⁸⁴ They stated that “We are deeply concerned about a raid on an LGBT shelter in Kyengera on 29 March and the arrest and detention of 19 people perceived to be LGBT persons”, having been informed that the shelter was raided by local authorities based on the perceived sexual orientation or gender identity of the inhabitants, who were then charged for disobeying physical distance regulations under COVID-19 measures”.⁸⁵

HRAPF reported on further incidents of arrests in 2020:

In another incident, the police authorities raided a health outreach in Rakai organised by an LGBT organisation where three health workers, three staff members, and six clients of the organisation were arrested. The twelve were taken to Rakai Police Station where they were held for a few hours on charges of ‘insulting the modesty of a woman’, after which they were released on police bond, but their property and money were confiscated.²⁵

Another case was recorded where a transgender man and a lesbian woman were arrested after community members complained that the transgender man was probably just a woman pretending to be a man, and they were a lesbian couple spreading homosexuality. They were detained from 14th to 16th January before being released on bond.²⁶

In another case, a lesbian woman was arrested when her neighbour complained to police about her sexual orientation and stated that they suspected that she was also a drug addict. When the police came to her house, she demanded to know why they were in her home, and on this basis was arrested for ‘being arrogant.’²⁷

In another case, a transgender woman was arrested by the police at 6pm for allegedly violating the curfew directives, and then released the following day without charge.²⁸

In addition, there have been cases where the police have arrested LGBT persons in cases where they were the victims of crime merely because the perpetrators informed the police about the sexual orientation of the victims. In one case, a gay man living in a shelter in Nansana went outside the gate to chase off four men that were hurling stones at the roof of their shelter, only to be met outside the gate by police officers who immediately arrested him for disobeying orders as to curfew time.²⁹ The police officers arrested him because they were aware that the shelter primarily housed LGBT persons, instead of arresting the four men that were clearly in violation of the curfew directive and trespassing on private property as well. In another case, two transgender women were attacked by revellers at a bar and beaten up for being

⁸³ Human Rights Watch, [Uganda LGBT Shelter Residents Arrested on COVID-19 Pretext](#), 3 April 2020

⁸⁴ OHCHR, [UN rights experts fear Uganda is using COVID-19 emergency powers to target LGBT people](#), 27 April 2020

⁸⁵ OHCHR, [UN rights experts fear Uganda is using COVID-19 emergency powers to target LGBT people](#), 27 April 2020

transgender, but when the bar tender called the police, they were both arrested for causing malicious damage to property- despite the fact that both were bleeding at the time and their assailants were apparently unharmed.³⁰ The alleged damage was the broken glass from the bottles with which they had been hit.⁸⁶

24 UN Working Group on Arbitrary Detentions 'Opinion No. 20/2021 concerning Douglas, Tumuhimbise, Andrew Kibalama, Saddam Kateregga, Raj Jjuuko, Kelvin Kugonza, Denis Ssamula, Abbey Gwanvu, Henry Mukibi, Kareem Yiga, Harris Tevin Kifuba, Jabel Tushabomwe, Ivan Kawooya, Ashiraf Walugembe, Jackson Mayanja, James Tendibwa, Mark Muhereza, Joel Oketch, Ronald Ssenyonga and Rodney Sheema (Uganda)' A/HRC/WGAD/2021/20, 9 July 2021.

25 HRAPF/ORG/02/03/20.

26 HRAPF/T&L/05/01/20.

27 HRAPF/L/09/01/20.

28 HRAPF/T/12/05/20. Public Health (Control of COVID - 19) (No.2) Rules, 2020. S.I No 55 of 2020. Rule 3 of the Rules clearly states that the curfew imposed would start at 1900 hrs (7 pm) to 0630hrs (6:30 am).

29 HRAPF/G/03/11/20.

30 HRAPF/T/05/12/20

In 2020 the UK organization ReportOut published research led by Drew Dalton, senior Lecturer in Sociology at the University of Sunderland, in partnership with seven local organisations, based on 76 survey responses on the situation of Sexual Orientation, Gender Identity, Expression and Sexual Characteristics (SOGIESC) in Uganda.⁸⁷ The report found that "A significant number of respondents had been arrested for 'offences' related to their identity (42.1%) with cases of police brutality reported by over a third of respondents (38.2%) who faced physical or verbal assaults once arrested".⁸⁸

Uganda Key Populations Consortium issued a report on the human rights violations in 2020 against sex workers during Covid-19 related lockdowns based on interviews with 83 sex workers, noting on 14 June 2020 that "in Nsambya Ave Maria - Mugwanya zone, a male sex worker was attacked and beaten by a group of angry community members accusing him of sodomising a young boy of 12 years, before attacking him they got information from Lc1 defence area that victims reported him a case claiming that client was sodomising them every day but they feared to report him at police or Lc1 because he was accommodating them. He was seriously beaten by the people and only to be rescued by the LC1 chairman who called police to take him away from the angry residents accusing him of promoting homosexuality and spoiling their children. He was taken to police to where he was charged of homosexuality and detained".⁸⁹

⁸⁶ Human Rights Awareness and Promotion Forum (HRAPF), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, 4.2 Number and nature of violations, 4.2.1 Violation of the right to liberty p.21-22

⁸⁷ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020

⁸⁸ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020, 9. Key Findings: prejudice and discrimination p.32

⁸⁹ Uganda Key Populations Consortium, [REPORT ON HUMAN RIGHTS VIOLATIONS EXPERIENCED BY SEX WORKERS DURING THE TOTAL COUNTRY LOCKDOWN DUE TO COVID 19 PANDEMIC- 2020](#), undated (accessed 10 July 2023), p.

2021

The U.S. Department of State annual human rights report covering 2021 listed among the ‘significant human rights issues’ in Uganda “existence of laws criminalizing consensual same-sex sexual conduct between adults”.⁹⁰ It further noted that “Consensual same-sex sexual conduct is criminalized according to a colonial-era law that criminalizes “carnal knowledge of any person against the order of nature” and provides for a penalty of up to life imprisonment. Attempts to ‘commit unnatural offences’, as laid out in the law, are punishable with seven years’ imprisonment. The government occasionally enforced the law”.⁹¹ Moreover, “Although the law prohibits arbitrary arrest and detention, security forces often arbitrarily arrested and detained persons, especially opposition leaders, politicians, activists, demonstrators, journalists, LGBTQI+ persons, and members of the general population accused of violating COVID-19 restrictions”.⁹²

The Human Rights Awareness and Promotion Forum (HRAPF) published a report on human rights violations based on sexual orientation and gender identity in 2021 based on contributions from six other organisations.⁹³ The report was based on “cases handled through the HRAPF legal aid network: the main legal aid clinic, the three regional legal aid centres, the two legal aid desks and the network of community paralegals, and contains only cases that have been independently verified through reference to case files, documentary evidence and interviews with the victims, lawyers and/ or paralegals that handled the cases”.⁹⁴ The report described:

Ordinarily, the right to liberty is routinely abused for all persons in Uganda, with arrests on the basis of vague and ill-defined petty offences being rampant,³⁷ as is the practice of holding people in detention for more than 48 hours. For LGBT persons, the violation of this right is far more common, with arbitrary arrests for non-existent offences based on the apparent/ presumed sexuality or gender identity of the victims being the most common. In 2021, 74 violations of this right were confirmed to have stemmed from the real or presumed SOGIE of the victims. The 74 violations of the right to liberty on the basis of SOGIE arose from 23 cases, and of the 74, 66 were violations of freedom from arbitrary arrests while 8 were violations of freedom from prolonged detention. All of these violations were perpetrated by state actors. [...]

There were 66 incidents of arbitrary arrests of LGBT persons during 2021, where LGBT persons were arrested in the absence of reasonable suspicion that they had committed a crime, or were about to

⁹⁰ US Department of State, [2021 Country Report on Human Rights Practices: Uganda](#), 12 April 2022, *Executive Summary*

⁹¹ US Department of State, [2021 Country Report on Human Rights Practices: Uganda](#), 12 April 2022, *Section 6. Discrimination and Societal Abuses, Section 6. Discrimination and Societal Abuses, Acts of violence, criminalization, and other abuses based on sexual orientation and gender identity*

⁹² US Department of State, [2021 Country Report on Human Rights Practices: Uganda](#), 12 April 2022, *Section 1. Respect for the Integrity of the Person, D. Arbitrary arrest or detention*

⁹³ Health and Rights Initiative; HOPE Mbale; Human Rights and Economic Empowerment Development (HUREED); Freedom and Roam Uganda; Mbarara Rise Foundation and Tranz Network Uganda

⁹⁴ HRAPF, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, *Preface p.4*

commit a crime; where LGBT persons were charged with non-existent crimes and detained for days on the basis of such crimes; where arrests were motivated purely by the desire to extort bribes from suspected LGBT persons and circumstances where people were arrested on allegations of committing sexual offences and then charged with entirely different offences following the highly publicised arrests. [...]

In 2021, there were eight documented incidents in which suspected LGBT persons were detained for longer than 48 hours before being taken to court. In one case, a gay man was arrested and detained for 13 days at two different police stations, during which time he was beaten brutally by police officers in a bid to get him to confess to being gay.⁵⁷ In another incident, 2 gay men from Mpigi were arrested and detained from 28 May 2022 to 16 July 2022, on charges of having carnal knowledge against the order of nature. They were never produced in court at all.⁵⁸

37 Human Rights Awareness and Promotion Forum, The implication of the enforcement of the 'idle and disorderly' laws on the human rights of marginalised groups in Uganda, Kampala, 2016. <https://hrapf.org/index.php/resources/research-reports/32-160929idleanddisorderlyresearchfinalreport/file>. [...]

57 HRAFP/VR/053/2021.

58 HRAFP/VR/050/2021

A January 2021 Erasing 76 Crimes article noted that “Transgender persons are also often taken to be gay and therefore run the risk of being arrested under Uganda’s anti-homosexuality law, Section 145 of the Penal Code Act. Provisions criminalizing ‘personation’ [fraudulent impersonation] in the Penal Code are also misapplied to arrest and charge transgender persons”.⁹⁶

CIVICUS reported that on 31 May 2021 “police officers arrested 44 people attending an engagement at an LGBTQI shelter, Happy Family Youth in Wakiso district. They were charged with ‘negligent act likely to spread an infectious disease’. During the arrest, the police allegedly beat up some of the men and recorded them, according to a video circulated on social media outing some of the attendees. According to reports, some of the men were subjected to anal examinations. On 8th June 2021, they were released on bail”.⁹⁷

Erasing 76 Crimes noted that in September 2021 charges against them were dismissed, explaining that “While the charges were COVID-19-related, it is believed the venue was targeted and raided because the shelter was believed to be one that housed LGBTI people” with “allegations that a gay wedding was taking place”.⁹⁸

As well as reporting on the May 2021 arrests at the Wakiso shelter, the HRAFP annual report for 2021 noted:

⁹⁵ HRAFP, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, 4.3.2. Violation of the right to liberty p.12

⁹⁶ Erasing 76 Crimes, [Uganda: Media bias leads to harassment of trans women](#), 5 January 2021

⁹⁷ CIVICUS, [Attack on Freedom of Expression and 44 People Arrested for Attending LGBTQI Engagement](#), 22 July 2021

⁹⁸ Erasing 76 Crimes, [Uganda: Charges dismissed against 42 arrested at LGBTQ shelter](#), 24 September 2021

In another case, a gay man was arrested from his home and taken to Ttuba Police post by two police officers, who informed him that the arrest was because they suspected that he was selling opium. On reaching the police station, however, he was informed that he had been arrested for homosexuality, was subjected to prolonged interrogation and then later released without any charges being preferred at all.⁴³ In a similar incident, a gay man was arrested on allegations of cyber harassment and taken to Lugoba Police Post, where he was told that he was arrested for homosexuality. He was subjected to an anal examination, after which he was unconditionally released.⁴⁴

There was also a well documented trend of suspected LGBT persons being arrested on that basis alone, and then charged with offences that do not exist at all, as have been witnessed in previous years.⁴⁵⁹⁹

43 HRAPF/VR/038/2021.

44 HRAPF/VR/037/2021.

45 See for instance Human Rights Awareness and Promotion Forum, Uganda Report of Human Rights Violations based on Sexual Orientation and Gender Identity, 2020, June 2021. <https://hrapf.org/index.php/resources/violation-reports/222-2020-uganda-report-of-human-rights-violations-based-on-sexualorientation-and-gender-identity/file>, accessed 26 July 2022.

Tranz Network Uganda (TNU) reported in September 2021 in a guide to the Sexual Offences Bill 2021 that “Transgender persons are [...] regarded by many as the face of the ‘gay community’ in Uganda, making them more susceptible and prone to targeted arrested [sic], discrimination and stigma”.¹⁰⁰

The November 2021 UN Human Rights Council Working Group on the Universal Periodic Review summary of stakeholder information noted that several stakeholders “reported that LGBTIQ+ people were often detained for long periods, and frequently, the police utilize vaguely defined petty offences to justify arrests that are purely homophobic”.¹⁰¹

The November 2021 Report of the Office of the United Nations High Commissioner for Human Rights for the Working Group on the Universal Periodic Review of Uganda noted that “The United Nations country team recommended that a systematic audit and review of legislation be conducted to ensure non-discrimination and that laws be expedited to guarantee effective enjoyment of equal rights. It further recommended that the Penal Code be amended to derogate section 145 on ‘unnatural offences’, which, when enforced, led to discrimination against lesbian, gay, bisexual, transgender, queer and intersex persons”.¹⁰²

⁹⁹ HRAPF, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, 4.3.2. Violation of the right to liberty p.13

¹⁰⁰ Tranz Network Uganda, [The Sexual Offences Bill 2021 and its Implications on Transgender Persons in Uganda \(A Simplified Guide\)](#), September 2021

¹⁰¹ UN Human Rights Council Working Group on the Universal Periodic Review, [Summary of Stakeholders’ submissions on Uganda*](#), 9 November 2021, paragraph 22, reference 31: 31 JS39 [Joint submission 39 submitted by: The Uganda LBQ Loose Network, CREA and the Sexual Rights Initiative (Uganda/Canada)], para. 13

¹⁰² UN Human Rights Council Working Group on the Universal Periodic Review, [Report of the Office of the United Nations High Commissioner for Human Rights: Compilation on Uganda](#), 9 November 2021, para 9

The Uganda Police Force's annual crime report recorded 80 cases of 'unnatural offences' in 2021 but it did not record whether these were for same-sex offences.¹⁰³

ILGA noted in a December 2021 report that:

34 examples of enforcement or State-backed targeting between 2005 and 2021 were identified by ILGA World.

This number in all likelihood does not account for the true scale of enforcement in Uganda, as the situation on the ground goes well beyond the black letter of the law.

Arbitrary arrests, high levels of community violence, lack of access to economic opportunities or healthcare, and widespread discrimination all compound an already fraught situation for queer residents.⁵⁸⁸¹⁰⁴

588 University of Sunderland, Report Out, Out in Uganda: The Lived Experiences of SOGIESC Ugandans (2020), 10

2022

In June 2022, SMUG International posted a blog piece on "active community cases at police/prison" giving the following updates:

1 Kiira Police Station (Bukoto-Kamwokya)

a Rella, an LGBT shelter was raided and shelter occupants detained at Kiira Police Station. (All shelter occupants), they are all now released (out of police custody)

b SMUG staff and detained for 5 days at Kiira Road police station. The SMUG staff were bonded and bond extended to next week. (2 people)

c A case of blackmail was reported against two gentlemen (MSM). The suspects were detained and bonded. Out on police bond, as police are still investigating. (2 people) [...]

1 Bulenga Police Station

Two LGBT community members were arrested and detained at the station for alleged sexual offences. The matter is at Court and suspects on remand in Kitalya Prison. (2 people).¹⁰⁵

A July 2022 statement by Sexual Rights Initiative, the Uganda LBQ Loose Network, CREA, and the Coalition of African Lesbians (CAL) on Uganda's Universal Periodic Review wrote that "Uganda continues to criminalize consensual same sex relations and due to this criminalization, the LGBT community experiences discrimination and various forms of violence by State and Non-State actors alike, such as [...] raids and mass arrests at various LGBTQ crisis shelters. These arrests are marked by police brutality and the humiliation of victims".¹⁰⁶ The statement further noted that "under the guise of enforcing Standard

¹⁰³ Uganda Police Force, [Annual Crime Report 2021](#), 24 May 2022, 1.3.4.3. *Other Sex-related Offences* p.10

¹⁰⁴ International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), [Our Identities Under Arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expression](#), December 2021, *Uganda* p.112

¹⁰⁵ SMUG International, [UPDATES: SEXUAL MINORITIES UGANDA – SMUG](#), 9 June 2022

¹⁰⁶ Sexual Rights Initiative, the Uganda LBQ Loose Network, CREA, and the Coalition of African Lesbians (CAL), [HRC50 - Statement on Uganda's UPR by LBQ Loose Network CREA, the CAL and SRI](#), 1 July 2022

Operating Procedures against COVID-19, the government orchestrated a clamp down on civil society, activists, and LGBTQ persons. Arresting them on claims of violating lockdown regulations”.¹⁰⁷

At the end of December 2022, SMUG International posted a review of the year, recounting the following:

This year, especially its last half, was very tumultuous to our community. We witnessed a spate of arrests, detentions without trial and raids, notable among which included; [...]

- [...] The raid on Queer Youth Uganda on the 21st day of November in which staff were arrested without cause and detained at Nateete Police Station - Kampala city suburb.
- An LGBTQI-friendly bar in Munyonyo, a Kampala suburb, was raided on the 22nd of November by the police a. [sic] Furthermore, the police in Ruti Police station raided one of the shelters in Mbarara. The police confiscated property including files among other things. Members belonging to the shelter were scrutinized and grilled by the police for long hours and later asked for a bribe to have them released on bond.
- On October 10th, 2022, the Pride Independence Worship Concert that was organized by Adonai Inclusive Christian Ministries was raided by police officers at Grand Global Hotel. The event was fully paid for, but they were denied entry into the premises because of their sexual orientation and gender identity. TFAM, an LGBTQ-inclusive Christian Church had its members arrested yet they went to report a burglary on their premises.
- There were also attacks and blackmail levied on SMUG that somehow made their way even to mainstream media. The result of this was our suspension by the Non-Governmental Organizations Board. Our staff were arrested, and some returned sick, among a series of other heinous acts and omissions taken by those in authority, including a riad [sic] by unknown people on our premises.¹⁰⁸

The U.S. Department of State annual human rights report covering 2022 listed among the ‘significant human rights issues’ in Uganda “existence of laws criminalizing consensual same-sex sexual conduct between adults, albeit not fully enforced”.¹⁰⁹ It further detailed that “Consensual same-sex sexual conduct is illegal according to a colonial-era law that criminalizes ‘carnal knowledge of any person against the order of nature’ and provides for a penalty of up to life imprisonment. Although the government did not directly enforce this law, it used this provision indirectly to restrict the rights of LGBTQI+ persons”.¹¹⁰

The same source further noted that “Although the law prohibits arbitrary arrest and detention, security forces often arbitrarily arrested and detained persons, especially opposition leaders; politicians;

¹⁰⁷ Sexual Rights Initiative, the Uganda LBQ Loose Network, CREA, and the Coalition of African Lesbians (CAL), [HRC50 - Statement on Uganda's UPR by LBQ Loose Network CREA, the CAL and SRI](#), 1 July 2022

¹⁰⁸ SMUG International, [SMUG Int'l Year-in- Review](#), 31 December 2022

¹⁰⁹ US Department of State, [2022 Country Report on Human Rights Practices: Uganda](#), 20 March 2023, *Executive Summary*

¹¹⁰ US Department of State, [2022 Country Report on Human Rights Practices: Uganda](#), 20 March 2023, *Section 6. Discrimination and Societal Abuses, Reproductive Rights, Discrimination, Acts of violence, criminalization, and other abuses based on sexual orientation, gender identity or expression, or sex characteristics*

activists; demonstrators; journalists; lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons; and members of the general population accused of violating COVID-19 restrictions”.¹¹¹

The Uganda Police Force’s annual crime report recorded 83 cases of ‘unnatural offences’ in 2022 but it did not record whether these were for same-sex offences.¹¹²

January – August 2023

ILGA explains in its current webpage on Uganda that “Given the widespread conflation of gender identity and expression with sexual orientation, trans and gender diverse individuals are at risk of being targeted under Uganda’s criminalisation of consensual same-sex acts between adults. Intersex persons, too, are likely to be subject to such targeting”.¹¹³

In March 2023 Human Rights Watch considered that “The continued criminalization of same sex conduct and crackdowns on sexual minorities in Uganda has had far reaching impacts, Human Rights Watch said. Within five months of the passing of the 2013 Anti-Homosexuality Act LGBT people faced a notable increase in arbitrary arrests, police abuse and extortion, loss of employment, evictions and homelessness, and scores fled the country”.¹¹⁴

A Daily Monitor article in March 2023 documented the arrest of a teacher in Jinja on allegations of promoting homosexuality:

Police in Jinja have arrested a female teacher at PMM Girls School in Jinja City on allegations of promoting homosexuality.

Kiira regional police spokesperson James Mubi said the teacher is being questioned as part of their investigations.

He said the teacher was arrested after her alleged lesbian partner reported to police, accusing her of neglecting her and engaging in recruiting school girls into their vice.

“Her alleged Lesbian partner, a 30-year-old, surrendered to police. We have the couple in our custody. The partner claims the teacher has been cheating on her and not providing her with basic needs,” he said in an interview at the weekend.

“But the suspect testified to police that she rented a house for her partner and set up for her timber business and she disputed allegations of not providing basic needs to her alleged lesbian partner,” Mr Mubi added.

He said according to her lesbian partner, the teacher has been behaving like a man, including even the dress code.

Mr Mubi said the two will be taken to court on charges of sexual harassment once the case file has been concluded.

¹¹¹ US Department of State, [2022 Country Report on Human Rights Practices: Uganda](#), 20 March 2023, *Section 1. Respect for the Integrity of the Person, D. Arbitrary arrest or detention*

¹¹² Uganda Police Force, [Annual Crime Report 2022](#), 22 February 2023, 1.3.5. *Other Sex-related Offences* p.49

¹¹³ ILGA, [World database](#), undated current webpage (accessed 23 June 2023), *Uganda*

¹¹⁴ Human Rights Watch, [Uganda: New Anti-Gay Bill Further Threatens Rights](#), 9 March 2023

This came a day after hundreds of parents stormed PMM Girls' School in Jinja City on Friday, protesting against the alleged existence of the teacher promoting homosexuality and lesbianism.¹¹⁵

An update posted in the SMUG International Blog at the beginning of March 2023 listed the following incidents in 2023 thus far:

Kampala [...]

- On Saturday, 17th February 2023, three Trans women were arrested from their homes and taken to the Kabalagala Police Station. They were charged with committing "unnatural offenses". On 21st February 2023, they were subjected to anal examination to "help with investigations". Their homes were searched and they have all been released on police bond.
- An LGBTI community member was arrested upon being suspected to be a gay man. He was arrested on 21st February and detained at Kabalagala Police Station. He was arrested with his brother who at the time of the arrest was residing with him at his residence. He was released, but his phone was retained by the police for screening. [...]
- Kawaala Transgender members

Three transgender persons were arrested and detained for three days at Nansana Police Station for allegations of being LGBTQ. They were undressed to ascertain their sexuality. They were subsequently released after three days without any preferred charge upon the intervention of a legal aid service provider. [...]

- Seven (7) LGBTI community members were arrested and detained on 28th February 2023 at Namera Police Station. They had come to visit a friend who is a resident in the area. They were arrested on complaints by neighbors suspecting them to be LGBTQ community members. There is no charge preferred at the time of making this report. The arrested persons are mostly transgender persons.¹¹⁶

Following the Anti-Homosexuality Bill 2023 being signed into law at the end of March 2023, the UN Human Rights chief Volker Türk stated that the legislation "exposes journalists, medical workers and human rights defenders to lengthy prison terms simply for doing their work".¹¹⁷

Human Dignity Trust reported that "In March [2023], eight people were arrested on charges related to their sexual orientation in two separate cases in the city of Jinja. Six men were arrested in relation to a video allegedly showing them engaged in sexual activity and were charged with indecency and procuring gross indecency. In a separate case the Deputy Head of a girls school and her alleged partner were charged with gross indecency and procurement of gross indecency. The women were arrested following protests by parents and students, who stormed the school accusing her of recruiting students into lesbianism".¹¹⁸

¹¹⁵ The Daily Monitor, [Jinja teacher arrested over lesbianism](#), 6 March 2023

¹¹⁶ SMUG International, [2023 Uganda LGBTQ UPDATE](#), 1 March 2023

¹¹⁷ UN News, [Uganda: Türk urges President not to sign shocking anti-homosexuality bill](#), 22 March 2023

¹¹⁸ Human Dignity Trust, [Uganda country profile](#), undated webpage (accessed 10 July 2023), *Enforcement*

A March 2023 article in African Arguments on Uganda's anti-gay bill noted that: "LBGTI people are routinely harassed: there have been numerous acts of violence, and numerous arrests. The current wave of anti-gay rhetoric means these dynamics are further amplified: there have been raids on LGBT-friendly bars and shelters, leading to numerous arrests".¹¹⁹

The Guardian noted in an article in March 2023 "Smug [Sexual Minorities Uganda] said it had received reports of people having to flee their homes to avoid arrest by police tipped off by the public. [...] Three trans women were arrested at their homes in the capital, Kampala, last month, and charged with committing "unnatural offences" and subjected to anal examinations".¹²⁰

Tranz Network Uganda (TNU) reported in March 2023 that "The effects of the passing of the [Anti-Homosexuality Bill] Bill have been witnessed through [...] unlawful arrests [...]. This has greatly threatened the security and lives of many transgender persons in Uganda".¹²¹

The East African reported in March 2023 that "Last week, police said they had arrested six men for "practising homosexuality" in the southern lakeside town of Jinja. Another six men were arrested on the same charge on Sunday, according to police".¹²²

Ahead of the Anti-Homosexuality Bill 2023 being signed into law at the end of March 2023, OHCHR noted that in February "more than 110 LGBTQI+ people reported incidents, including arrests, sexual violence, evictions and public stripping".¹²³ The Guardian noted that the figures were reported by Sexual Minorities Uganda who documented that transgender people were disproportionately affected.¹²⁴ Frank Mugisha, director of SMG was cited as stating that "We haven't seen anything like this in years".¹²⁵ It was further reported "Smug said it had received reports of people having to flee their homes to avoid arrest by police tipped off by the public. Attacks have taken place at private events, parties and football games. Three trans women were arrested at their homes in the capital, Kampala, last month, and charged with committing 'unnatural offences' and subjected to anal examinations".¹²⁶

Pink News reported in April 2023 on the arrest of six men for having sex, stating that:

Uganda's Anti-Homosexuality Bill is yet to be passed, but the country is already cracking down on its LGBTQ+ community, with police arresting six men accused of having gay sex.

The men, aged between 20 and 26, were detained by police after a 17-second video of them engaging in sexual activities was seen on social media.

¹¹⁹ African Arguments, [Unpacking the geopolitics of Uganda's anti-gay bill](#), 10 March 2023

¹²⁰ The Guardian, [LGBTQ+ groups face crackdowns in Uganda as environment turns hostile](#), 14 March 2023

¹²¹ Tranz Network Uganda, [TNU Transgender Day of Visibility \(TDOV\) 2023 Statement](#), 31 March 2023

¹²² The East African, [Uganda faces calls to reject 'appalling' anti-LGBTQ bill](#), 23 March 2023

¹²³ UN News, [Uganda: UN rights chief calls on President not to sign anti-homosexuality bill](#), 22 March 2023

¹²⁴ Guardian, [LGBTQ+ groups face crackdowns in Uganda as environment turns hostile](#), 14 March 2023

¹²⁵ Guardian, [LGBTQ+ groups face crackdowns in Uganda as environment turns hostile](#), 14 March 2023

¹²⁶ Guardian, [LGBTQ+ groups face crackdowns in Uganda as environment turns hostile](#), 14 March 2023

The men appeared at court in the southern city of Jinja on Tuesday (18 April), where judge Yafesi Ochieng denied them bail, claiming they were being detained in custody for their own safety.

“It is our mandate as the court to protect the accused persons. Releasing them to a biased society cannot guarantee their safety, so prison is their safe place,” Ochieng said.

The men were charged with indecency and their case will be heard on 10 May. [...]

The prosecution said the men were part of a network grooming young boys to commit sodomy, and claimed they “were recording pornographic and sex videos and streaming live sessions, which they submitted to donors for funding”.¹²⁷

In April 2023 Erasing 76 Crimes published a blog from Melanie Nathan, executive director of the African Human Rights Commission which noted that the Jinja court had “denied bail to 6 young peer educators working for healthcare organizations, falsely accused, under made-up charges of ‘forming part of a criminal sexual network’.”¹²⁸ The same source further noted that “The men were arrested in Kiira and Jinja City pursuant to what the Ugandan government publicly promised would be a crackdown on organizations providing services to LGBTI people”.¹²⁹

In April 2023 the Human Rights Awareness and Promotion Forum (HRAPF) issued a report outlining arrests, evictions and violence following the passing of Uganda’s Anti-Homosexuality Bill in the one month period from 21st March to 20th April 2023 based on cases handled by HRAPF’s network of lawyers and community paralegals across the country and thus is not exhaustive.¹³⁰ The report detailed with regards to arrests that:

There have been 11 arrests of LGBTQ people on grounds of their presumed sexuality and/or gender identity. These arrests involved a total of 20 persons. Of the 11 cases, 7 cases did not proceed to court while in 4 cases, the cases proceeded to court. [...]

In addition, in nearly all these cases, the police has made a deliberate effort to publicise these arrests, naming the victims and often even displaying their faces, which makes it difficult for them to return to their homes (or even find rental accommodation elsewhere) after their release from prison. In some cases, the police does this by simply announcing the arrest to the neighbours, involving the landlord and local area leadership and thus making it impossible for one to return to the village safely after their release.¹³¹

The same source detailed some recent cases, including:

¹²⁷ Pink News, [Uganda police arrest six men for having sex as horrific new anti-gay bill inches closer to reality](#), 21 April 2023

¹²⁸ Erasing 76 Crimes, [Six Peer Educators Arrested in Ugandan Gay Hunts Denied Bail](#), 17 April 2023

¹²⁹ Erasing 76 Crimes, [Six Peer Educators Arrested in Ugandan Gay Hunts Denied Bail](#), 17 April 2023

¹³⁰ Human Rights Awareness and Promotion Forum (HRAPF), [Arrests, evictions and violence: Reports of Violations Against LGBT persons for the first month following the passing of Uganda’s Anti-Homosexuality Bill 2023](#), 21 April 2023

¹³¹ Human Rights Awareness and Promotion Forum (HRAPF), [Arrests, evictions and violence: Reports of Violations Against LGBT persons for the first month following the passing of Uganda’s Anti-Homosexuality Bill 2023](#), 21 April 2023

In one of these cases, a group of six people were arrested and charged with having carnal knowledge against the order of nature because the area local chairperson saw a video from a gay porn site in which one of the actors looked like one of the victims. Even if this was later found to be untrue, the entire group was still charged only because the place where they were arrested from was searched and the police found lubricants, condoms, PrEP medication and other HIV prevention commodities, as it was the office of an LGBTQ support organisation. The entire group was held for 12 days before they appeared in court. A similar thing happened to a man in Lyantonde who was arrested and held for three days because a journalist living in his neighbourhood found a gay porn video in which one of the actors looked like the victim. [...]

In another case, a man was arrested, initially charged with possession of narcotics and a search conducted at his house. No narcotics were found, but once the police found lubricants, they then informed him that they had heard from his neighbours that he was a homosexual and they just wanted proof, which they had found. He was detained for 4 days. In another incident, a gay man was arrested and detained for 4 days upon suspicion that he was a homosexual and assaulted some students at a college where he was studying, although this was later found to be false. In another case, three women were arrested at a landing site in Buikwe district and held for 6 days, and they were specifically informed that under the new law, it was also illegal for women to have sex. They were never produced in court, however, and were later released without charge.¹³²

A follow up HRAPF report covering the period between 21st March 2023 and 30th May 2023 noted that there had been “15 arrests of LGBTIQ people on grounds of their presumed sexual orientation and/or gender identity. These arrests involved a total of 20 persons. Of the 15 cases, 9 cases did not proceed to court while in 6 cases, the matters proceeded to court”.¹³³ It detailed further incidents:

Two men were arrested on allegations that they had stolen money and held from 16th April 2023 to 5th May 2023, and for the first week, they were not allowed to call a lawyer. However, they were both eventually charged with having carnal knowledge against the order of nature. This came after the investigating officer had failed to get one of them to confess and state that the other had recruited him into homosexuality. Two other gay men were also arrested on 29th April and arraigned on 8th May, and they were arrested because the neighbours suspected the two of being gay and called the police on them. A female identifying intersex person was arrested, held for three days and details of her arrest and identity shared widely through social media by police officers because she was found in possession of sex toys at a brothel.¹³⁴

The Centre for Strategic and International Studies noted in May 2023 that “Just since February 2023, human rights groups have registered over 150 violations, including two hate crime fatalities against

¹³² Human Rights Awareness and Promotion Forum (HRAPF), [*Arrests, evictions and violence: Reports of Violations Against LGBT persons for the first month following the passing of Uganda's Anti-Homosexuality Bill 2023*](#), 21 April 2023

¹³³ Human Rights Awareness and Promotion Forum (HRAPF), [*Increasing violence: cases of violence and violations against real or suspected LGBTIQ persons for the period between passing of the Anti-Homosexuality Bill, 2023 \(21 March 2023\) and its coming into force \(30th May 2023\)*](#), 19 June 2023

¹³⁴ Human Rights Awareness and Promotion Forum (HRAPF), [*Increasing violence: cases of violence and violations against real or suspected LGBTIQ persons for the period between passing of the Anti-Homosexuality Bill, 2023 \(21 March 2023\) and its coming into force \(30th May 2023\)*](#), 19 June 2023

individuals perceived to be LGBTIQ+ and over 15 incidents of arrests and detention of people suspected to be LGBTIQ+ have been reported in the media”.¹³⁵

In mid-June 2023, SMUG International noted that “The Anti-Homosexuality Act 2023, Act (No. 6 of 2023) was assented, to by the President of Uganda on the 26th day of May 2023. [...] The law is currently in force. [...] LGBTIQ persons are living in real fear of mob violence, persecution and prosecution”.¹³⁶ The statement also wrote that “Since the tabling of the Act in Parliament, the LGBTIQ community has registered a sharp increase in violations”, including 16 cases of detention and arrest.¹³⁷

At the beginning of June 2023, human rights activist Frank Mugisha wrote a commentary for the Ugandan Observer on his petition to the Constitutional Court that seeks to have the law overturned, writing that “arrests and detentions of queer folks are ongoing with reckless abandon. The law enforcement in concert with members of the public are sweeping in and those suspected, are facing it rough and this is mostly the poor and uneducated without access to lawyers, and many are now on remand”.¹³⁸

A follow up HRAFP report covering the period 30th May to 30th June 2023 recorded that there had been “4 cases of arrests on sexuality-related cases, affecting 7 persons”.¹³⁹ The report further documented that in three arrests, the persons arrested were charged with homosexuality under the Anti-Homosexuality Act, 2023 while in one case, the client was charged with unnatural offences under the Penal Code Act.¹⁴⁰ and gave the following details of each case:

A female-identifying intersex person was arrested in a brothel where she was with another woman. In her possession were two sex toys and, even if the two were not actually found sex, the intersex woman was arrested and charged with unnatural offences under the Penal Code Act, and the matter was spread on social media by the police authorities. [...]

The client was arrested on allegations that he had engaged in sexual relations with a young man, and he was later arraigned before court on charges of homosexuality and aggravated trafficking in persons. The arrest was widely publicized both by the police authorities and media houses that picked up the story. [...]

Two persons who used to live together were arrested on suspicion that they were sexual partners and were taken to the police station. They were arrested after their landlord went to the police station and reported that they were homosexuals. [...]

¹³⁵ Centre for Strategic and International Studies, [Uganda’s Horrific Anti-LGBTIQ+ Bill Returns: The Stakes Are Higher Than Ever](#), 3 May 2023

¹³⁶ SMUG International, [Effect of Anti-Homosexual Act 2023 in Uganda](#), 16 June 2023

¹³⁷ SMUG International, [Effect of Anti-Homosexual Act 2023 in Uganda](#), 16 June 2023

¹³⁸ The [Ugandan] Observer, [Why I petitioned court against the Anti-Homosexuality Act](#), 6 June 2023

¹³⁹ Human Rights Awareness and Promotion Forum (HRAFP), [One Month After: Increasing Cases of Violence and Violations Based on Real or Presumed Sexual Orientation and Gender Identity in the First Month of the Enforcement of the Anti-Homosexuality Act, 2023](#), 14 July 2023, p.2

¹⁴⁰ Human Rights Awareness and Promotion Forum (HRAFP), [One Month After: Increasing Cases of Violence and Violations Based on Real or Presumed Sexual Orientation and Gender Identity in the First Month of the Enforcement of the Anti-Homosexuality Act, 2023](#), 14 July 2023, p.19-20

In this case, three people living at an crisis shelter were arrested and detained for two days on charges of promotion of homosexuality and child grooming. This happened when, following a tenancy dispute with their landlord, he reported to the police that the organisation was promoting homosexuality and harbouring young people in the shelter located at his house. One of the persons detained was the administrator of the shelter while the other two were residents.¹⁴¹

In August 2023, HRAPF released a follow up report marking two months of the Anti-Homosexuality Act in force, covering the period 1st to 31st July 2023. It reported that:

There were a total of 6 arrests of people on grounds related to their sexual orientation/gender identity in the month of July 2023, with 10 individuals being affected. The police authorities have continued to actively enforce the law and charge persons under the Anti-Homosexuality Act, 2023, with 3 cases involving charges under the Anti-Homosexuality Act, 2023 and affecting 4 persons.

However, none of the cases reported in July were sent to court by the office of the Director of Public Prosecutions. A number of charges are being preferred under other laws, including one charge of indecent practices under the Penal Code Act, one of cyber harassment under the Computer Misuse Act, and one of domestic violence under the Domestic Violence Act, affecting 6 people.

Again, most of the cases (4), occurred in the Kampala/ Wakiso Metropolitan area and one each in Busia and Dokolo.¹⁴²

The report gave the following details on individual arrests:

A man was arrested after a person he had met on a dating app turned against him and demanded money from him in exchange for not reporting him as a homosexual to the police. The client was held for 1 day on

the basis of the social media chat exchanged with the complainant, but the complainant was never questioned even though he initiated the interaction. [...]

A man met another man on a popular gay dating app and the two started chatting about their shared interests for several days until they agreed to meet up. When the client went to meet the man, he found him with a police officer who immediately arrested him and told him he had been engaged in sending lewd and offensive messages to the complainant on social media, despite the fact that the complainant initiated the interactions. He was held for three days. [...]

The police while looking into charges of trafficking in persons against a friend of two transgender women found them at her home and arrested them instead, accusing them of being homosexuals. They were detained for two days. [...]

A man and a transgender woman were seen kissing near the entrance to their home by a neighbour, who called the police and reported that the two had been seen having sex and that they were homosexuals. They and the two other people who lived with them in the house were all arrested and held at police for 3 days. [...]

¹⁴¹ Human Rights Awareness and Promotion Forum (HRAPF), [*One Month After: Increasing Cases of Violence and Violations Based on Real or Presumed Sexual Orientation and Gender Identity in the First Month of the Enforcement of the Anti-Homosexuality Act, 2023*](#), 14 July 2023, p.19-20

¹⁴² Human Rights Awareness and Promotion Forum (HRAPF), [*Two Months After: Report on Violence and Violations on the Basis of Real or Presumed Sexual Orientation and/or Gender Identity Two Months After the Anti-Homosexuality Act Came into Force*](#), 9 August 2023, p.15

A transgender man had a fight with one of his siblings and as a result, the family took him to the police station where he was held. However, during the intervention, the police officer repeatedly stated that the family of the victim were really just tired of their homosexuality and were too embarrassed to even report them for the real crime they had committed of homosexuality and had to disguise it as domestic violence. Both the family and the investigating officer assigned to the case repeatedly heckled and verbally insulted the victim during the two days they were held at the station. [...]

An intersex woman who had been working as a house help had a disagreement with her employer, who accused her of stealing 25,000/- and reported her to the police, but the employer also asked the officer to check the client's genitalia because she (the employer) was sure the client had a penis. This physical examination was conducted at police and, on the basis of the fact that the client's genitalia was ambiguous, the client was arrested and detained for a week on charges of homosexuality.¹⁴³

In July 2023, the UN Human Rights Committee's concluding observations on the second periodic report of Uganda stated that it was concerned about "reports of arbitrary arrests of LGBTI persons based on the Penal Code Act and the Anti-Homosexuality Act (arts. 2–3, 7, 17 and 26)".¹⁴⁴

1. Entrapment

2020

In 2020 the UK organization ReportOut published research led by Drew Dalton, senior Lecturer in Sociology at the University of Sunderland, in partnership with seven local organisations, based on 76 survey responses on the situation of Sexual Orientation, Gender Identity, Expression and Sexual Characteristics (SOGIESC) in Uganda.¹⁴⁵ The report found that "SOGIESC respondents were asked about their opinions and perceptions of violence. Often as a precursor to violence is blackmail, with a total of 77.7% of respondents who said that blackmail toward SOGIESC people (from others) was either 'fairly' or 'very widespread' (30.3% and 47.4% respectively)".¹⁴⁶

The HRAFP detailed the following incident that had been recorded in February 2020 "In one case, a gay man was continuously extorted with the help of police officers to whom he paid over four million Ugandan shillings to avoid being outed".¹⁴⁷

2021

¹⁴³ Human Rights Awareness and Promotion Forum (HRAFP), [*Two Months After: Report on Violence and Violations on the Basis of Real or Presumed Sexual Orientation and/or Gender Identity Two Months After the Anti-Homosexuality Act Came into Force*](#), 9 August 2023, p.15-18

¹⁴⁴ UN Human Rights Committee, [*Concluding observations on the second periodic report of Uganda \(advance unedited version\)*](#), 26 July 2023, p.3

¹⁴⁵ ReportOUT, [*Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020*](#), 2020

¹⁴⁶ ReportOUT, [*Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020*](#), 2020, 10. Perceptions: Forms of Violence p.35

¹⁴⁷ Human Rights Awareness and Promotion Forum (HRAFP), [*The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity*](#), June 2021, 4.2.7 Violation of the right to property p.28

In its annual report for 2021 HRAPF described that:

Other circumstances in which an arrest may be considered arbitrary or unlawful include arrests for purposes of extorting bribes,⁴⁰ which is a fairly common occurrence for marginalised communities in Uganda.⁴¹¹⁴⁸

37 Human Rights Awareness and Promotion Forum, The implication of the enforcement of the 'idle and disorderly' laws on the human rights of marginalised groups in Uganda, Kampala, 2016. <https://hrapf.org/index.php/resources/research-reports/32-160929idleanddisorderlyresearchfinalreport/file>.

40 Above, page 5, para 17.

41 See generally n 37 above.

Reporting on incidents in 2021, HRAPF noted "There was also one case in which a gay man was entrapped by a police officer, who worked with another young man to lure the gay man into meeting this person at home only for the police officer to show up as the two were still chatting and demand for Uganda Shillings One Million or he would be taken to the station and charged".¹⁴⁹

2022

No information was found amongst the sources consulted on entrapment of the LGBTIQ+ community in 2022, but note that at the time of writing the HRAPF annual report for 2022 is not yet available.

January – June 2023

Reuters reported in early March 2023 on the backlash against LGBT Ugandans following the parliament ordering of an investigation the previous month into the alleged promotion of homosexuality in schools, stating that "People have gone back into hiding, people have gone back into the closet ... people are getting arrested. There's a lot of blackmail and extortion by law enforcers," said Frank Mugisha, an LGBT rights activist whose charity was shuttered last year. Kampala-based human rights advocate Adrian Jjuuko said he was aware of victims who had been detained, beaten and threatened."¹⁵⁰

The BBC reported in March 2023, after the passing of the anti-homosexuality bill, that:

A rights activist told the BBC the debate around the bill had led to fear of more attacks on gay people.

"There is a lot of blackmail. People are receiving calls that 'if you don't give me money, I will report that you are gay,'" they said. [...]

"Members of the queer community have been blackmailed, extorted for money or even lured into traps for mob attacks," the activist said.

¹⁴⁸ HRAPF, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, 4.3.2. Violation of the right to liberty, a) Freedom from arbitrary arrest p.13

¹⁴⁹ HRAPF, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, 4.3.2. Violation of the right to liberty, a) Freedom from arbitrary arrest p.13

¹⁵⁰ Reuters, [LGBT Ugandans face backlash as parliament launches schools investigation](#), 3 March 2023

"In some areas even law enforcers are using the current environment to extort money from people who they accuse of being gay. Even some families are reporting their own children to the police."¹⁵¹

In April 2023 the Human Rights Awareness and Promotion Forum (HRAPF) issued a report outlining arrests, evictions and violence following the passing of Uganda's Anti-Homosexuality Bill in the one month period from 21st March to 20th April 2023 based on cases handled by HRAPF's network of lawyers and community paralegals across the country and thus is not exhaustive.¹⁵² The report detailed with regards to arrests and cases of physical violence that:

There have been 11 arrests of LGBTQ people on grounds of their presumed sexuality and/or gender identity. These arrests involved a total of 20 persons. Of the 11 cases, 7 cases did not proceed to court while in 4 cases, the cases proceeded to court. [...]

In another case, a gay man was arrested and charged with 'attempting to have carnal knowledge against the order of nature' after an individual he found on Grindr, a popular dating/ sex app, turned on him at their meeting point, demanding money, and when he refused to be extorted, this person had him arrested and later produced in court for allegedly attempting to sodomise him. He was detained for 7 days before he was taken to court. Two other persons were arrested under similar circumstances but their cases did not proceed court. [...]

These were eight cases of physical violence. [...] In another incident, a transgender woman reported being harassed by a journalist, who insisted on having a conversation with her about her life even if she repeatedly refused. Eventually, she agreed to have a casual chat with a different journalist, who she thought was friendly to her, but the following morning, their conversation was played on the local radio station. She has since faced threats from her neighbours and family because during the recorded conversation, she admitted to dressing as a female because she identified as a transgender woman¹⁵³

2. Mistreatment in investigations

ii. Treatment in detention facilities

This section should be read in conjunction with section [III., c. Harassment and violence](#).

2020

According to Freedom House's annual report on political rights and civil liberties covering events in 2020, "Men and transgender women accused of consensual sex are sometimes forced to undergo an anal exam that Human Rights Watch (HRW) says could amount to torture".¹⁵⁴

¹⁵¹ BBC News, [Uganda Anti-Homosexuality bill: Life in prison for saying you're gay](#), 22 March 2023

¹⁵² Human Rights Awareness and Promotion Forum (HRAPF), [Arrests, evictions and violence: Reports of Violations Against LGBT persons for the first month following the passing of Uganda's Anti-Homosexuality Bill 2023](#), 21 April 2023

¹⁵³ Human Rights Awareness and Promotion Forum (HRAPF), [Arrests, evictions and violence: Reports of Violations Against LGBT persons for the first month following the passing of Uganda's Anti-Homosexuality Bill 2023](#), 21 April 2023

¹⁵⁴ Freedom House, [Freedom in the World 2021 - Uganda](#), 3 March 2021

The U.S. Department of State annual human rights report covering 2020 noted that “The UPF [Uganda Police Force] and UPS [Uganda Prisons Service] denied some political and some LGBTI detainees access to their lawyers as they prepared their legal defense”.¹⁵⁵ The same source described:

According to civil society organizations, UPF and LDU officers—together with local government officials—raided the Children of the Sun Foundation shelter in Kyengera Town on March 29 and arrested 20 LGBTI persons, accusing them of violating COVID-19 public health guidelines by gathering in a closed space. Activists said the mayor of Kyengera, Abdul Kiyimba, personally beat two of the suspects “as he questioned them about their homosexuality.”

Lawyers for the group reported prison authorities repeatedly denied them access to their clients while in pretrial detention, citing government restrictions on movement aimed at combatting COVID-19. On May 15, after the LGBTI persons’ lawyers filed suit, the UPS granted the lawyers access to the 20 LGBTI persons, two of whom stated UPS wardens subjected them to forced anal exams. On May 19, the UPS released 19 LGBTI persons, after the Office of the Director of Public Prosecution dropped all charges on May 15. The UPS released the final person on May 27. LGBTI activists reported on July 21 that they had sued the Kitalya prison deputy commander, Philemon Woniala, and Kyengera mayor Abdul Kiyimba for torture and inhuman treatment. The case continued at year’s end.¹⁵⁶

Describing the arrest of 23 young LGBTI people living in a shelter in March 2020, Amnesty International noted that “Four were released on medical grounds during the first three days after their arrest; the remaining 19 were charged with ‘negligent acts likely to spread infectious diseases’ and ‘disobeying legal orders’ and were detained without access to their lawyers or to medical treatment. Some were denied access to anti-retroviral medications. They were released on 18 May, and in June the High Court awarded each of them compensation of UGX5 million (US\$1,360) for being arbitrarily detained by the police for 50 days”.¹⁵⁷ Lawyers from Human Rights Awareness and Promotion Forum who were representing the detainees stated that:

[...] we have been unable to reach the clients in prison. We initially went to Kitalya Prison and the Officer in Charge denied having the 20 in custody. They suggested Kabasanda Prison where we also went but the 20 were not in any of the records. We reached Kitalya Prison again and the Officer in Charge confirmed having the 20 in custody but that no visitors including lawyers were allowed except with the permission of the Commissioner General of Prisons.¹⁵⁸

After 26 days they had reportedly been held without receiving a conviction or permission to apply for bail.¹⁵⁹ Describing the same case, ILGA noted that “It is reported that detainees were beaten, bound in

¹⁵⁵ US Department of State, [2020 Country Reports on Human Rights Practices: Uganda](#), 30 March 2021, *Section 1. Respect for the Integrity of the Person, D. Arbitrary arrest or detention*

¹⁵⁶ US Department of State, [2020 Country Reports on Human Rights Practices: Uganda](#), 30 March 2021, *Section 6. Discrimination, Societal Abuses, and Trafficking in Persons, Women*

¹⁵⁷ Amnesty International, [Annual Report 2020: Uganda](#), 7 April 2021

¹⁵⁸ Erasing 76 Crimes, [Uganda: Barred from seeing 20 prisoners, lawyers seek their release](#), 3 April 2020

¹⁵⁹ Erasing 76 Crimes, [The Uganda 19: Lawyers barred; no chance of bail; 26 days in prison and counting](#), 24 April 2020

ropes like a chain-gang and marched barefoot through the streets to the nearest police station, with police and members of the public jeering at and mocking them. While incarcerated they were allegedly tortured, caned, denied food and medical assistance, and were given no access to legal representation”.¹⁶⁰

Human Rights Awareness and Promotion Forum issued a statement about the lawsuit which provided further details about the treatment of the detainees:

Twenty of them were eventually charged with ‘doing a negligent act likely to spread infection of disease,’ contrary to Section 171 of the Penal Code Act, before the Chief Magistrates Court of Mpigi at Nsangi. They were then remanded to Kitalya Mini-Maxi Prison, where they were held for over 50 days, during which period they endured a myriad of forms of violence, ranging from taunting, flogging, scalding, subjection to corporal punishment, as well as denial of access to food, sanitary facilities and medication. In one particularly extreme incident, the Deputy Officer in Charge of Kitalya Mini Maxi Prison, Principal Officer, Philimon Woniala personally asked one of the 20 to strip naked, and then burnt him with a burning piece of wood between the thighs.¹⁶¹

Human Rights Watch reporting on the award of damages noted that:

On June 15, the court ruled that the prison system’s refusal to allow the 20 people access to counsel violated their rights to a fair hearing and to liberty. The 20 people, who were residents of the Children of the Sun Foundation (COSF) shelter, had been detained for over 6 weeks without access to lawyers.

Human Rights Watch reported on the arrests and, on May 11, sent the director of public prosecutions, Jane Abodo, an open letter calling for dismissal of the charges. Abodo, in acknowledging receipt of the letter, pledged to work to rectify the situation that Human Rights Watch had highlighted. The Office of the Director of Public Prosecutions did withdraw the charges, and on May 18, the Nsangi Magistrate’s Court ordered the release of the 20 detainees who had been taken from the shelter. [...]

The “COSF-20,” as the 20 were nicknamed, were represented by lawyers from the Kampala-based legal aid group Human Rights Awareness and Promotion Forum (HRAPF). HRAPF said some of the COSF-20 suffered torture, ill-treatment, and possible exposure to Covid-19 while detained. HRAPF has filed a complaint with the commissioner general of Uganda’s prison system about one prison officer who allegedly personally participated in or oversaw the beating and burning of some of the COSF-20 – abuses that were based on their perceived sexual orientation and gender identity.¹⁶²

Reporting in April 2020 on the arrest and detention of inhabitants of an LGBT shelter under COVID-19 regulations, UN Experts expressed concern over detainees’ in lack of access to their lawyer owing to

¹⁶⁰ International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), [Our Identities Under Arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expression](#), December 2021, Uganda p.118

¹⁶¹ Erasing 76 Crimes, [20 Ugandans sue, citing torture during arrests](#), in prison, 21 July 2020

¹⁶² Human Rights Watch, [Court Awards Damages to 20 LGBT Youth in Uganda](#), 10 July 2020

COVID-19 measures, that they were “being exposed to a greater risk of violence and discrimination because of their actual or perceived sexual orientation or gender identity”.¹⁶³

Reporting on further incidents of prolonged detention in 2020, the HRAPF noted that:

In one instance, a gay man was detained at Central Police Station Kampala for 3 weeks before being brought to Court. He had been arrested because security guards at an apartment building from where he had been arrested were suspicious of him as they felt that a person that “looked like him” could only have been there for a criminal purpose; in other words, he was arrested for being at a place where he looked like he did not belong.³³

In another case, a transgender woman was arrested on allegations of theft on the 9th of January 2020 and detained at the police station until the 14th of January, when she was arraigned before the court on charges of having carnal knowledge against the order of nature because, in the process of conducting a body search on her following her arrest, the police found that she was a biological male.³⁴ A gay man was also held for 6 days from 12th to 18th January after being arrested on suspicion of aggravated robbery before being released on police bond 35.¹⁶⁴

33 HRAPF/G/03/12/20.

34 HRAPF/T/07/01/20.

35 HRAPF/G/06/01/20).

2021

The U.S. Department of State annual human rights report covering 2021 noted that “Lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) activists reported that police officers and medical personnel carried out forced anal examinations on members of the LGBTQI+ community whom they arrested at what was alleged to be a same-sex engagement ceremony”.¹⁶⁵

According to Freedom House’s annual report on political rights and civil liberties covering events in 2021, “Men and transgender women accused of consensual sex are sometimes forced to undergo an anal exam that Human Rights Watch (HRW) says could amount to torture”.¹⁶⁶

HRAPF reported “In the year 2021, there were 93 recorded instances of the violation of the right to dignity

¹⁶³ OHCHR, [UN rights experts fear Uganda is using COVID-19 emergency powers to target LGBT people](#), 27 April 2020

¹⁶⁴ Human Rights Awareness and Promotion Forum (HRAPF), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, 4.2 Number and nature of violations, 4.2.1 Violation of the right to liberty p.21-22

¹⁶⁵ US Department of State, [2021 Country Report on Human Rights Practices: Uganda](#), 12 April 2022, Section 1. Respect for the Integrity of the Person, C. Torture and other cruel, inhuman, or degrading treatment or punishment

¹⁶⁶ Freedom House, [Freedom in the World 2022 - Uganda](#), 24 February 2022

and freedom from cruel, inhuman and degrading treatment or punishment. Of these, 63 were violations by state actors. There were 17 incidents of anal examinations conducted on suspected gay men and transgender women by police surgeons. In one particular case, there were 44 verified violations committed by police officers against a group of LGBT people".¹⁶⁷ The same source further described:

In 2021, there were 22 violations of the right to privacy perpetrated by state actors against LGBT persons. Of these, 17 emanated from offensive and intrusive anal examinations undertaken against 16 LGBT persons who were part of the 44 arrested from the shelter of HFYUL for allegedly attending a gay wedding⁷¹ and an anal examination against one gay man who was arrested on allegations of cyber bullying.⁷² In the other cases, two transgender women were at various times arrested and undressed by police officers or in the presence of police officers at a designated police station to ascertain their gender, thus arbitrarily interfering with the privacy of their bodies.⁷³ The other three incidents happened when police officers invaded private premises of LGBT persons, one being a home⁷⁴ and the other the office/shelter of an LBQ organisation⁷⁵ questions about the sexuality of the people there.¹⁶⁸

71 N 1 above.

72 N 46 above.

73 HRAFP/VR/047/2021; HRAFP/VR/043/2021.

74 HRAFP/VR/028/2021.

Rights Africa, describing the May 2021 arrest of 44 people at the Happy Family youth shelter following a report of an alleged gay wedding, noted that 42 were remanded in custody on charges of violating Covid-19 regulations, with the Human Rights Awareness and Promotion Forum stating that at least 17 were subjected to involuntary anal exams.¹⁶⁹

Reporting on the same incident, Erasing 76 Crimes noted that according to Dr Frank Mugisha, executive director of Sexual Minorities Uganda (SMUG) "during detention, a police surgeon ordered anal examinations on those arrested at the shelter. There was no privacy during the examinations, with curtains and windows open".¹⁷⁰ SMUG further noted:

While in police custody and prison remand, the 39 (plus others who were released earlier) alleged that their rights were violated. These violations included forced anal examinations and HIV tests done on 17 of the arrested even though the charge was disobedience of the Penal Code Act related to acts likely to spread infection. These anal examinations were also done in open makeshift examination rooms without according any privacy to the suspects.

Police paraded the LGBTIQ+ suspects in front of the public and subjected them to forced video recordings and pictures which they then distributed on social media in a bid to publicly shame them.

¹⁶⁷ HRAFP, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, 4.3.1. Violation of the right to dignity and freedom from torture, cruel, inhuman and degrading treatment or punishment p.10

¹⁶⁸ HRAFP, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, 4.3.4. Violations of the right to privacy p.17

¹⁶⁹ Rights Africa, [Uganda police arrest 44 at alleged gay wedding](#), 1 June 2021

¹⁷⁰ Erasing 76 Crimes, [Gay Ugandans warned to abide by Covid-19 restrictions](#), 19 June 2021

The incarcerated arrestees were subjected to assault by other detainees under the direct instruction and watch of police officers and prison warders without these acts being stopped. One individual reported having been made to sleep in the toilet by prison inmates where he was almost allegedly raped at night. Overcrowding in the prison and police detention rooms exposing the arrestees to the constant danger of Covid-19 and TB infection. They were also denied medication and treatment while in Kitalya Maximum Security Prison.

Four of the arrested LGBTIQ+ persons were below 18 years of age but were detained with adults in Kitalya. One was as young as 14 years of age. Some of the personal property belonging to the arrested were never returned after they left police cells and prison. These included money and phones among others.

The arrestees were released on bail but suffer from serious mental effects of the violence of the arrests. Many are not sure of where to go next because they have been ostracized at home and cannot go back there. They need psycho-social counseling, medication, food, clothing and accommodation for the next few months at least.¹⁷¹

The November 2021 UN Human Rights Council Working Group on the Universal Periodic Review summary of stakeholder information cited several stakeholders as noting that “LGBTIQ+ people were often tortured and subjected to ill-treatment such as unjustified anal examinations, and some provisions in the Penal Code may be interpreted in a manner that criminalizes consensual same-sex sexual acts”.¹⁷²

The Guardian described the treatment that a trans man says he experienced in detention in 2021:

Trans people have been most affected by the violence, reported by Smug.

“Being the face of the LGBTQ+ community makes us targets,” said John Mukisa*, a trans man who has been transitioning for about six years through self-managed hormone therapy. Over the past two years, Mukisa, 36, has been subjected to arrests, as well as physical and sexual attacks. [...]

In 2021, he says he was beaten, arrested and questioned over his sexuality and gender identity. Mukisa, who is yet to undergo sex reassignment surgery, reports being placed in a cell with male inmates, despite his pleas against it, where he was allegedly raped, encouraged by police authorities – a traumatising attack from which he says he contracted HIV.¹⁷³

Reporting on other incidents in 2021, HRAPF noted:

There was also one recorded case of a gay man who was arrested on allegations of homosexuality, kept in custody for 13 days at two different police stations and beaten and harassed by police officers in a bid to force him to admit to being gay.²⁹

¹⁷¹ Erasing 76 Crimes, [Gay Ugandans warned to abide by Covid-19 restrictions](#), 19 June 2021

¹⁷² UN Human Rights Council Working Group on the Universal Periodic Review, [Summary of Stakeholders' submissions on Uganda*](#), 9 November 2021, paragraph 22, reference 32: 32 32 HRF, para. 26, AI, paras. 13 and 33, HRW, page 4, JS40 [Joint submission 40 submitted by: Tranz Network Uganda: Come Out Positive Test Club, Kuchu Shiners Uganda, Tranz Network Uganda, Trans Youth Initiative Uganda, Initiative for Rescue Uganda, Tomorrow Women in Sports, Rainbow Mirrors Uganda, Blessed Rwenzori Uganda, Lived Realities Uganda, Rainbow Shadows Uganda, The Taala Foundation, Transgender Equality Uganda, The Anna Foundation Uganda, FEM Alliance Uganda, Sexual Minorities Uganda, Human Rights Awareness and Promotion Forum], para. 4.11

¹⁷³ The Guardian, [LGBTQ+ groups face crackdowns in Uganda as environment turns hostile](#), 14 March 2023

The phenomenon of publicly undressing transgender people was also noted in 2021 in a case where a man attacked a transgender woman in a public market, insisting that she was a male and attempting to assault her. He was stopped by onlookers, who however took her to the police station and then stayed while the police officers undressed her, allegedly to ascertain her gender, before charging her with personation.³⁰ A similar incident occurred where a transgender woman was taken to the police station for 'dressing like a woman', forced to undress before police officers and some visitors to the station and then charged with being a common nuisance.³¹¹⁷⁴

29 HRAFP/VR/053/2021.

30 HRAFP/VR/043/2021.

31 HRAFP/VR/047/2021.

2022

In August 2022, OpenDemocracy reported on accusations of the Ugandan police showing bias in their investigation of the murder of a gay man on 11 July 2022, stating:

Ugandan police have been accused of homophobic bias and “extortion” following the brutal murder last month of a gay person who had previously been arrested and victimised by the same police force.

On 11 July, Noah Matthew Kinono, a non-binary gay person, was found lying in a pool of blood in their home in Kampala, the capital. Kinono, 27, had been stabbed several times. [...]

No one has been charged with Kinono’s murder, and LGBTIQ activists believe it may have been a hate crime. But police are refusing to investigate it as such.

Instead, cops have arrested and released six people, most of whom are LGBTIQ themselves. They were held for a fortnight without charge, during which time their legal adviser Shawn Mugisha alleges that police outed them to their families.

Mugisha, a community paralegal and co-founder of the Ubuntu Law and Justice Centre, said: “I don’t think police will arrive at the truth by themselves unless they’re put under pressure.” [...]

Mugisha added: “The suspects were in detention for over two weeks and this prolonged detention has been mostly because these people are gay...

“And then there’s been extortion... Each one who has been released has paid at least \$105 to the police for bond. One paid \$155.” [Payment for police bond is not required in Uganda.](#)¹⁷⁵

At the end of December 2022, SMUG International posted a review of the year, recounting the following:

This year, especially its last half, was very tumultuous to our community. We witnessed a spate of arrests, detentions without trial and raids, notable among which included; [...]

- There have been increased cases of evictions of community members from places of residences based on their sexual orientation and thus rendering many homeless. This has seen an increase in the cases of depression and anxiety among other mental issues. The raid on Queer Youth Uganda on the

¹⁷⁴ HRAFP, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, 4.3.1. *Violation of the right to dignity and freedom from torture, cruel, inhuman and degrading treatment or punishment* p.11

¹⁷⁵ OpenDemocracy, [Ugandan police accused of anti-gay bias in murder investigation](#), 1 August 2022

21st day of November in which staff were arrested without cause and detained at Nateete Police Station - Kampala city suburb.

- An LGBTQI-friendly bar in Munyonyo, a Kampala suburb, was raided on the 22nd of November by the police. Furthermore, the police in Ruti Police station raided one of the shelters in Mbarara. The police confiscated property including files among other things. Members belonging to the shelter were scrutinized and grilled by the police for long hours and later asked for a bribe to have them released on bond.¹⁷⁶

January – July 2023

During the passage of the Anti-Homosexuality Bill in spring 2023 Amnesty International stated that it “remains extremely concerned that homophobic comments made by President Museveni and other senior officials before, during and after the Bill was passed by Parliament are already inciting hatred, discrimination, and violence against individuals because of their sexual orientation or gender identity”.¹⁷⁷ The same source went on to report that “On 17 April 2023, a court in Jinja, in eastern Uganda, denied bail to six young educators working for healthcare organizations after they were arrested on 8 April 2023 and charged with ‘forming part of a criminal sexual network.’ The Uganda Police Force confirmed that it conducted forced anal exams on the six individuals and tested them for HIV”.¹⁷⁸

An update posted in the SMUG International Blog at the beginning of March 2023 listed the following incidents in 2023 thus far:

Kampala [...]

- On Saturday, 17th February 2023, three Trans women were arrested from their homes and taken to the Kabalagala Police Station. They were charged with committing "unnatural offenses". On 21st February 2023, they were subjected to anal examination to "help with investigations". Their homes were searched and they have all been released on police bond.
- An LGBTI community member was arrested upon being suspected to be a gay man. He was arrested on 21st February and detained at Kabalagale Police Station. He was arrested with his brother who at the time of the arrest was residing with him at his residence. He was released, but his phone was retained by the police for screening. [...]
- Kawaala Transgender members

Three transgender persons were arrested and detained for three days at Nansana Police Station for allegations of being LGBTQ. They were undressed to ascertain their sexuality. They were subsequently released after three days without any preferred charge upon the intervention of a legal aid service provider.¹⁷⁹

¹⁷⁶ SMUG International, [SMUG Int'l Year-in- Review](#), 31 December 2022

¹⁷⁷ Amnesty International, [Uganda: President Museveni must urgently veto draconian Anti-Homosexuality Bill](#), 20 April 2023

¹⁷⁸ Amnesty International, [Uganda: President Museveni must urgently veto draconian Anti-Homosexuality Bill](#), 20 April 2023

¹⁷⁹ SMUG International, [2023 Uganda LGBTQ UPDATE](#), 1 March 2023

The Guardian noted in an article in March 2023 that: “Three trans women were arrested at their homes in the capital, Kampala, last month, and charged with committing “unnatural offences” and subjected to anal examinations”.¹⁸⁰

Reporting on the April 2023 arrests of peer educators working for healthcare organisations, a blog from Melanie Nathan, executive director of the African Human Rights Commission published by Erasing 76 Crimes noted “The Ugandan police have used Facebook as a persecutory tool to out the men, even revealing home addresses. This is dramatically impacting families and all their contacts who are now facing harassment, and many of whom have gone into hiding or left the country, forcibly displaced”.¹⁸¹

In July 2023, the UN Human Rights Committee’s concluding observations on the second periodic report of Uganda stated that it was “concerned about reports of hate speech, outings and violence against LGBTI persons, including in public discourse and against persons in police custody”.¹⁸²

iii. Prosecutions and convictions under laws that are deployed against the LGBTQI+ community

This section should be read in conjunction with section [II., b., i. Arrests.](#)

An October 2020 article in African Arguments on discrimination faced by and legal support available for the LGBTQ+ community in Uganda wrote that:

According to Justine Bayla, a legal officer at HRAPH [Human Rights Awareness and Promotion Forum], security forces often target LGBTQ+ people with questionable petty offences. They accuse them of being a “rogue”, “vagabond” or “common nuisance” and charge them with being “idle and disorderly”. Fearing that their sexual orientation will be exposed or that they’ll be given harsher punishments if they plead innocent, Bayla says that many victims who don’t get legal support simply accept the charges.

Allan Nsubuga, the project director at Rainbow Mirrors, adds that the fact that the law “remains ambiguous” makes it easier for the police to [target](#) members of the LGBTQ+ community unjustly.¹⁸³

The Daily Monitor noted in February 2023 that “Uganda has strict anti-gay legislation but there have been no prosecutions for consensual same-sex acts in the country in recent years”.¹⁸⁴ In March 2023, an article was published in African Arguments on Uganda’s anti-gay bill which explained that “for all the anti-gay rhetoric present in Uganda, there has never been a successful prosecution of consensual same-sex activity in post-colonial Uganda – this, according to activists, analysts and journalists. The existing legislation which criminalizes same-sex relations under the Penal Code Act of 1950 remains largely on

¹⁸⁰ The Guardian, [LGBTQ+ groups face crackdowns in Uganda as environment turns hostile](#), 14 March 2023

¹⁸¹ Erasing 76 Crimes, [Six Peer Educators Arrested in Ugandan Gay Hunts Denied Bail](#), 17 April 2023

¹⁸² UN Human Rights Committee, [Concluding observations on the second periodic report of Uganda \(advance unedited version\)](#), 26 July 2023

¹⁸³ African Arguments, [“Someone willing to help people like me”: Uganda’s LGBTQ paralegals](#), 29 October 2020

¹⁸⁴ The Daily Monitor, [Rainbow removed from Entebbe children’s park tower after LGBTQ row](#), 2 February 2023

paper. [...] That said, LGBTI people are routinely harassed: there have been numerous acts of violence, and numerous arrests. The current wave of anti-gay rhetoric means these dynamics are further amplified: there have been raids on LGBT-friendly bars and shelters, leading to numerous arrests”.¹⁸⁵

OpenDemocracy similarly noted in March 2023 that “Same-sex relations are already criminalised in Uganda under a colonial-era law but prosecutions are virtually unheard of. More often, the police harasses people suspected of being LGBTIQ+ with vagrancy laws, also from the colonial era, but activists are starting to get some of those annulled”.¹⁸⁶

In mid-June 2023, SMUG International noted that “The Anti-Homosexuality Act 2023, Act (No. 6 of 2023) was assented, to by the President of Uganda on the 26th day of May 2023. [...] The law is currently in force. [...] The politicians are fueling political clout towards the implementation of the Anti-Homosexuality Act, against the West and government funding. LGBTIQ persons are living in real fear of mob violence, persecution and prosecution”.¹⁸⁷

In August 2023, HRAFP released a report marking two months of the Anti-Homosexuality Act in force, covering the period 1st to 31st July 2023. It reported that:

There is clearly active enforcement of the Act by the police and arrests and charges under the Act do continue even when the facts do not support the charges. In June 2023, HRAFP recorded a total of 4 cases involving arrests of 7 persons on sexuality-related charges, and in three of these cases, the charges were under the Anti-Homosexuality Act. Two of these cases under the Anti-Homosexuality Act were resolved at the police and one proceeded to court – the one involving homosexuality and trafficking in persons. Perpetrators continue to be overwhelmingly non state actors, an intended effect of the reporting obligations imposed on private citizens under section 14 of the Anti-Homosexuality Act. It explains why the cases of evictions continue to rise and dominate. The law is essentially implemented by non-state actors, and the state does nothing to protect LGBTIQ persons.¹⁸⁸

For further information see also section [III., c. Harassment and violence](#).

III. Treatment by State Actors

a. Public statements by government officials

The Human Rights Awareness and Promotion Forum (HRAFP) published a report on human rights violations based on sexual orientation and gender identity in 2020 based on contributions from six other

¹⁸⁵ African Arguments, [Unpacking the geopolitics of Uganda’s anti-gay bill](#), 10 March 2023

¹⁸⁶ OpenDemocracy, [Ugandan charity regulator accused of targeting LGBTIQ groups to avoid austerity](#), 1 March 2023

¹⁸⁷ SMUG International, [Effect of Anti-Homosexual Act 2023 in Uganda](#), 16 June 2023

¹⁸⁸ Human Rights Awareness and Promotion Forum (HRAFP), [Two Months After: Report on Violence and Violations on the Basis of Real or Presumed Sexual Orientation and/or Gender Identity Two Months After the Anti-Homosexuality Act Came into Force](#), 9 August 2023, p.18

organisations.¹⁸⁹ It described that “The heated political environment of 2020 also saw several inflammatory statements uttered by politicians in a bid to gain popularity ahead of the 2021 general elections. Such statements spur on violators, who are led to believe they have the support of the political class and are being patriotic or somehow righteous in their actions, or at the very least immune to reprisals”.¹⁹⁰

The report cited a November 2020 article from the Kuchu Times which recorded President Yoweri Kaguta Museveni “who is currently on his campaign trail has blamed the international LGBT community for the nation-wide protests that broke out [...] after the arrest of his opponent Robert Kyagulany”.¹⁹¹

In December 2020, reporting on the “wave of human rights violations and abuses in the context of the ongoing election campaigns”, Amnesty International reported on “concerning rhetoric” noting that:

For his part, President Museveni, speaking at a political rally in Kotido town, northern Uganda, warned people against protesting, saying they would be “crushed”. He has also increasingly taken to anti-LGBTI rhetoric, which is deeply concerning given Uganda’s history of attacks on gay people. “Some of these groups are being used by outsiders; the homosexuals and other groups outside there who don’t like the stability and independence of Uganda. But they will discover what they are looking for,” he said in Kotido.¹⁹²

The HRAFP report for 2021 described the following context during the general elections:

In 2021, the country held general elections to fill the offices of the President, members of parliament and local government councils. Earlier, the President and Minister of Security had linked LGBT people to ‘terrorists’ and ‘subversive’ groups,⁵ and this narrative did not cease during election period, where the LGBT rights issue was used in a smear campaign against some candidates. LGBT people were thus forced into the limelight as a result of the politicisation of LGBT issues in the country. Given the fact that the country was still grappling with COVID-19 at the time and the community of LGBT people were still suffering human rights violations that were magnified by the pandemic, the election period introduced a further cause of fear and concern among the LGBT community as the political discourse served to further galvanise homophobic hate and violence.¹⁹³

5 ‘Government investigating People Power links with “hybrid” terror group called Red Movement’ Nile Post, 4 October 2019 <http://nilepost.co.ug/2019/10/04/government-investigating-people-power-links-with-hybrid-terror-group-called-red-movement/>, accessed July 20 2022.

¹⁸⁹ Health and Rights Initiative; HOPE Mbale; Human Rights and Economic Empowerment Development (HUREED); Freedom and Roam Uganda; Mbarara Rise Foundation and Tranz Network Uganda

¹⁹⁰ Health and Rights Initiative; HOPE Mbale; Human Rights and Economic Empowerment Development (HUREED); Freedom and Roam Uganda; Mbarara Rise Foundation and Tranz Network Uganda

¹⁹¹ Kuchu Times, [President Museveni Blames LGBT Community for Nation-Wide Protests](#), 20 November 2020

¹⁹² Amnesty International, [Uganda: Stop killings and human rights violations ahead of election day](#), 14 December 2020

¹⁹³ HRAFP, *The Uganda Report of human rights violations based on sexual orientation and gender identity 2021*, June 2022, 2.3 Developments on the executive front a) The 2021 general elections p.5

According to the Global Action for Trans Equality “During the 2021 presidential elections, in which opposition leader Robert Kyagulanyi received significant support from the youth movement for change, anti-LGBTQI pronouncements were made by President Yoweri Museveni that opposition leaders were being sponsored by ‘outsiders’”.¹⁹⁴

Reuters published an article in January 2021 about calls from the UN to Uganda for respect for LGBT+ Ugandans ahead of the election, stating:

The United Nations has called for LGBT+ Ugandans to be treated with respect and dignity, following homophobic remarks by some politicians, including the president, ahead of Thursday’s polls.

Sexual minorities face widespread persecution in Uganda, where gay sex is punishable by life imprisonment, and LGBT+ rights groups fear politicians exploiting anti-gay sentiment to win votes could stoke fresh attacks on the community.

Winnie Byanyima, head of UNAIDS, the U.N. agency for HIV and AIDS, said the vilification of LGBT+ people could worsen violence and discrimination and reduce their access to HIV/AIDS treatment.

“Using offensive language that describes LGBT people as ‘deviant’ is simply wrong,” said Byanyima in a statement late on Tuesday, referring to comments made by President Yoweri Museveni in a media interview last week.

“Stigma and discrimination based on sexual orientation violates rights and keeps people away from HIV testing, treatment, prevention and care services.” [...]

In an interview with Britain’s Channel 4 News on Friday, Museveni repeated remarks made in a November rally that the opposition was receiving support from foreign LGBT+ groups.

“In Europe, you promote them. You promote homosexuality. You think homosexuality is an alternative way of life,” Museveni told Channel 4 News.

“While for us here, we think it is a deviation.”

LGBT+ Ugandans say local politicians have also been using anti-gay remarks to stir up hatred and win votes by making pledges to eradicate homosexuality in Uganda.

“These remarks and the generally tense atmosphere in the country has made me fearful to go out and vote,” said a 32-year-old gay Ugandan man, who declined to be named. “We know when these politicians say anti-gay things, people come after us.”

It is not unusual for harassment of LGBT+ Ugandans to spike following homophobic remarks by politicians.¹⁹⁵

Similarly, in January 2021, Pink News reported on President Museveni’s electoral campaign and use of homophobic rhetoric, stating that:

On Saturday (16 January) Museveni was once again declared the winner of the presidential election with 58.64 percent of the vote. He has ruled over Uganda since 1986.

His main opposition, the former pop star Bobi Wine, was [dogged by rumours](#) of homosexuality and funding from “homosexual groups” after Museveni painted him as “an agent of foreign interests” who promoted LGBT+ rights.

¹⁹⁴ Global Action for Trans Equality, [The anti-gender movement in Uganda: A critical analysis of its impact on trans and gender diverse persons](#), 26 September 2022

¹⁹⁵ Reuters, [U.N. urges respect for LGBT+ Ugandans ahead of polls](#), 13 January 2021

"He gets quite a lot of encouragement from foreigners and homosexuals," [Museveni was reported](#) saying in an interview days before the election. "Homosexuals are very happy with Bobi Wine. I think they even send him support."

Homosexuality became a hot-button issue in the east African country as Museveni [continued ramping up](#) the homophobic rhetoric, describing gay people as "deviants" and blaming the deadly political protests on groups funded by foreign LGBT+ rights organisations.

"Now, we have a problem of social imperialism from some parts of the world towards Africa," the 76-year-old told [CNN's Christine Amanpour](#).

"Homosexuals are not new to Africa. They have been here. We know them. But we have got a different view of them. We think they are deviants. They are people who are deviated from the normal.

"They are not killed, they are not harangued, they are not persecuted, but we don't promote them... We don't promote and flaunt homosexuality as if it is an alternative way of life." [...]

The hostile climate worsened as local politicians followed Museveni's lead, repeating his anti-gay sentiment to stir up hatred and win votes by pledging to eradicate homosexuality in Uganda.

This scapegoating of the LGBT+ community led to advocacy groups reporting increased harassment, while many queer Ugandans said they were afraid to go out and vote.¹⁹⁶

Kuchu Times, an online news site focused on LGBTI issues in Africa, reported on the challenges faced by LBQ women in Uganda during the election. It stated that:

In a conversation on political unrest during the recent election period, the Programs Director FARUG [Freedom and Roam Uganda] emphasized the importance of LBQ women recognizing their role when it comes to the politics of the country despite the widespread homophobic sentiments spread by politicians. "If you have been following the current affairs in Uganda, many politicians and the government have used our movement as a scapegoat with claims that we are funding the opposition. These homophobic statements did not only affect us as an organization, but also as individuals intentionally or unintentionally. We need to be able to speak up for ourselves in face of these challenges," she stressed. Among the challenges faced by LBQ women during the election period were denial of their right to vote because they wore toe rings and anklets which are affiliated to LBQ identifying women and sex workers, increased mental and emotional breakdowns due to depression, stress, anxiety and panic attacks triggered by the homophobic statements by political leaders and mainstream media.¹⁹⁷

Al Jazeera reported in June 2021 on the political use of homophobic rhetoric in Uganda, stating "Faced with a sweeping youth movement for change led by opposition leader and musician Robert Kyagulanyi Ssentamu, known as Bobi Wine, Museveni recently resorted again to anti-LGBTQI electioneering scare tactics. In the heat of the campaign in January 2021, Museveni told the nation that 'some of these groups are being used by outsiders ... homosexuals ... who don't like the stability of Uganda and the independence of Uganda'".¹⁹⁸

¹⁹⁶ Pink News, [Ugandan president Museveni wins sixth consecutive term after campaign marred by homophobia and violence](#), 16 January 2021

¹⁹⁷ Kuchu Times, [Lockdown, elections, and GBV: FARUG takes on mantle to help LBQ women recover](#), 2 February 2021

¹⁹⁸ Al Jazeera, [Uganda: Fueling anti-LGBTQI sentiment to stay in power](#), 19 June 2021

The article went on to write about the impact of such narratives, noting that “Equating being gay to being anti-Uganda throws minority lives in the political arena, putting them up to be debated and dehumanised way past the election cycle. This kind of hate speech from the most powerful office in the country is mimicked and recreated at various levels to the demise of many Ugandan LGBTQI lives”.¹⁹⁹

The U.S. Department of State annual human rights report covering 2022 noted that “Some government officials openly encouraged attempts to change the sexual orientation of LGBTQI+ persons”.²⁰⁰

Erasing 76 Crimes reported in September 2022 that “One of East Africa’s most popular music festivals has been cleared to go ahead after members of parliament tried to ban it for ‘promoting gays’ in the country.”²⁰¹ The source cited Sarah Opendi MP as stating that “It’s going to attract all kinds of people from all over the world, bringing all kinds of actions that are unAfrican and non-Ugandan into our community” and speaker Anita Among as stating “You’re promoting gays in Uganda”.²⁰²

Amnesty International detailed that “On 8 October [2022], President Museveni said that homosexuals are still considered social deviants in Ugandan society”.²⁰³

In December 2022 KFM radio Kampala noted that according to the Pornographic Control Committee at the Directorate of Ethics and Integrity, “the LGBT community is now using schools to recruit, groom, initiate, teach, and later turn learners into agents of change in a wicked manner”.²⁰⁴

In January 2023, the Daily Monitor, a Ugandan independent daily newspaper, published an article on the Deputy Speaker calling for a probe on homosexuality in schools in Uganda, stating:

The Deputy Speaker of Parliament, Mr Thomas Tayebwa, has said he has received “painful” stories regarding the increase of same sex relationships in schools.

“Colleagues, I am getting painful, gruelling stories. When you talk to doctors, you again know how deep it is. Many of the people are dying in silence but it seems our schools have been penetrated completely. Not only schools, it seems recruitment centres are very open. It is extremely painful. We are not completely in charge of our children,” he said during plenary yesterday.

He added: “I talked to one student personally and he told me that in one of their schools, you cannot move around in the compound at night. He is from a male school, one of the prominent male schools. He told me that, “you fear being grabbed and sodomised”.”

¹⁹⁹ Al Jazeera, [Uganda: Fueling anti-LGBTQI sentiment to stay in power](#), 19 June 2021

²⁰⁰ US Department of State, [2022 Country Report on Human Rights Practices: Uganda](#), 20 March 2023, *Section 6. Discrimination and Societal Abuses, Reproductive Rights, Discrimination, Acts of violence, criminalization, and other abuses based on sexual orientation, gender identity or expression, or sex characteristics*

²⁰¹ Erasing 76 Crimes, [Dance music festival gets Uganda’s OK despite worries that it ‘promotes gays’](#), 15 September 2022

²⁰² Erasing 76 Crimes, [Dance music festival gets Uganda’s OK despite worries that it ‘promotes gays’](#), 15 September 2022

²⁰³ Amnesty International, [Report 2022/23: The State of the World’s Human Rights: Uganda 2022](#), 27 March 2023

²⁰⁴ KFM, [Pornography control committee warns schools about increasing homosexuality](#), 21 December 2022

Mr Tayebwa tasked the Parliament's Committee on Education to probe the matter expeditiously and report back to the House with its findings.

"Some of the children and parents are dying in silence. So, the Committee on Education, this is a matter you have to give urgent priority. It is an issue that we must tackle head-on without fearing anyone," he said.

The Deputy Speaker added that if the matter isn't dealt with urgently, the next generation will be destroyed.

"The moment you finish our children, we no longer have anything. We hope [the response from the Education Committee] can be quick and we see how best to work or support the government whether to include more funding, patrolling all these entities to re-tool, do whatever we can to ensure that we save humanity and our country," he said.

Ms Sarah Opendi, the Tororo District Woman MP, said: "It is extremely unfortunate that a Godly country like Uganda can sit back and see various NGOs (non-governmental organisation) promoting an act that is against the order of nature. We have had NGOs like the Sexual Minorities Uganda. Their activities, offices were known. The NGO board suspended the activities of this NGO but we have another one calling themselves a consortium of these NGOs dealing with the same activity." [...]

She added: "The Ministry of Gender has been following up on these matters. There is a matter in court regarding the Sexual Minorities Uganda [but] even courts are being threatened. The case cannot progress."

Mr Nsaba Buturo (Bufumbira County East) said the foundations that anchor the country are slowly being eroded away.

"And if we don't do something drastic, the country will be taken away from us and we shall be in more trouble," he said.²⁰⁵

In February 2023, the Daily Monitor noted that during an award ceremony at Rock View School Tororo, "Ms Suzan Amero, the Woman MP for Amuria District has asked learners across the country to report any case of Lesbian, gay, bisexual, and transgender practices in their schools to keep them holy. The Member of Parliament believes that children do not need to get associated with practices that are condemned in the Bible and get closer to God".²⁰⁶

The Daily Monitor also reported in February 2023 on the remarks of Speaker of Parliament, Ms Anita Among, ahead of the tabling of an anti-homosexuality law, noting that:

The Speaker of Parliament, Ms Anita Among on Tuesday revealed that a draft law that is, among others meant to shield Ugandans from elements of homosexuality will be tabled on the House floor on Wednesday (March 1).

In the remarks made at the tail-end of the joint ecumenical thanksgiving service at Parliament Tuesday morning, Ms Among stated that the law is intended to tackle the escalating moral decadence tainting Uganda's image.

"We want to appreciate our promoters of homosexuality for the social economic development they have brought to the country but we do not appreciate the fact that they are killing morals," she said.

²⁰⁵ The Daily Monitor, [Deputy Speaker calls for probe on homosexuality in schools](#), 25 January 2023

²⁰⁶ The Daily Monitor, [Report gay activities, MP Amero tells learners](#), 13 February 2023

She added: "We don't appreciate the values of Ugandans that they are destroying. We do not appreciate their money that they are using to destroy our culture. We do not need their money, we need our culture. And on that note therefore, as an institution of Parliament that passes the laws, tomorrow [Wednesday] we are going to bring a Bill on anti-homosexuality." [...]

There has been country-wide condemnation of growing homosexuality tendencies in the country, championed by religious leaders of all walks of life and a section of politicians.

President Museveni last week said Uganda will not embrace homosexuality and the West should stop seeking to impose its views to compel dissenting countries to "normalise" what he called "deviations".

Officiating at the national celebrations to mark Janani Luwum Day at Wii-Gweng village in Mucwini Sub-County, Kitgum District, Mr Museveni said "we are not going to follow people who are lost. These Europeans are not normal, they don't listen".

"We have been telling them 'please, this problem of homosexuality is not something that you should normalise and celebrate,'" he said, adding, "They (Western countries) don't listen, they don't respect other people's views and they want to turn the abnormal into normal and force it on others. We shall not agree."

The President's remarks, which drew applause from congregants, were in response to pleas by the Church of Uganda Archbishop, His Grace Stephen Kaziimba Mugalu, for the government to join the Church in condemning homosexuality and legislate against it.

"Now we request you to give attention to what you have already started because we have homosexuals and other vices attacking our nation. Like late (Archbishop) Luwum was bold, we want to call out government to be bold and come out to fight all these vices that will kill our nation," said the prelate.²⁰⁷

In February 2023 Erasing 76 Crimes noted that MP Sarah Opendi had called for investigations into Key Populations Consortium Uganda Limited, citing her as stating "These NGOs are being used to reach the grassroots to promote health but in the guise of promoting something else," which the source indicated was suggestive of "a sinister attempt at persuading Ugandans to drop their hostility to homosexuality".²⁰⁸

Erasing 76 Crimes reported on a conference in the Ugandan city of Entebbe held in March 2023 for lawmakers from 14 countries on African family values and sovereignty. Reportedly "parliamentarians from several African nations discussed strengthening anti-LGBT laws".²⁰⁹

In March 2023 Human Rights Watch described that "The reintroduction of the Anti-Homosexuality Bill follows months of hostile rhetoric against sexual and gender minorities by public figures in Uganda, as well as government crackdowns on LGBT-rights groups and other human rights groups, government critics, and civil society".²¹⁰

During the passage of the Anti-Homosexuality Bill in spring 2023 Amnesty International stated that it "remains extremely concerned that homophobic comments made by President Museveni and other

²⁰⁷ The Daily Monitor, [Anti-homosexuality law to be tabled tomorrow - Speaker Among](#), 28 February 2023

²⁰⁸ Erasing 76 Crimes, [Homophobic Ugandan official takes aim at efforts to fight HIV in the LGBTQ community](#), 2 February 2023

²⁰⁹ Erasing 76 Crimes, [East African nations eye Uganda as model for crackdown on LGBT rights](#), 5 July 2023

²¹⁰ Human Rights Watch, [Uganda: New Anti-Gay Bill Further Threatens Rights](#), 9 March 2023

senior officials before, during and after the Bill was passed by Parliament are already inciting hatred, discrimination, and violence against individuals because of their sexual orientation or gender identity”.²¹¹

Erasing 76 Crimes noted that “There was a lot of fearmongering and hateful rhetoric during the debate with one lawmaker comparing LGBTQ persons to cult leader Kibwetere who murdered thousands in the early 2000s in Western Uganda. Rhetoric on ‘family values’ and demonization of LGBTQ persons and identities as Western was also prominent during the discussion in the lead up to the bill’s passage”.²¹²

Erasing 76 Crimes reported on a debated televised in February 2023 on government owned Uganda Broadcasting Corporation entitled ‘The LGBTQ Debate: An attack on our social fabric’.²¹³ The source noted that the title of the show revealed the “bias against LGBT people” and that the speakers included two MPs espousing strong anti-LGBTQ statements.²¹⁴ MP Ojara Mapenduzi from Gulu stated that “It is an attack on our norms, principles and practices”.²¹⁵ Minister of State for ICT (Information Communication Technology) and National Guidance Geofrey Kabyanga stated:

It is not something we should see emerging and we just keep quiet,” he said. “We should start fighting it as fast as possible. It is a bad habit that is coming up which we must stop as early as possible. It is a big problem in schools. Therefore, we shouldn’t keep quiet about it.”²¹⁶

Human Rights Watch described that “On February 5 [2023], Maj. Gen. Francis Takirwa the deputy commander of land forces in the Ugandan military, used the handover of a renovated community health facility to call for excluding gay people from receiving health services, saying, “Don’t use our health facilities to treat homosexuals.” On February 24, the state minister for sports, Peter Ogwang, called for the introduction of the death penalty for same-sex conduct”.²¹⁷

Erasing 76 Crimes noted that on 1 March 2023 the Speaker of the Uganda Parliament, Anita Among, stated that “Parliament has been provoked by rampant cases of homosexuality reported in schools and other communities”.²¹⁸ On the same day MP Asuman Basalirwa introduced his Private Members Bill, describing homosexuality “as a ‘cancer’ eating up the world and said that the legislators needed to join in ensuring the establishment of a law to curb it”.²¹⁹

²¹¹ Amnesty International, [Uganda: President Museveni must urgently veto draconian Anti-Homosexuality Bill](#), 20 April 2023

²¹² Erasing 76 Crimes, [After amendments make it worse, Uganda Parliament okays Anti-Homosexuality Bill again](#), 2 May 2023

²¹³ Erasing 76 Crimes, [Ugandan TV aired highly charged and biased debate on LGBTQ rights](#), 2 March 2023

²¹⁴ Erasing 76 Crimes, [Ugandan TV aired highly charged and biased debate on LGBTQ rights](#), 2 March 2023

²¹⁵ Erasing 76 Crimes, [Ugandan TV aired highly charged and biased debate on LGBTQ rights](#), 2 March 2023

²¹⁶ Erasing 76 Crimes, [Ugandan TV aired highly charged and biased debate on LGBTQ rights](#), 2 March 2023

²¹⁷ Human Rights Watch, [Uganda: New Anti-Gay Bill Further Threatens Rights](#), 9 March 2023

²¹⁸ Erasing 76 Crimes, [Ugandan parliament is close to approving repressive anti-gay bill](#), 1 March 2023

²¹⁹ Erasing 76 Crimes, [Ugandan parliament is close to approving repressive anti-gay bill](#), 1 March 2023

Al Jazeera reported in March 2023 on the passing of Uganda’s new anti-homosexuality bill in parliament, stating that “Discussion about the bill in parliament was laced with homophobic rhetoric, with politicians conflating child sexual abuse with consensual same-sex activity between adults. ‘Our creator God is happy [about] what is happening ... I support the bill to protect the future of our children,’ legislator David Bahati said during the debate on the bill”.²²⁰

The Guardian noted in March 2023 that one MP, Sarah Opendi, had called “for the castration of gay men”.²²¹

Following the Anti-Homosexuality Bill 2023 being signed into law at the end of March 2023, the OHCHR reported that “The adoption of this legislation comes in the wake of a rise in homophobic rhetoric among politicians, religious leaders, and other sections of Ugandan society, that has further aggravated the safety risks for lesbian, gay, bisexual and transgender people”.²²²

In April 2023 Erasing 76 Crimes reported that the office of Ugandan President Yoweri Museveni issued a press release his position on the Anti-Homosexuality Bill, noting that “Much of the press release focused on revising the Anti-Homosexuality Bill to encourage people to ‘come out’ as homosexuals so they can be ‘rehabilitated’”.²²³ The press release included “The Woman Member of Parliament for Busia Auma Hellen Wandera told the President that homosexuals once rehabilitated can change, giving an example of her female colleagues who were homosexuals but changed and are happily married with families”.²²⁴

Al Jazeera reported in April 2023 that: “On April 3, speaking to a delegation of members of parliament from more than 22 African countries, who had attended a conference on ‘family values and sovereignty’ in Entebbe, Uganda’s President Yoweri Museveni called on the continent’s leaders to save the world from homosexuality. [...] In his speech, Museveni – a longtime advocate of conversion therapy, the pseudoscientific practice of attempting to change an individual’s sexual orientation or gender expression – claimed that homosexuality is ‘reversible and curable’”.²²⁵

The article further noted that “Museveni’s political scheming projects homosexuality as a plot transported to Africa from former colonial nations — a point he repeated in March in a State of the Nation address. ‘Western countries should stop wasting the time of humanity by trying to impose their practices on other people,’ he said”.²²⁶

The Human Rights Awareness and Promotion Forum (HRAPF) noted in a May 2023 report that “The passing of the new Anti-Homosexuality Bill, 2023 comes against a backdrop of a massive wave of

²²⁰ Al Jazeera, [Uganda’s new anti-homosexuality law bans identification as LGBTQ](#), 22 March 2023

²²¹ The Guardian, [‘I have to lie low. I’m totally on edge’: Uganda’s club scene fears anti-gay law](#), 29 March 2023

²²² UN News, [Uganda: Türk urges President not to sign shocking anti-homosexuality bill](#), 22 March 2023

²²³ Erasing 76 Crimes, [Ugandan president reveals how confused he is about homosexuality](#), 21 April 2023

²²⁴ Erasing 76 Crimes, [Ugandan president reveals how confused he is about homosexuality](#), 21 April 2023

²²⁵ Al Jazeera, [Uganda’s anti-gay bill preys on African exceptionalism](#), 26 April 2023

²²⁶ Al Jazeera, [Uganda’s anti-gay bill preys on African exceptionalism](#), 26 April 2023

homophobic rhetoric and violence, spurred equally by political and religious leaders”.²²⁷ It further reported:

condemnation of homosexuality and of LGBTIQ+ people by President Yoweri Museveni,¹⁰ religious leaders including the Archbishop of the Church of Uganda,¹¹ the Supreme Mufti of Uganda¹² and military personnel,¹³ among others. A section of religious leaders have also led marches ‘against homosexuality’ in different cities across the country.¹⁴

The Speaker of Parliament further fueled this debate when she promised that the AntiHomosexuality Bill would be tabled and voted on by calling up names of MPs and asking their position on the matter so that Ugandans would know where every MP stood on this Bill.¹⁵ As such, the Bill was passed by Parliament less than two weeks after its first reading in a very public sitting of the house, with a great show made of taking note of the MPs who attended.²²⁸

10 ‘Museveni: Uganda won’t support homosexuality’ Monitor, 17 February 2023.

11 See for example ‘Uganda Archbishop Kazimba’s message on homosexuality awakens old ghosts’ Red pper, 14 February 2023 <https://redpepper.co.ug/uganda-archbishop-kazimbas-message-on-homosexuality-awakens-oldghosts/127989/> (accessed 7 March 2023).

12 ‘Mufti Mubaje calls for closure of NGOs that promote LGBTQ rights in Uganda’ Nile Post, 26 February 2023

<https://nilepost.co.ug/2023/02/26/mufti-mubaje-calls-for-closure-of-ngos-that-promote-lgbtq-rights-in-uganda/> (accessed 7th February 2023). 13 Daily Monitor, ‘Do not treat homosexuals in our facilities, says Maj Gen Takirwa, February 7, 2023,

<https://www.monitor.co.ug/uganda/news/national/don-t-treat-homosexuals-in-our-facilities-says-maj-gentakirwa-4114502>, accessed 28 March 2023. 14 ‘Muslims march against homosexuality’ Monitor, 26th February 2023; UG Reports, Homosexuality in Kisoro: Voters

want their MP to resign, 28 March 2023, <https://ugreports.com/homosexuality-kisoro-voters-want-their-mp-toresign/>, accessed March 28, 2023; Daily Monitor, ‘Homosexuality is an abnormal lifestyle choice – Lango Chief’, March 6, 2023,

<https://www.monitor.co.ug/uganda/news/national/homosexuality-is-an-abnormal-lifestyle-choicelango-chief-4147478>, accessed 28 March 2023. 15 ‘Anti-homosexuality law to be tabled tomorrow - Speaker Among’ Monitor, 28 February 2023.

The June 2023 report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity noted that:

In countries with laws licensing punishment of consensual same-sex activity with death, the relevant authorities often base this denial of rights and personhood on the State’s interpretation of religious law, culture and values.³⁶ Most recently, Uganda’s Speaker of Parliament officially claimed that their “anti-homosexuality” law, which includes the death penalty for so-called “serial homosexuality,”³⁷ aims to “protect our [Christian] church culture; the legal, religious and traditional family values of Ugandans.”³⁸²²⁹

²²⁷ Human Rights Awareness and Promotion Forum (HRAPF), [*A legal and human rights analysis of the Anti-Homosexuality Bill 2023, as enacted by parliament*](#), 3 May 2023

²²⁸ Human Rights Awareness and Promotion Forum (HRAPF), [*A legal and human rights analysis of the Anti-Homosexuality Bill 2023, as enacted by parliament*](#), 3 May 2023, p.3

²²⁹ UN Human Rights Council Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, [*Freedom of religion or belief, and freedom from violence and discrimination based on sexual orientation and gender identity*](#), 28 June 2023, paragraph 17

36 Iran, Saudi Arabia, Somalia, states in Northern Nigeria, Afghanistan, Brunei, Mauritania, Pakistan, Yemen, Qatar, United Arab Emirates. United States Commission on International Religious Freedom, “Shari’a and LGBTI Persons”, 2021: <https://www.uscifr.gov/sites/default/files/2021-03/2021%20Factsheet%20-%20Sharia%20and%20LGBTI.pdf>; A/HRC/35/23, para. 45; A/71/372, para. 101–102.

37 “Uganda: UN experts condemn egregious anti-LGBT legislation”, OHCHR, 29 March 2023: <https://www.ohchr.org/en/press-releases/2023/03/uganda-un-experts-condemn-egregious-anti-lgbt-legislation>.

38 “Uganda parliament passes bill criminalizing identifying as LGBTQ, imposes death penalty for some offenses”, CNN, 22 March 2023: <https://www.cnn.com/2023/03/21/africa/uganda-lgbtq-law-passes-intl/index.html>.

At the beginning of August 2023, The East African reported on responses in Uganda to World Bank’s suspension of funds to Uganda following the enactment of the Anti-Homosexuality Bill. It stated that:

Ugandan officials on Wednesday lampooned the World Bank and Western countries for ‘hypocrisy’, after the global lender [suspended lending](#) for projects in Uganda in what it cited as a violation of its values in Kampala’s new anti-homosexuality law.

Uganda’s State Minister for Foreign Affairs Henry Okello Oryem said the move by the World Bank was hypocritical. He accused the Western entities of being quick to lecture vulnerable countries about democracy, only to turn around and punish them when they do what doesn’t suit the interests of Western powers and allied institutions. [...]

In a statement on Tuesday, the Bank said that further funding will be frozen until authorities in Uganda provide adequate policy to protect minorities, including the lesbian, gay, bisexual, transgender and other groups commonly categorised as LGBTQ+. [...]

Ugandan government officials, though, have issued statements to dispel reports of real or perceived discrimination against sexual minority groups.

For instance, within hours of the World Bank announcement to suspend new lending, the Ministry of Health in Uganda issued a statement to clarify that the anti-gay law does not target LGBTQ+ persons for discrimination when they seek medical services.

“This is to reiterate that the Anti-Homosexuality Act, 2023 does not forbid any person from seeking medical services from a health facility or hospital. Furthermore, all services should be provided in a manner that ensures safety, privacy and confidentiality to all clients that see health services in public and private health facilities,” wrote Dr Henry Mwebesa, the Director General of Health Services, in a statement.

Dr Mwebesa highlighted the principle that health workers should not discriminate or stigmatise any individual who seeks healthcare for any reason – gender, religion, tribe, economic or social status or sexual orientation.²³⁰

b. Homophobia and transphobia in government institutions (incl. state-owned media, within the police, in the prison service, in the judiciary)

The Human Rights Awareness and Promotion Forum (HRAPF) published a report on human rights violations based on sexual orientation and gender identity in 2020 based on contributions from six other organisations.²³¹ The report was based on “only cases reported to HRAPF and its partner organisations

²³⁰ The East African, [It is hypocrisy: Uganda responds to World Bank funding freeze](#), 9 August 2023

²³¹ Health and Rights Initiative; HOPE Mbale; Human Rights and Economic Empowerment Development (HUREED); Freedom and Roam Uganda; Mbarara Rise Foundation and Tranz Network Uganda

that either host regional legal aid centres or legal aid desks, and those handled by HRAPF trained paralegals and reported to HRAPF” and “based on properly documented cases of human rights violations based on real or presumed SOGIE”.²³² It summarised that of the 247 violations that had been perpetrated by state actors, the state institutions that most violated the rights of LGBT persons in 2020 were the Uganda Police Force (89), the Uganda Prisons Service (81), the Local Council authorities (77 [69 of these committed together with the UPDF/LDU]) and the Uganda People’s Defence Forces/ Local Defence Units (69 [all committed together with local council officials]).²³³

The same source further noted that “there have been encouraging developments in 2020 from the judiciary, which upheld the right to a fair hearing and the right to liberty in the context of COVID19. The judiciary declared that the denial of arrested persons access to their lawyers was a violation of the right to fair hearing and the right to liberty”.²³⁴ Moreover, “a transgender person was denied an introductory letter by the Local Council Chairperson to enable the transgender person to process their national identity card, a crucial document in the life of every Ugandan, merely because they were transgender”.²³⁵

In August 2020, Kuchu Times reported on the withholding by the Ugandan state of Dr Adrian Jjuko’s book, *Strategic Litigation and the struggle for Lesbian, Gay and Bisexual Equality in Africa*, stating that “The book which discusses the role of LGB Strategic Litigation in creating social change in Africa, and proposes ways in which LGB strategic litigation can be used as a catalyst for social change in Common Law Africa was retained last year. The 10 hard copies have, for more than six months, been held by the Uganda customs authorities and official status is that they were sent to the Minister of Ethics and Integrity for possible censorship”.²³⁶

In December 2020 the government of Uganda’s report submitted to CEDAW was published in which it stated that “There is no data indicating that women have been discriminated against on the basis of their sexual orientation and gender identity”.²³⁷

²³² Human Rights Awareness and Promotion Forum (HRAPF), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, Preface p.4

²³³ Human Rights Awareness and Promotion Forum (HRAPF), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, 4.3 Identity of perpetrators p.28

²³⁴ Human Rights Awareness and Promotion Forum (HRAPF), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, 3. PROTECTION OF PERSONS AT RISK DUE TO THEIR REAL OR PRESUMED SEXUAL ORIENTATION OR GENDER IDENTITY IN 2020 p.20

²³⁵ Human Rights Awareness and Promotion Forum (HRAPF), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, 4.2.2 Violation of the right to equality and freedom from discrimination p.25

²³⁶ Kuchu Times, [Six Months On, State Continues to Withhold Dr. Adrian Jjuko’s Book on LGB Equality](#), 12 August 2020

²³⁷ Government of Uganda, [UN Committee on the Elimination of Discrimination Against Women: Combined eighth and ninth periodic reports submitted by Uganda under article 18 of the Convention, due in 2014 \[date received 29 June 2020\] \[CEDAW/C/UGA/8-9\]](#), 11 December 2020, para 162

In 2020 the UK organization ReportOut published research led by Drew Dalton, senior Lecturer in Sociology at the University of Sunderland, in partnership with seven local organisations, based on 76 survey responses on the situation of Sexual Orientation, Gender Identity, Expression and Sexual Characteristics (SOGIESC) in Uganda.²³⁸ The report found that in addition to police brutality, “Other state organisations actively discriminate against SOGIESC people, with respondents noting this happening from social services staff (53.9%), healthcare staff (51.3%), the police (46.1%) and ‘any other government departments’ (52.6%)”.²³⁹

The Uganda Human Rights Commission did not specifically address the situation for the LBGTI community in its 2020 annual report on the State of Human Rights and Freedom in Uganda. for 2020.²⁴⁰

HRAPF reported that in 2021 “There were primarily two state institutions responsible for human rights violations faced by LGBT persons on the basis of sexual orientation and gender identity in 2021, and these were the Uganda Police Force and the Local Government Councils. Traditionally, the Uganda Police Force (UPF) have remained the biggest perpetrators of human rights violations against LGBT persons, and their appearance on this list is therefore only as per the usual. There were no verified violations from other state institutions, such as the Uganda Peoples’ Defence Forces (UPDF) and Uganda Prisons Services, as was the case in 2020, for instance”.²⁴¹

The same source further described that “HRAPF continued to engage the Uganda Police Force in trainings on marginalisation and the rights of LGBT persons when they come into contact/ conflict with the law, engaging 163 police officers through 9 trainings, sanctioned by the Human Rights and Legal Affairs Directorate of the Uganda Police Force, much like has been the case in previous years.¹² Similarly, 145 local council leaders were reached with information on human rights challenges of LGBT persons through trainings and dialogues.¹³ During the year 2021, the courts of law supported and upheld the rights of 42 LGBT persons not to be subjected to a lengthy trial over baseless charges in the case of the raid on the Happy Family shelter”.²⁴²

It further detailed that “There was one further recorded incident in which LC leaders took action to protect the rights of a gay man. In this case, the client complained to the LC leadership after noticing that his neighbour constantly verbally harassed him and spread rumours about him throughout the village that he was a homosexual who was out to recruit children from the village. When he reported this, the neighbour was summoned to the LC council meeting, where she was cautioned to stop

²³⁸ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020

²³⁹ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020, 9. Key Findings: prejudice and discrimination p.32

²⁴⁰ Uganda Human Rights Commission, [23rd Annual Report on the State of Human Rights and Freedom in Uganda in 2020](#), 2021

²⁴¹ HRAPF, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, 5.2 Human rights violations by state actors p.24

²⁴² HRAPF, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, 3.PROTECTION OF PERSONS AT RISK DUE TO THEIR REAL OR PRESUMED SEXUAL ORIENTATION OR GENDER IDENTITY IN 2021 p.8

spreading information that could hurt the client. She was further advised to move if she found it difficult to live near the client".²⁴³

According to Freedom House's annual report on political rights and civil liberties for 2021, "Due to severe legal and societal discrimination, the interests of LGBT+ people are not represented in politics".²⁴⁴

The Uganda Human Rights Commission did not specifically address the situation for the LBGTI community in its annual Report on the State of Human Rights and Freedom in Uganda in 2021.²⁴⁵

Kuchu Times reported on the challenges faced by LBQ women in Uganda during the election, writing that:

In a conversation on political unrest during the recent election period, the Programs Director FARUG [Freedom and Roam Uganda] emphasized the importance of LBQ women recognizing their role when it comes to the politics of the country despite the widespread homophobic sentiments spread by politicians. "If you have been following the current affairs in Uganda, many politicians and the government have used our movement as a scapegoat with claims that we are funding the opposition. These homophobic statements did not only affect us as an organization, but also as individuals intentionally or unintentionally. We need to be able to speak up for ourselves in face of these challenges," she stressed. Among the challenges faced by LBQ women during the election period were denial of their right to vote because they wore toe rings and anklets which are affiliated to LBQ identifying women and sex workers, increased mental and emotional breakdowns due to depression, stress, anxiety and panic attacks triggered by the homophobic statements by political leaders and mainstream media. In addition to sexual abuse through rape attempts and actual rape cases by close relatives and friends, there were also incidents of intimidation by society and local authorities.²⁴⁶

Freedom House noted in its annual report on political rights and civil liberties that covering 2022 "LGBT+ people in Uganda face severe discrimination and are not represented in politics".²⁴⁷

As explained by the International Service for Human Rights in July 2022 Uganda presented the outcome of its 3rd Universal Periodic Review, accepting 149 out of the 273 (54%) of the recommendations

²⁴³ HRAFP, *The Uganda Report of human rights violations based on sexual orientation and gender identity 2021*, June 2022, 3. PROTECTION OF PERSONS AT RISK DUE TO THEIR REAL OR PRESUMED SEXUAL ORIENTATION OR GENDER IDENTITY IN 2021 p.8

²⁴⁴ Freedom House, *Freedom in the World 2022 - Uganda*, 24 February 2022

²⁴⁵ Uganda Human Rights Commission, *24th Annual Report on the State of Human Rights and Freedom in Uganda in 2021*, 2022

²⁴⁶ Kuchu Times, *Lockdown, elections, and GBV: FARUG takes on mantle to help LBQ women recover*, 2 February 2021

²⁴⁷ Freedom House, *Freedom in the World 2023 - Uganda*, 2023

received, none of which were related to the protection of human rights defenders or the rights of LGBTIQ+ persons.²⁴⁸

ILGA reported that “In September 2022, the Parliament prohibited (2022) an annual Nyege Nyege music festival as it would promote immorality, drug use and homosexuality. However, the prime minister eventually allowed the festival to be held, provided that certain guidelines will restrict participants to behave in a culturally acceptable manner”.²⁴⁹

The Uganda Human Rights Commission do not specifically address the situation for the LGBTI community in its annual reports on the State of Human Rights and Freedom in Uganda. The only mention in the reports for 2020²⁵⁰, 2021²⁵¹ and 2022²⁵² was in the 2022 report which explained that following the establishment of new cities, it conducted training for city 195 leaders on effective service delivery “considering the critical role they play in the protection and promotion of human rights, including the advancement of development as a whole”. Among the “emerging issues arising from the training” it included “alleged cases of recruitment of school-going children into acts related to the lesbian, gay, bisexual, transgender and intersex movement (LGBTI)”.²⁵³

In its annual report for 2022, the Uganda Human Rights Commission explained that following the establishment of new cities, it conducted training for city 195 leaders on effective service delivery “considering the critical role they play in the protection and promotion of human rights, including the advancement of development as a whole”. Among the “emerging issues arising from the training” it included “alleged cases of recruitment of school-going children into acts related to the lesbian, gay, bisexual, transgender and intersex movement (LGBTI)”.²⁵⁴

The Daily Monitor reported in February 2023 that: “The Deputy Commander Land Forces Maj Gen Francis Takirwa has asked health workers to stop treating homosexuals in public health facilities. Maj Gen Takirwa made the statement on Sunday when the Uganda People’s Defence Forces (UPDF) commissioned and handed over different projects to Mbarara District residents at the headquarters in Bwizibwera. ‘Don’t use our health facilities to treat homosexuals, someone comes with pampers leaking

²⁴⁸ International Service for Human Rights, [HRC50: Uganda must better protect women defenders and LGBTIQ+ persons](#), 7 July 2022

²⁴⁹ ILGA, [World database](#), undated current webpage (accessed 23 June 2023), *Uganda*

²⁵⁰ Uganda Human Rights Commission, [23rd Annual Report on the State of Human Rights and Freedom in Uganda in 2020](#), 2021

²⁵¹ Uganda Human Rights Commission, [24th Annual Report on the State of Human Rights and Freedom in Uganda in 2021](#), 2022

²⁵² Uganda Human Rights Commission, [25th Annual Report on the State of Human Rights and Freedom in Uganda in 2022](#), 2023, 9.3.2.12 Training of new city leaders p.244

²⁵³ Uganda Human Rights Commission, [25th Annual Report on the State of Human Rights and Freedom in Uganda in 2022](#), 2023 9.3.2.12 Training of new city leaders p.244

²⁵⁴ Uganda Human Rights Commission, [25th Annual Report on the State of Human Rights and Freedom in Uganda in 2022](#), 2023 9.3.2.12 Training of new city leaders p.244

and wants treatment because he made a decision as if he didn't have brains. No. No. This is too much and unacceptable,' Maj Gen Takirwa said".²⁵⁵

Erasing 76 Crimes noted in February 2023 that "the mayor of Entebbe in central Uganda, Fabrice Brad Rulinda, has removed rainbow-colored coats of paint from a tower in a local children's park following claims that it promoted homosexuality".²⁵⁶

The Daily Monitor reported in March 2023 on the revival of 'Children's Rights Clubs' in schools in Uganda by the National Children Authority (NCA), stating that:

The Authority's executive director, Mr Martin Kiiza on Thursday presided over the ceremony in different primary and secondary schools in Kabale district as he explained some of the tactics used by the promoters of LGTB to lure school children into joining what he described as unnatural sexual acts that have a potential of ruining their lives.

"We have opted to launch the children rights clubs in primary and secondary schools so that learners can be able to raise their voices against LGBT and any other forms of abuse. These clubs will also allow the children to properly advocate for their rights given that criminal acts against them are increasing in Kigezi region and the whole nation at large. We are targeting to form about 25,000 children rights clubs in western region with the senior men and women teachers being the immediate supervisors," Mr Kiiza said. [...] He asked community members and school administrators to be on the lookout so that the suspected promoters homosexuality and other child abuse cases are arrested and prosecuted.²⁵⁷

In March 2023 Al Jazeera reported on a conversation with a gay man from Uganda who had fled to Kenya, who noted that "In Uganda, LGBTQ persons live under the mercy of security forces and homophobic neighbours. There is rampant harassment and discrimination against gay people in government institutions, shopping malls, hospitals and public transport".²⁵⁸

A statement by Sexual Minorities Uganda (SMUG) alongside four other organisations in March 2023 stated that "Since last year, the volume of anti-LGBTQI+ sentiment has once again reached a fever pitch, permeating a wide range of institutions in Uganda, from the judiciary and the police to the legislature and executive offices".²⁵⁹

c. Harassment and violence

²⁵⁵ The Daily Monitor, [Don't treat homosexuals in our facilities, says Maj Gen Takirwa](#), 7 February 2023

²⁵⁶ Erasing 76 Crimes, [Rainbow park equipment in Uganda is repainted so it won't 'corrupt' children](#), 16 February 2023

²⁵⁷ The Daily Monitor, [Govt in school drive to protect learners from LGBT promoters](#), 24 March 2023

²⁵⁸ Al Jazeera, [Displaced twice: Gay Ugandans on the run face upheaval in Kenya](#), 29 March 2023

²⁵⁹ Sexual Minorities Uganda (SMUG), Robert F. Kennedy Human Rights, Center for Constitutional Rights, The Council for Global Equality, and Movement Law Lab, [Persecution & Criminalization of LGBTQIA+ Community in Uganda: Demands for International Engagement to Protect Queer & Trans People](#), 31 March 2023

This section focuses on state-perpetrated harassment and violence. On occasion sources do not indicate the perpetrators, therefore also see section [V. Treatment by Non-State Actors, a. Harassment and violence](#).

For information on the treatment of human rights defenders, see section [VI. Treatment of LGBTQI+ Organizations and Human Rights Defenders, b. State treatment of LGBTQI+ activists or those supporting their case or those perceived as such](#) and for information on violence perpetrated in detention facilities, see section [II. Legal framework, b. Implementation, 2. Mistreatment in Investigations, ii. Treatment in detention facilities](#).

2020

The U.S. Department of State annual human rights report covering 2020 listed among the ‘significant human rights issues’ in Uganda “crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, or intersex persons”.²⁶⁰ Furthermore “The local civil society organization Human Rights Awareness and Promotion Forum reported in June that UPS officials beat lesbian, gay, bisexual, transgender, and intersex (LGBTI) detainees on account of their sexual orientation. UPS officials denied this and declined to investigate”.²⁶¹ In addition “LGBTI persons faced discrimination, legal restrictions, harassment, violence, and intimidation. Authorities incited, perpetrated, and tolerated violence against LGBTI individuals and blocked some meetings organized by LGBTI persons and activists”.²⁶²

According to Freedom House’s annual report on political rights and civil liberties for 2020, “the LGBT+ community faces overt hostility from the government and much of society”.²⁶³

Describing the arrest of 23 young LGBTI people living in a shelter in March 2020, ILGA noted that “It is reported that detainees were beaten, bound in ropes like a chain-gang and marched barefoot through the streets to the nearest police station, with police and members of the public jeering at and mocking them. While incarcerated they were allegedly tortured, caned, denied food and medical assistance, and were given no access to legal representation”.²⁶⁴ In August 2020, Pink News published an article on officials in Uganda facing charges of torture and inhuman and degrading treatment in connection with the arrest of 20 men from an LGBT+ shelter, stating that:

²⁶⁰ US Department of State, [2020 Country Reports on Human Rights Practices: Uganda](#), 30 March 2021, *Executive Summary*

²⁶¹ US Department of State, [2020 Country Reports on Human Rights Practices: Uganda](#), 30 March 2021, *Section 1. Respect for the Integrity of the Person, Including Freedom from: C. Torture and other cruel, inhuman, or degrading treatment or punishment*

²⁶² US Department of State, [2020 Country Reports on Human Rights Practices: Uganda](#), 30 March 2021, *Section 6. Discrimination, Societal Abuses, and Trafficking in Persons, Women*

²⁶³ Freedom House, [Freedom in the World 2021 - Uganda](#), 3 March 2021

²⁶⁴ International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), [Our Identities Under Arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expression](#), December 2021, *Uganda p.118*

In March harrowing footage emerged of a “bogus” coronavirus raid on the Children of the Sun Foundation LGBT+ shelter in Kampala. The men were seen being whipped, chained, interrogated and publicly humiliated by a municipal mayor. [...]

A criminal case is now underway thanks to the Human Rights Awareness and Promotion Forum (HRAPF), which initiated private proceedings after local police refused to take it on.

In a press release, the group decried the “myriad of forms of violence, ranging from taunting, flogging, scalding, subjection to corporal punishment, as well as denial of access to food, sanitary facilities and medication”.²⁶⁵

According to a May 2020 report from the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, in Uganda electric shocks have been used as a method of aversion therapy as well as invalid use of medication and leaders of faith-based organizations and political authorities have endorsed conversion therapy.²⁶⁶

In November 2020, the Guardian reported on young LGBT+ Ugandans ‘outed’ during lockdown, stating that:

When you ask Ronald Ssenyonga, a 21-year-old Ugandan, to tell you about his arrest, he asks: “Which one?” Like many gay people struggling to survive in a country that has used Covid-19 as an excuse to clamp down on human rights, Ssenyonga is used to arrests and raids. [...]

Ssenyonga has just returned from his second spell in prison in three months. He and his neighbour, Tevin Haris Kifuba, were accused of stealing a television. A misunderstanding, they say, compared to the state-instigated case hanging over their heads – they are among 20 people accused of carrying out “negligent acts likely to spread infection of disease” after security agencies raided their hostel.

It all began on a lazy Sunday morning at the shelter run by a non-profit, Children of the Sun, Ssenyonga says, as he sits on his bunk bed in a tiny room. [...]

Some people were still in bed at the shelter, which has given Ugandan gay people a home during lockdown. [...] The police gathered them all together, and ordered them to sit down and face journalists who had been brought along on the raid.

“After the ‘photoshoot’, they tied us like slaves and marched us through a trading centre full of homophobic people. Some people slapped us. Others hit us with stones or whatever they could find. They shouted and condemned us.”

A video of the raid went round on social media. In it, Haji Abdul Kiyimba, mayor of the town council where the shelter is located, demands the young men tell him their parents’ phone numbers while whipping them.

The men were then taken to prison where, they say, they spent a month being taunted and tortured. [...]

Their legal aid provider, Human Rights Awareness and Promotion Forum, has also sued the government over the torture the men say they underwent while in prison.

²⁶⁵ Pink News, [Ugandan officials charged with inhuman treatment and torture after whipping and flogging 20 queer men](#), 20 August 2020

²⁶⁶ UN Human Rights Council, [Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity: Practices of so-called “conversion therapy”](#), 1 May 2020, paras 25, 43 and 47

“They thought we were nobody, and we had no one on our side. They burned us with firewood and forced us to confess that we are gay. They used abnormal size sticks and iron bars [to beat us], and they turned other prisoners against us,” Ssenyonga says.²⁶⁷

In 2020 the UK organization ReportOut published research led by Drew Dalton, senior Lecturer in Sociology at the University of Sunderland, in partnership with seven local organisations, based on 76 survey responses on the situation of Sexual Orientation, Gender Identity, Expression and Sexual Characteristics (SOGIESC) in Uganda.²⁶⁸ The report found that “A significant number of respondents had been arrested for ‘offences’ related to their identity (42.1%) with cases of police brutality reported by over a third of respondents (38.2%) who faced physical or verbal assaults once arrested”.²⁶⁹

2021

The U.S. Department of State annual human rights report covering 2021 listed among the ‘significant human rights issues’ in Uganda “crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons”.²⁷⁰ The same source further reported that “LGBTQI+ persons faced discrimination, legal restrictions, harassment, violence, and intimidation. Authorities incited, perpetrated, and tolerated violence against LGBTQI+ individuals and blocked some meetings organized by LGBTQI+ persons and activists”.²⁷¹ Furthermore “Local civil society organizations reported that public and private health-care services turned away LGBTQI+ persons who sought medication and some health-care providers led community members to beat LGBTQI+ persons who sought health care”.²⁷²

HRAPF reported in its annual report for 2021 that “It is common in Uganda for police and local authorities to take actions to humiliate and embarrass suspected LGBT persons, including forced marches through the village while broadcasting their sexuality and calling on the neighbours to come and see, forcefully recording and circulating embarrassing videos about LGBT people as well as undressing transgender and intersex persons for curiosity’s sake, often in presence of several people, allegedly to ascertain their gender”.²⁷³

²⁶⁷ The Guardian, [‘Nowhere to go’: the young LGBT+ Ugandans ‘outed’ during lockdown](#), 23 November 2020

²⁶⁸ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020

²⁶⁹ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020, 9. Key Findings: prejudice and discrimination p.32

²⁷⁰ US Department of State, [2021 Country Report on Human Rights Practices: Uganda](#), 12 April 2022, Executive Summary

²⁷¹ US Department of State, [2021 Country Report on Human Rights Practices: Uganda](#), 12 April 2022, Section 6. Discrimination and Societal Abuses, Section 6. Discrimination and Societal Abuses, Acts of violence, criminalization, and other abuses based on sexual orientation and gender identity

²⁷² US Department of State, [2021 Country Report on Human Rights Practices: Uganda](#), 12 April 2022, Section 6. Discrimination and Societal Abuses, Section 6. Discrimination and Societal Abuses, Acts of violence, criminalization, and other abuses based on sexual orientation and gender identity

²⁷³ HRAPF, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, 4.3.1. Violation of the right to dignity and freedom from torture, cruel, inhuman and degrading treatment or punishment p.10

In February 2021 Erasing 76 Crimes noted that “Ugandan LGBTQ+ ally, academic and controversial political activist Stella Nyanzi” had fled to Kenya for safety and cited her as stating “The abductions and detentions of political actors were getting closer to me, my children have been targets of police trailing, I just left prison in February last year and I don’t want to go back”.²⁷⁴

In March 2021 the Committee on the Elimination of Discrimination Against Women (CEDAW) published its list of issues and questions in relation to the combined eighth and ninth periodic reports of Uganda and with respect to lesbian, bisexual, transgender and intersex women noted that (emphasis added):

The State party has reported that there are no data indicating that women have been discriminated against on the basis of their sexual orientation and gender identity (para. 162), and yet, according to information before the Committee, **lesbian, bisexual and transgender women, including refugees, continue to face extreme stigma, discrimination and violence and are subject to arbitrary detention and harassment by law enforcement officials.** Please explain the measures taken or envisaged to implement the Committee’s previous recommendations (CEDAW/C/UGA/CO/7, para. 44) to provide effective protection from violence and discrimination against women based on their sexual orientation and gender identity and prohibit and combat all forms of discrimination against women on account of their sexual orientation and gender identity, including through public awareness-raising and the provision of training to relevant actors, including law enforcement officials.²⁷⁵

The November 2021 Report of the Office of the United Nations High Commissioner for Human Rights for the Working Group on the Universal Periodic Review of Uganda noted that “The United Nations country team further noted that lesbian, gay, bisexual, transgender, queer and intersex persons were subjected to human rights violations and abuses and continued to face stigmatization, discrimination and fear of arrest”.²⁷⁶

According to Freedom House’s annual report on political rights and civil liberties for 2021, “the LGBT+ community faces overt hostility from the government and much of society”.²⁷⁷

Freedom House’s Freedom on the Net report covering the period June 2020 - May 2021 “Vulnerable populations and marginalized communities, particularly the LGBT+ community, have been the target of regular technical attacks in recent years”, citing the following earlier incidents:

Vulnerable populations and marginalized communities, particularly the LGBT+ community, have also been the target of regular technical attacks over the past few years. In 2016, the email and Facebook accounts of a social worker at the Most at Risk Populations Initiative were hijacked.¹⁹⁶ Activists believe the attack

²⁷⁴ Erasing 76 Crimes, [Controversial Ugandan ally Stella Nyanzi flees to Kenya](#), 3 February 2021

²⁷⁵ CEDAW, [List of issues and questions in relation to the combined eighth and ninth periodic reports of Uganda*](#), 10 March 2021, para 20

²⁷⁶ UN Human Rights Council Working Group on the Universal Periodic Review, [Report of the Office of the United Nations High Commissioner for Human Rights: Compilation on Uganda](#), 9 November 2021, para 8

²⁷⁷ Freedom House, [Freedom in the World 2021 - Uganda](#), 3 March 2021

may have been perpetrated by the government, given the wealth of information the social worker possessed about the LGBT+ community through their work and private communications. Hacking attacks against gay individuals for blackmail have also been reported. In one incident detailed in a 2016 interview, after the Facebook account of a closeted gay celebrity was hacked, screenshots of private messages pointing to his sexual orientation were used to blackmail him.¹⁹⁷²⁷⁸

196 Anonymous interview with Freedom House in September 2016.

197 Anonymous interview with Freedom House in September 2016.

2022

The U.S. Department of State annual human rights report covering 2022 listed among the ‘significant human rights issues’ in Uganda “crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons”.²⁷⁹

Freedom House’s report on Freedom on the Net covering the period June 2021 - May 2022 reported “Vulnerable populations and marginalized communities, particularly the LGBT+ community, have been the target of regular technical attacks in recent years”.²⁸⁰

The March 2022 Concluding Observations of the Committee indicated its deep concern over gender-based violence against women and recommended that Uganda (emphasis added):

Intensify efforts to raise awareness among both women and men, including through educational and media campaigns, with the active participation of women’s organizations and women human rights defenders, of the criminal nature of gender-based violence against women, in order to challenge its social acceptance **and to destigmatize and protect women from reprisals so as to encourage them to report incidents of gender-based violence against women, and of the specific risk of gender-based violence posed to women and girls facing intersecting forms of discrimination, such as lesbian, bisexual, and transgender women and girls**, intersex persons, migrant, refugee and asylum-seeking women and girls, women and girls with disabilities and women and girls with albinism.²⁸¹

The April 2022 Report of the Working Group on the Universal Periodic Review on Uganda cited Austria as noted that “Austria was concerned at the excessive use of force by security forces, the growing restrictions on freedom of speech and association and the criminalization of human rights defenders and lesbian, gay, bisexual, transgender and intersex activists”.²⁸²

²⁷⁸ Freedom House, [Freedom on the Net 2021 – Uganda](#), 21 September 2021

²⁷⁹ US Department of State, [2022 Country Report on Human Rights Practices: Uganda](#), 20 March 2023, *Executive Summary*

²⁸⁰ Freedom House, [Freedom on the Net 2022 – Uganda](#), 18 October 2022

²⁸¹ CEDAW, [Concluding observations on the combined eighth and ninth periodic reports of Uganda*](#), 1 March 2022 para 26(a)

²⁸² UN Human Rights Council, [Report of the Working Group on the Universal Periodic Review* Fiftieth session 13 June–8 July 2022](#), 4 April 2022, paragraph 80

The July 2022 statement by Sexual Rights Initiative, the Uganda LBQ Loose Network, CREA, and the Coalition of African Lesbians (CAL) on Uganda's Universal Periodic Review wrote that "Uganda continues to criminalize consensual same sex relations and due to this criminalization, the LGBT community experiences discrimination and various forms of violence by State and Non-State actors alike, such as [...] sexual and gender-based violence and harassment, raids and mass arrests at various LGBTQ crisis shelters. These arrests are marked by police brutality and the humiliation of victims".²⁸³

In September 2022, SMUG International reported that "The SMUG leadership and the LGBTQ community have seen increased attacks, false allegations and anti gay propaganda on social media that 'the LGBTQ community is trafficking and recruiting children into homosexuality' this is being used by anti gay groups and influential persons to attack and spread propaganda, this has resulted in SMUG leadership and the LGBTQ Community facing harassment and state surveillance".²⁸⁴

Freedom House noted in its annual report on political rights and civil liberties covering 2022 that "Ugandan laws prohibit discrimination based on ethnicity, religion, age, race, disability, color, and sex. However, LGBT+ people face overt hostility from the government and society. Same-sex relations are criminalized under a colonial-era law, and people accused of same-sex relations are at significant risk of being tortured and killed".²⁸⁵ Furthermore "there is very low tolerance for LGBT+ people, who face serious persecution and physical danger".²⁸⁶

January – May 2023

Ahead of the Anti-Homosexuality Bill 2023 being signed into law at the end of March 2023, OHCHR noted that in the previous month "more than 110 LGBTQ+ people reported incidents, including arrests, sexual violence, evictions and public stripping".²⁸⁷

In April 2023 the Human Rights Awareness and Promotion Forum (HRAPF) issued a report outlining arrests, evictions and violence following the passing of Uganda's Anti-Homosexuality Bill in the one month period from 21st March to 20th April 2023 based on cases handled by HRAPF's network of lawyers and community paralegals across the country and thus is not exhaustive.²⁸⁸ The report detailed that:

Between 21st March 2023, when the Bill was enacted by Parliament, and 20th April 2023, HRAPF received and handled 59 cases involving LGBTQ or suspected LGBTQ persons. Of these, 40 cases (67.8%) involved

²⁸³ Sexual Rights Initiative, the Uganda LBQ Loose Network, CREA, and the Coalition of African Lesbians (CAL), [HRC50 - Statement on Uganda's UPR by LBQ Loose Network CREA, the CAL and SRI](#), 1 July 2022

²⁸⁴ SMUG International, [Raid at SMUG Premises](#), 24 September 2022

²⁸⁵ Freedom House, [Freedom in the World 2023 - Uganda](#), 2023

²⁸⁶ Freedom House, [Freedom in the World 2023 - Uganda](#), 2023

²⁸⁷ UN News, [Uganda: UN rights chief calls on President not to sign anti-homosexuality bill](#), 22 March 2023

²⁸⁸ Human Rights Awareness and Promotion Forum (HRAPF), [Arrests, evictions and violence: Reports of Violations Against LGBT persons for the first month following the passing of Uganda's Anti-Homosexuality Bill 2023](#), 21 April 2023

violence and violations targeting the victims purely on the basis of their presumed sexuality, and affected a total of 85 persons. 11 cases were cases of arrests of people based on their sexual orientation and gender identity, 14 were crimes against persons on basis of their sexuality, and 15 were cases of evictions from rented property. [...]

There have been 14 cases involving acts of assault and physical violence against LGBTQ persons, affecting 16 persons. There was actual physical violence in eight cases and threatened violence in six cases.²⁸⁹

The same source further described:

These were eight cases of physical violence. In one of these cases, a leader of an organization was forced to flee his home after the village leadership and other individuals he did not know threatened to lynch him. He had previously been arrested and held incommunicado for almost a month by security forces, and during that detention he had been told, before the area chairperson, who had also been arrested on allegations of terrorism, that he was a promoter of homosexuality. After the Bill passed, the neighbours and local area leaders then turned against him, threatening to cause him harm if he did not leave.²⁹⁰

d. Discrimination

i. Access to state-owned housing

Note that not all sources distinguish between privately owned and state-owned housing. This section only includes information that is specific to state owned housing and therefore should be read against section [V., Treatment by Non-State Actors, i. Access to housing](#) which includes information on access to housing more broadly.

HRAPF detailed the following incident that had been recorded in February 2020 “four LGBT persons received an eviction notice from the Local Council I Chairperson notifying them that their ‘residence in the area had been terminated’ on grounds that they were ‘homosexuals’.”²⁹¹ The same source further noted that “In one case, a Local Council Leader violated a gay man’s right to privacy by raiding his home and purporting to arrest him and two friends that were found in the house, and then continuing to threaten and harass them even after their release from police custody”.²⁹²

HRAPF noted state actor involvement in evictions during 2021:

²⁸⁹ Human Rights Awareness and Promotion Forum (HRAPF), [Arrests, evictions and violence: Reports of Violations Against LGBT persons for the first month following the passing of Uganda’s Anti-Homosexuality Bill 2023](#), 21 April 2023

²⁹⁰ Human Rights Awareness and Promotion Forum (HRAPF), [Arrests, evictions and violence: Reports of Violations Against LGBT persons for the first month following the passing of Uganda’s Anti-Homosexuality Bill 2023](#), 21 April 2023

²⁹¹ Human Rights Awareness and Promotion Forum (HRAPF), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, 4.2.2 Violation of the right to equality and freedom from discrimination p.25

²⁹² Human Rights Awareness and Promotion Forum (HRAPF), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, 4.2.5 Violation of the right to privacy p.27

Local Council authorities also violated the right to equality and freedom from discrimination in nine cases when they interfered with the rights of LGBT persons or purported to evict suspected LGBT persons from their villages purely on grounds of their SOGIE. In one such case, the chairperson of the area went to a gay man's home and informed him that he had heard the story that he was gay, and required him to leave the village as soon as possible;⁶⁵ in another case, the victim was summoned to a meeting of the entire village council and asked to explain his sexuality before being formally evicted from the village⁶⁶; in yet another case, the victims (a lesbian woman and her partner) were outed when their village chairperson came to their home loudly demanding to see the 'homosexuals', and then informing them that they had a limited amount of time to move out of his area⁶⁷ and in another nearly similar case, two siblings who both happened to be gay were forced to leave their shared home in Mutundwe once the chairperson rallied the villages to force them to leave the village.⁶⁸²⁹³

65 HRAFP/VR/002/2021.

66 HRAFP/VR/005/2021.

67 HRAFP/VR/021/2021.

68 HRAFP/VR/027/2021

In April 2023 the Human Rights Awareness and Promotion Forum (HRAFP) issued a report outlining arrests, evictions and violence following the passing of Uganda's Anti-Homosexuality Bill in the one month period from 21st March to 20th April 2023 based on cases handled by HRAFP's network of lawyers and community paralegals across the country and thus is not exhaustive.²⁹⁴ The report detailed with regards to evictions by local authorities that:

Local leaders orchestrated five of the evictions, involving 30 individuals and two organisations. The latest case involves a group of 28 LGBTQ refugees living in a refugee settlement who have been constructively evicted by local authorities. The entire group is currently living in hiding as the police authorities have repeatedly sent them messages, demanding that they present themselves for arrest for their activities promoting homosexuality in the camp. The group has previously been subjected to violent attacks by their neighbours and defence personnel for which they are unable to access justice for fear of being arrested by the police, which is actively hunting for them.

In another case, a transgender woman was evicted by the area local council during a full council meeting, to which the HRAFP lawyer was invited but his advice was ignored. In the meeting, the victim was informed that the leadership had come to learn that she was a homosexual and that if she did not leave their area immediately, they would 'not be responsible if anything happened to her.' She had to leave. In another case, a radio station called on the leaders to get rid of a homosexual pastor in their area who they said was recruiting their children, and in response the area chairperson, defence secretary and district security officer all stormed his home, demanding that he pay them exorbitant amounts of money for the case to go away or face arrest and imprisonment for being a homosexual. He refused to pay but was still forced to leave his home, which he fully owned, and his family, and temporarily seek refuge in a different village a bit removed from his home, church and family. In yet another case in which state

²⁹³ HRAFP, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, 4.3.3. *Violation of the right to equality and freedom from discrimination* p.16-17

²⁹⁴ Human Rights Awareness and Promotion Forum (HRAFP), [Arrests, evictions and violence: Reports of Violations Against LGBT persons for the first month following the passing of Uganda's Anti-Homosexuality Bill 2023](#), 21 April 2023

authorities have abused their power, an LGBTQ organisation was evicted after the area leadership wrote to the landlord demanding that he evict the homosexuals and, when he failed to do so, the chairperson wrote directly to the client organisation, demanding that they leave the village within three days or ‘face the consequences’.²⁹⁵

A follow up HRAPF report covering the period 21st March 2023 to 30th May 2023 noted that “Local leaders orchestrated seven of the evictions, involving 33 individuals and two organisations” and detailed the following incidents:

A lesbian woman was forced to flee her house and village after the local area leaders and the cultural leaders in her area started searching for her home to have her arrested for being the ‘lead recruiter’ in the district. The local leaders were so adamant and forceful in their efforts to find her, telling her colleagues and friends to advise her to flee or face the consequences. By extension, she felt compelled to move hundreds of kilometres away for her own safety. A similar incident happened to a lesbian couple in a city neighbouring the one above when they were forced by the local council leaders to leave their home or they would face arrest.²⁹⁶

A further HRAPF covering the period 30th May to 20th June 2023, described one case of violence in this period: “The two clients were forcibly removed from their house by the local council (LC) leaders, made to sit outside on the verandah and heckled and harassed for several minutes before being taken to the LC office. During this interaction, one of them, a transgender man, was fondled by unidentified individuals, and the entire ordeal was recorded and uploaded to Tit Tok. At the LC Office, they were questioned about being involved in homosexuality for several hours before they were released, although they were asked to leave the village immediately”.²⁹⁷

ii. Access to public health services

The U.S. Department of State annual human rights report covering 2020 noted that “All individuals have the right to manage their reproductive health and have access to the information and means to do so, free from coercion and violence. LGBTI organizations reported that some public health facilities discriminated against LGBTI persons seeking reproductive healthcare services”.²⁹⁸ Furthermore:

Local civil society organizations reported that public and private health-care services turned away LGBTI persons who sought medication and some health-care providers led community members to beat LGBTI

²⁹⁵ Human Rights Awareness and Promotion Forum (HRAPF), [*Arrests, evictions and violence: Reports of Violations Against LGBT persons for the first month following the passing of Uganda’s Anti-Homosexuality Bill 2023*](#), 21 April 2023

²⁹⁶ Human Rights Awareness and Promotion Forum (HRAPF), [*Increasing violence: cases of violence and violations against real or suspected LGBTIQ persons for the period between passing of the Anti-Homosexuality Bill, 2023 \(21 March 2023\) and its coming into force \(30th May 2023\)*](#), 19 June 2023

²⁹⁷ Human Rights Awareness and Promotion Forum (HRAPF), [*Increasing Violence and Violations: The First 21 Days of the Antihomosexuality Act, 2023*](#), 21 June 2023, p.3

²⁹⁸ US Department of State, [*2020 Country Reports on Human Rights Practices: Uganda*](#), 30 March 2021, Section 6. *Discrimination, Societal Abuses, and Trafficking in Persons, Women*

persons who sought health care. Local civil society organizations reported that some LGBTI persons needed to pay bribes to public health-care providers before they received treatment.²⁹⁹

Kuchu Times reported in March 2020 on a key stakeholder meeting with the Uganda Key Population Consortium (UKPC) and Sexual Minorities Uganda (SMUG) on the health needs of key populations in Uganda. It noted that “Several challenges were listed as hindrances that are limiting the delivery of HIV/AIDS services to key populations. These include implementation of the regressive NGO act which halts some activities held by KP led organizations, refusal of registration of certain CSOs and halting gatherings, specifically within the LGBT+ community, under the guise of being unlawful”.³⁰⁰

An April 2020 report from the International Treatment Preparedness Coalition explained that “sex work, drug use and homosexuality are highly criminalized in Uganda, which creates barriers to accessing health services for these populations”.³⁰¹ In addition, “Violence, discrimination and stigma are barriers to HIV testing among sex workers in Uganda”.³⁰²

In 2020 the UK organization ReportOut published research led by Drew Dalton, senior Lecturer in Sociology at the University of Sunderland, in partnership with seven local organisations, based on 76 survey responses on the situation of Sexual Orientation, Gender Identity, Expression and Sexual Characteristics (SOGIESC) in Uganda.³⁰³ The report found with regards to health and mental health that “Over half of SOGIESC Ugandans refused to use hospitals or medical care because of their SOGIESC identity (52.6%). Though the reasons for not wanting to access healthcare settings is clear in other findings, in which respondents had experienced direct discrimination from healthcare staff (51.3%) and the precarious position of most of the respondents finances, employment and access to health care”.³⁰⁴

Akina Mama Wa Afrika’s (AMWA) November 2022 feminist analysis on the sexual reproductive health and rights legal and policy framework in Uganda reported on the sexual reproductive health of trans, intersex, and non-binary individuals:

Related to non-discrimination is the urgent need to push towards legal recognition and protection for trans, intersex, and non-binary individuals whose SRHR needs remain in a dire state. Uganda has been lauded in its fight against HIV; laws like the HIV Prevention and Control Act, 2015, and the National Strategic Plan on HIV/AIDS, which identify these groups as key populations.³³ Yet criminalization of SOGIE undermines agency and autonomy, pushing SRHR needs into a dreadful state within this community. For instance, HIV prevalence rates among transgender women in Uganda stands at 50%³⁴; that is, one in two

²⁹⁹ US Department of State, [2020 Country Reports on Human Rights Practices: Uganda](#), 30 March 2021, *Section 6. Discrimination, Societal Abuses, and Trafficking in Persons, Women*

³⁰⁰ Kuchu Times, [UKPC continues to push for equality in Uganda’s health sector](#), 3 March 2020

³⁰¹ International Treatment Preparedness Coalition, [Global Survey: Access to and quality of HIV care & treatment](#), April 2020, *Uganda*, p.8

³⁰² International Treatment Preparedness Coalition, [Global Survey: Access to and quality of HIV care & treatment](#), April 2020, *Uganda*, p.8

³⁰³ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020

³⁰⁴ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020, 10, *Key Findings: Health and mental health* p.38

trans women will contract HIV. The public health framework is failing to adequately respond to the comprehensive SRHR needs of these LGBTQ+ individuals because criminalization undermines their capacity as rights holders. [...] ³⁰⁵

33 The National HIV and AIDS strategic plan (2020/21 to 2024/25)

34 Mujugira et. al.

The U.S. Department of State annual human rights report covering 2021 noted that “LGBTQI+ activists reported that some public health officials declined to provide health services, including reproductive health services, to LGBTQI+ persons”. ³⁰⁶ In addition, “Local media and LGBTQI+ organizations reported that some hospitals and religious institutions offered and subjected LGBTQI+ persons to conversion therapy”. ³⁰⁷ Furthermore:

Local civil society organizations reported that public and private health-care services turned away LGBTQI+ persons who sought medication and some health-care providers led community members to beat LGBTQI+ persons who sought health care. Local civil society organizations reported that some LGBTQI+ persons needed to pay bribes to public health-care providers before they received treatment. ³⁰⁸

Reuters published an article in January 2021 about the UN calling for respect for LGBT+ Ugandans ahead of the election which stated:

Winnie Byanyima, head of UNAIDS, the U.N. agency for HIV and AIDS, said the vilification of LGBT+ people could worsen violence and discrimination and reduce their access to HIV/AIDS treatment.

“Using offensive language that describes LGBT people as ‘deviant’ is simply wrong,” said Byanyima in a statement late on Tuesday, referring to comments made by President Yoweri Museveni in a media interview last week.

“Stigma and discrimination based on sexual orientation violates rights and keeps people away from HIV testing, treatment, prevention and care services.” [...] ³⁰⁹

UNAIDS said Uganda had made considerable progress against the HIV epidemic, with 80% of an estimated 1.5 million people living with the virus receiving treatment.

However, gay men were less likely to access HIV testing, treatment, prevention and care services, partly due to stigma and discrimination in health care settings and throughout society, it added. ³⁰⁹

³⁰⁵ Akina Mama Wa Afrika (AMWA), [An Intersectional Feminist Analysis Of The Sexual Reproductive Health and Rights Legal and Policy Framework In Uganda](#), 11 November 2022, p.9-10

³⁰⁶ US Department of State, [2021 Country Report on Human Rights Practices: Uganda](#), 12 April 2022, Section 6. *Discrimination and Societal Abuses, Reproductive Rights*

³⁰⁷ US Department of State, [2021 Country Report on Human Rights Practices: Uganda](#), 12 April 2022, Section 6. *Discrimination and Societal Abuses, Section 6. Discrimination and Societal Abuses, Acts of violence, criminalization, and other abuses based on sexual orientation and gender identity*

³⁰⁸ US Department of State, [2021 Country Report on Human Rights Practices: Uganda](#), 12 April 2022, Section 6. *Discrimination and Societal Abuses, Section 6. Discrimination and Societal Abuses, Acts of violence, criminalization, and other abuses based on sexual orientation and gender identity*

³⁰⁹ Reuters, [U.N. urges respect for LGBT+ Ugandans ahead of polls](#), 13 January 2021

A March 2021 UNAIDS feature story featuring Keem Love Black who runs Trans Positives Uganda stated that “stigma and discrimination often follows transgender people to consulting rooms at health facilities, where, while seeking treatment, they can be degraded and shamed”.³¹⁰ It cited Keem Love Black as stating “You tell a doctor, ‘I have anal gonorrhoea’ and they will all be shocked. They’ll call everyone, all the doctors, to see because they don’t believe in anal sex. They’ll say it’s against their religion”.³¹¹

An April 2021 Erasing 76 Crimes article cited a forthcoming book by Freedom and Roam Uganda, a lesbian, bisexual and queer (LBQ) organization which “highlights lessons learned about how health services, health care and information can and should be more inclusive”.³¹² According to the author, Sasha, “LBQ womxn in Uganda face discrimination, exclusion and stigmatization, and as a result have difficulty accessing much-needed SRHR [sexual and reproductive health and rights] information and services”.³¹³

In response to the passing of the sexual offences Bill, the OHCHR reported in May 2021 that “We are alarmed that certain offences in the Act include mandatory and forced HIV testing of defendants and treat HIV status as an aggravating factor when a person is accused of specific sexual offences”.³¹⁴ It further noted that “Such provisions violate Uganda’s human rights obligations and risk undermining public health, leaving people afraid to come forward for essential testing and treatment, and so affecting critical HIV prevention and treatment efforts. They also risk further fuelling the spread of HIV in Uganda and sub-Saharan Africa”.³¹⁵

In June 2021 Open Democracy reported that according to an investigation it conducted, ‘anti-gay’ counselling activities were available at Mulago, Uganda’s largest public hospital, along with three hospitals in the Uganda Catholic Medical Bureau (UCMB) network.³¹⁶ Open Democracy stated that it was unclear how common ‘conversion therapy’ is in Uganda, but it worked with local researchers to interview 20 LGBT people who had undergone such treatment.³¹⁷ It reported:

Interviewees said such ‘therapy’ “felt like murder” and that they “suffered depression and anxiety”, drug dependence and suicidal thoughts. Mulago and a hospital in UCMB’s network were among the facilities they named as having provided the treatments. [...]

At Kisubi Hospital’s “youth-friendly” clinic, a counsellor offered a session for 50,000 Ugandan shillings (\$14), saying a “17 [year-old] is still a small child we can modify”.³¹⁸

³¹⁰ UNAIDS, [Fighting transphobia and violence one social media post at a time](#), 30 March 2021

³¹¹ UNAIDS, [Fighting transphobia and violence one social media post at a time](#), 30 March 2021

³¹² Erasing 76 Crimes, [LBQ Womxn in Uganda: a plea for equal access to health](#), 9 April 2021

³¹³ Erasing 76 Crimes, [LBQ Womxn in Uganda: a plea for equal access to health](#), 9 April 2021

³¹⁴ OHCHR, [Press briefing notes on Uganda](#), 7 May 2021

³¹⁵ OHCHR, [Press briefing notes on Uganda](#), 7 May 2021

³¹⁶ Open Democracy, [Anti-gay ‘therapy’ offered at Uganda health centres run by aid-funded groups](#), 30 June 2021

³¹⁷ Open Democracy, [Anti-gay ‘therapy’ offered at Uganda health centres run by aid-funded groups](#), 30 June 2021

³¹⁸ Open Democracy, [Anti-gay ‘therapy’ offered at Uganda health centres run by aid-funded groups](#), 30 June 2021

Erasing 76 Crimes reported that in response “Dr. Peter Kyambadde, Executive Director of the Most At Risk Populations Initiative (MARPI), said in a July 2 statement released on the MARPI website that conversion therapy is not among the services being directly or indirectly offered by the clinic”.³¹⁹

A joint submission in July 2021 for the Universal Periodic Review of Uganda by the Sexual Minorities Cluster, jointly convened by Human Rights Awareness and Promotion Forum (HRAPF) and Sexual Minorities Uganda (SMUG), stated that:

4.13. [...] Unfortunately, the right to health for LGBT persons is often denied due to the social and cultural misconceptions and exclusions that LGBT persons experience based on their sexual orientation and gender identity. This is reflected in the budget allocations that do not include sexual reproductive health services for LGBT persons⁴⁶ beyond donor funded HIV and STI prevention and treatment initiatives.

4.14. LGBT persons encounter discrimination, stigmatisation and hostility in accessing the health care system in Uganda, and this discrimination is based on the criminalisation of same sex sexual conduct under the Penal Code Act. This also informs the negative attitudes of health workers to LGBTI persons,⁴⁷ despite the fact that they remain classified as key populations and as groups most at risk of acquiring HIV.⁴⁸ There is no robust system to track universal healthcare coverage even in relation to HIV services for LGBT persons. [...]

4.16. Non-Governmental Organisations such as the Most at Risk Populations Initiative and community drop-in-centres operated by LGBTI led organisations are the primary source of health care services for LGBTI persons.⁵² The SRHR needs of LGBT persons are generally not considered, and government efforts to raise awareness on SRHR issues as well as the minimum SRHR packages available are all tailored towards heterosexual persons, such as the Ministry of Health’s long-standing campaign on the use of contraception, which exclusively targets heterosexual couples.³²⁰

46 ‘Anti-gay rhetoric ramps up fear among LGBT+ Ugandans ahead of polls’ Nita Bhalla, Reuters 6 January 2021 <https://www.reuters.com/article/us-uganda-lgbt-election-idUSKBN29B22W> . (accessed 30 April 2021)

47 ‘Museveni attacks homosexuals, foreign groups, says they are sponsoring opposition protests.’ Nile Post 20 November 2020; <https://nilepost.co.ug/2020/11/20/museveni-attacks-homosexuals-foreign-groups-says-they-are-sponsoring-opposition-protests/>

48 See HRAPF (n 20 above)

In July 2021 Erasing 76 Crimes reported that during a COVID-19 national lockdown, the transgender community were struggling to access food.³²¹ The source explained that “the government began disbursing cash to buy food to vulnerable Ugandans, but trans people face barriers to accessing it. Each person is being given 100,000 shillings (approximately US \$28), distributed through mobile money services. To get the money one must register using their national identification card, which many trans Ugandans don’t have”.³²²

³¹⁹ Erasing 76 Crimes, [Ugandan clinic denies ‘conversion therapy’ accusations](#), 9 July 2021

³²⁰ Human Rights Awareness and Promotion Forum (HRAPF) and Sexual Minorities Uganda (SMUG) et al., [Universal Periodic Review of Uganda: Joint Submission by Civil Society Organisations Working with Lesbians, Gay, Bisexual, Transgenders and Intersex Persons - to: the Office of the High Commissioner for Human Rights](#), 15 July 2021, p.12-13

³²¹ Erasing 76 Crimes, [Trans Ugandans issue desperate food appeal as lockdown bites harder](#), 16 July 2021

³²² Erasing 76 Crimes, [Trans Ugandans issue desperate food appeal as lockdown bites harder](#), 16 July 2021

The November 2021 UN Human Rights Council Working Group on the Universal Periodic Review summary of stakeholder information noted that “Several stakeholders were concerned about persistent discrimination against LGBTIQ+ persons, including access to housing, education, health care and employment, and increased homophobic rhetoric from government officials”.³²³

In November 2021, the Uganda LBQ Loose Network, CREA, and the Sexual Rights Initiative submitted a report ahead of the Universal Periodic Review of Uganda’s 40th session, stating that:

The Uganda LBQ Loose Network also remains deeply concerned about the exclusion of minority women in SRHR programing and policy making. Despite state efforts to reach out to key and priority populations with HIV prevention, treatment and care services, LBQ women have been excluded from all discussion and service provision due to the flawed presumption that they are not as vulnerable to HIV. As such, LGBT-specific and friendly health services have also remained unavailable to LBQ women, exposing LBQ women to health risks and a steadily deteriorating quality of life. Additionally, the lack of LBQ-specific and targeted SRHR information and services affects the right to health for LBQ women by limiting access to necessary services. [...]

LBQ women in Uganda deal with significant pressures brought on by the widespread marginalisation of LGBTIQ persons, with most of them forced to exist in the closet. The lack of access to reliable and quality mental healthcare/ support services is therefore a significant gap in the health delivery system that has negatively impacted the right to health for LBQ women.³²⁴

The March 2022 Concluding Observations of the Committee indicated among its principal areas of concern that it was “the high prevalence of gender-based violence against women, including domestic violence, the longest shutdown of educational institutions globally due to the pandemic and the feminization of poverty, which disproportionately affects women and girls belonging to disadvantaged and marginalized groups, who face multiple and intersecting forms of discrimination”.³²⁵ In response it issued a number of recommendations including:

Implement measures to redress long-standing inequalities between women and men by placing women at the centre of COVID-19 recovery strategies, in accordance with the 2030 Agenda, paying particular attention to unemployed women, women living in poverty, women belonging to ethnic and national minority groups, indigenous women, women in humanitarian settings, older women, women with disabilities, migrant, refugee and asylum-seeking women, lesbian, bisexual and transgender women and intersex persons.³²⁶

³²³ UN Human Rights Council Working Group on the Universal Periodic Review, [Summary of Stakeholders' submissions on Uganda*](#), 9 November 2021, paragraph 22

³²⁴ The Uganda LBQ Loose Network, CREA, and the Sexual Rights Initiative, [Universal Periodic Review of Uganda 40th Session, January - February 2022: Joint Stakeholder Submission](#), 30 November 2021, p.6-7

³²⁵ CEDAW, [Concluding observations on the combined eighth and ninth periodic reports of Uganda*](#), 1 March 2022 para 33

³²⁶ CEDAW, [Concluding observations on the combined eighth and ninth periodic reports of Uganda*](#), 1 March 2022 para 33

The U.S. Department of State annual human rights report covering 2022 noted that “Human rights activists reported that LGBTQI+ persons suffered stigma and faced discrimination in access to healthcare, employment, housing, and other social services.”³²⁷ The same source further noted:

Human rights activists reported that lesbians, transgender, and queer women were at a higher risk of discrimination at public health facilities. [...]

Human rights activists reported that LGBTQI+ persons were able to provide informed consent before receiving reproductive health treatment, although many lesbians, bisexual, and queer women preferred to access sexual and reproductive health services at LGBTQI+ drop-in centers as they found public health facilities not tailored to their needs. Human rights activists reported that some public health officials declined to provide health care, including reproductive health services, to LGBTQI+ persons.³²⁸

In November 2022 a baseline assessment conducted by the Uganda-based Network of Key Population Service Organisations (UNESO) with support from UHAI-EASHRI on Sexual Reproductive Health and Rights (SRHR) issues affecting sex workers in Uganda was published.³²⁹ As reported by Erasing 76 Crimes, “The survey findings show that 29% of all sex workers experienced coerced or violent sex. The level of violent sex was reported highest among the transgender sex workers at 37%, LBQ sex workers at 33% and FSWs at 31%. The MSW were the least affected (12%)”.³³⁰ The same source further noted that “The study found that a variety of factors, including sexual violence and coercive state laws prevent sex workers from accessing sexual and reproductive health services”.³³¹

Tranz Network Uganda (TNU) reported in February 2023 that “Transgender and gender diverse persons in Uganda experience significant health and health care inequality perpetuated by a social political and legal environment that instigates a lot of stigma and discrimination against them. The barriers that impede optimal access to health care for transgender and gender diverse persons include: fear of discrimination, inconvenient operating hours of public health facilities, issues of name and gender identification of trans persons among others”.³³²

Edge Media Network reported in March 2023 on Frank Mugisha, head of the banned LGBTQ support group Sexual Minorities Uganda, who said “He said he was getting calls from members of his community who are worried about where to seek medical services [...]”.³³³

³²⁷ US Department of State, [2022 Country Report on Human Rights Practices: Uganda](#), 20 March 2023, Section 6. *Discrimination and Societal Abuses, Reproductive Rights, Discrimination, Acts of violence, criminalization, and other abuses based on sexual orientation, gender identity or expression, or sex characteristics*

³²⁸ US Department of State, [2022 Country Report on Human Rights Practices: Uganda](#), 20 March 2023, Section 6. *Discrimination and Societal Abuses, Reproductive Rights*

³²⁹ Erasing 76 Crimes, [Trans and LBQ sex workers most hit by sexual violence, Uganda report says](#), 16 January 2023

³³⁰ Erasing 76 Crimes, [Trans and LBQ sex workers most hit by sexual violence, Uganda report says](#), 16 January 2023

³³¹ Erasing 76 Crimes, [Trans and LBQ sex workers most hit by sexual violence, Uganda report says](#), 16 January 2023

³³² Tranz Network Uganda, [Transgender Health Program](#), 7 February 2023

³³³ Edge Media Network, [Uganda LGBTQ+ Leader Says Gay Bill Threatens Homelessness](#), 23 March 2023

Human Rights Watch noted in March 2023 that:

LGBT organisations in Uganda are already under siege. Senior officials in Uganda and some church leaders have fueled a moral panic by falsely accusing LGBT groups of recruiting children in schools. Four groups, including Sexual Minorities Uganda (Smug), have been banned, and another 22 are under investigation by the authorities. Desperately needed social and health services have been disrupted as a result. A spokesman for an organisation that runs a shelter for homeless LGBT youth who have been rejected by family and community, decried the closure of SMUG and the demise of the services they offered. He told Human Rights Watch that mental health services are urgently needed:

“Some of them think that because of being what they are — because of being gay or lesbian — that it is the end. Some of them feel like, ‘No, we can’t live because my mother sent me out of my place. I don’t have anywhere to go, so I have to just die.’ ... They are mentally not okay.”³³⁴

A statement by US President Joe Biden at the end of May 2023 on the enactment of Uganda’s Anti-Homosexuality Act stated that “Since the Anti-Homosexuality Act was introduced, reports of violence and discrimination targeting Ugandans who are or are perceived to be LGBTQI+ are on the rise. Innocent Ugandans now fear going to hospitals, clinics, or other establishments to receive life-saving medical care lest they be targeted by hateful reprisals”.³³⁵

The Guardian reported in an article in March 2023 on the challenges faced by transgender people in Uganda, noting that:

Transitioning in Uganda is difficult with few medical providers willing to offer hormone therapy, and people who want to undertake sex reassignment surgery need to travel out of the country – placing it out of reach for the majority.

Trans people can legally change their names and IDs, but the procedure for doing so is not specified, and leaves a lot to the discretion of the National Identification and Registration Authority. Activists say that laws which [indirectly criminalise](#) trans people, such as impersonation and public indecency, or those that criminalise same-sex relations, add intense scrutiny.

“The law says one thing and allows you to make these changes, but in practice the journey to actually exercise these rights means that you encounter a lot of really harsh homophobia,” said Noah Mirembe, a human rights lawyer. “There are a lot of demands to strip down and undress to prove your [manhood or womanhood], and trans people are constantly expected to put up with those forms of intrusion.”

Mukisa, a former nurse, managed to change his national ID to reflect his preferred gender. He tries to help other trans people to navigate the process, but says it was much easier to do a few years ago. Mukisa adds, however, that he has been unable to change his academic certificates from his old name due to pushback from national exam bodies and professional nursing associations, which he says has stunted his professional and educational career.

³³⁴ Human Rights Watch, [It is vital for South Africa to oppose Uganda’s dangerous anti-gay bill](#), 31 March 2023

³³⁵ The White House, [Statement from President Joe Biden on the Enactment of Uganda’s Anti-Homosexuality Act](#), 29 May 2023

"I can't compete in the mainstream economic world," said Mukisa, who is unemployed. Most trans people he knows have to become self-employed or work with the few, mainly poorly funded LGBTQ+ organisations.³³⁶

According to the Mixed Migration Centre reporting in April 2023 following the passing of the Anti-Homosexuality Bill "HIV-positive LGBTQI+ individuals are particularly targeted and may not be able to access critical health and protection services due to fear of identification".³³⁷

In May 2023, the women's organisation Akina Mama Wa Afrika (AMWA) published a blog piece on digital platforms and information available for youth about their sexual and reproductive health and rights, noting that:

[A] queer activist, Nora, from Freedom and Roam Ugandan an [sic] Lesbian Bisexual and Queer organization providing SRHR services to queer persons spoke about the difficulty of finding information that is context or region specific due to the criminalisation of LGBTQ Identities and the stigma that seeps into even the health system. She shares that there are lots of myths around the lesbian women, for example that they cannot contract HIV or STDs and as a young person, in areas where expert information around queer identities is censored, it is hard to know what is myth or fact which puts young people at risk because of lack of information.³³⁸

The Taala Foundation, a community-led organisation promotion mental health for marginalised communities across Africa, published a paper in May 2023 critiquing the proposed Anti-Homosexuality Bill on public health grounds. It stated that: "GSD '[gender and sexual diverse] individuals, already marginalised and stigmatised in society, are likely to be increasingly reluctant to seek health and medical care due to fear of disclosure, discrimination, and potential legal repercussions. [...] By criminalising and stigmatising homosexuality, the bill cultivates an already hostile social environment, resulting in an upsurge of mental health issues within the GSD community".³³⁹

At the end of May 2023, an article by Edge Media Network on Uganda's signing into law of the new anti-gay legislation noted that:

In a joint statement Monday, the leaders of the U.N. AIDS program, the U.S. President's Emergency Plan for AIDS Relief and the Global Fund said they were "deeply concerned about the harmful impact" of the legislation on public health and the HIV response.

"Uganda's progress on its HIV response is now in grave jeopardy," the statement said. "The Anti-Homosexuality Act 2023 will obstruct health education and the outreach that can help end AIDS as a public health threat."

³³⁶ The Guardian, [LGBTQ+ groups face crackdowns in Uganda as environment turns hostile](#), 14 March 2023

³³⁷ Mixed Migration Centre, [Quarterly Mixed Migration Update Eastern and Southern Africa | Egypt and Yemen, Quarter 1, 2023](#), 26 April 2023

³³⁸ Akina Mama Wa Afrika (AMWA), [Are Digital Platforms the Silver Bullet to SRHR Information Access for Youth? A webinar conversation with the Make Way Youth Panel of Uganda](#), 10 May 2023

³³⁹ The Taala Foundation, [The Uganda Anti-Homosexuality Bill: A Public Health Critique](#), 19 May 2023, p.8

That statement noted that "stigma and discrimination associated with the passage of the Act has already led to reduced access to prevention as well as treatment services" for LGBTQ people.³⁴⁰

The Daily Monitor reported in May 2023, referring to Clare Byarugaba from Chapter Four Uganda, one of the groups calling for sanctions against Ugandans implicated in human rights abuses, that: "She said the law would also discourage members of the LGBTQ community from seeking treatment for HIV and would "devastate the fight" against the disease in Uganda".³⁴¹

Rella Women's Foundation, a non-profit women's organisation based in Kampala, published an article in June 2023 on the impact of the Ugandan anti-homosexuality bill on access for LBQ persons to sexual and reproductive health services, stating that:

UPDF (Uganda People's Defence Forces) deputy commander of land forces major general Takirwa on Tuesday 07th February 2023 was published with the headlines "Don't treat homosexuals in our facilities." Many LBQ individuals already face significant barriers to accessing healthcare, including stigma and discrimination from healthcare providers. Passing the AHB [anti-homosexuality bill] would make it even more difficult for LBQ individuals to access healthcare, as many healthcare providers will refuse to treat us for fear of violating the law. This would not only harm the LBQ community but would also have negative economic consequences, as untreated illnesses can lead to lost productivity and increased healthcare costs down the line. [...]

The fear of violence, discrimination, and outing has discouraged LBQ individuals from seeking SRHR services, including HIV testing, treatment, and prevention services. This has led to an increase in the prevalence of HIV and other STIs among LBQ individuals in Uganda. Additionally, LBQ individuals who are already living with HIV have been reluctant to disclose their status and seek treatment due to the stigma and discrimination they face, which have exacerbated their health outcomes.

The bill has also impacted the mental health and well-being of LBQ individuals in Uganda. The fear of violence and discrimination can lead to increased stress and anxiety, which can contribute to mental health issues.

Additionally, LBQ individuals face discrimination and violence putting us at a higher risk of suicidal ideation and attempts. [...]

Reduced access to healthcare as the AHB has also made it difficult for LGBTQ+ individuals to access healthcare services, particularly HIV/AIDS treatment and prevention. Many clinics and healthcare providers are reluctant to serve queer patients for fear of being accused of promoting homosexuality, which is criminalised under the proposed law.

The taboo surrounding menstruation has also led to limited access to menstrual hygiene products and facilities, which negatively impact transgender, and gender non-conforming persons education and overall health. These persons in Uganda further miss school and work due to lack of access to menstrual hygiene products and facilities, which has had long-term consequences for their education and future opportunities.

We also face additional challenges related to menstruation, such as limited access to menstrual hygiene products that align with our gender identity and characteristics. We are often excluded from discussions

³⁴⁰ Edge Media Network, [Uganda's President Signs Into Law Tough Anti-Gay Legislation With Death Penalty In Some Cases](#), 29 May 2023

³⁴¹ The Daily Monitor, [Ugandan activists call for sanctions after tough anti-gay law passed](#), 30 May 2023

and policies related to menstruation in Uganda. However, it is important to recognize that we too experience menstruation and require access to menstrual hygiene products and facilities.

Masculine lesbians also experience menstruation but face additional stigma and discrimination related to their gender identity characteristics and sexual orientation. Lack of access to menstrual hygiene products, information and facilities is particularly challenging for trans men, gender non-conforming persons and masculine lesbians, who face additional barriers to accessing these resources due to discrimination and stigma.

In Uganda we face significant challenges when it comes to accessing conception methods that would allow LBQ persons to give birth to a child. Since same-sex marriage is illegal in Uganda, and there are no legal protections for LGBTQ+ individuals. As a result, adoption and surrogacy are not viable options for many LGBTQ+ individuals who want to have children.

Additionally, there is limited awareness and education on assisted reproductive technologies such as in-vitro fertilisation (IVF), and most healthcare providers are not trained to provide these services to LBQ individuals.

Discrimination and stigma has also played a significant role in limiting access to conception methods. Some healthcare providers refuse to provide these services to LBQ individuals based on their personal beliefs and biases.

Even though, there are some organisations and clinics that provide fertility treatments to LBQ individuals in Uganda. These organisations offer services such as sperm donation, egg donation, and surrogacy. However, these services are often expensive and not accessible to everyone.³⁴²

The Los Angeles blade reported in June 2023 following the enactment of the Anti-Homosexuality legislation that “The Human Rights Awareness and Promotion Forum, a health-oriented NGO that advocates for equal access to services by all people including LGBTQ+ persons, has suspended its work over the anti-homosexuality law”.³⁴³ The NGO stated that it suspended its malaria, tuberculosis, and HIV services “until the court clarifies the law to avert any prosecution for offering services to LGBTQ+ people”.³⁴⁴ Furthermore “The harsh law on LGBTQ+ people has also impacted the once busy U.S.-funded HIV/AIDS treatment center in Kampala, the Ugandan capital, because patients fear the police will identify and arrest them. [...] The deserted clinic always received a minimum of 50 patients daily for HIV/AIDS preventive services like condoms and antiretroviral therapy. Service providers are therefore concerned over a potential spike in HIV/AIDS cases”.³⁴⁵

Reuters similarly reported in June 2023 that:

Andrew Tendo, resident medical officer at the US-funded clinic, warned that new waves of HIV infections were forming even as vulnerable people stayed away from treatment centres, afraid of being identified and arrested under the new laws.

³⁴² Rella Women’s Foundation, [Uganda's Anti-Homosexuality Bill 2023 and its Impact on SRHR Services for LBQ Persons](#), 12 June 2023

³⁴³ Los Angeles Blade, [Companies pull out of Uganda, NGOs suspend services after anti-LGBTQ+ law signed](#), 13 June 2023

³⁴⁴ Erasing 76 Crimes, [Ugandan anti-gay law empties out HIV clinics, cuts legal aid](#), 15 June 2023

³⁴⁵ Los Angeles Blade, [Companies pull out of Uganda, NGOs suspend services after anti-LGBTQ+ law signed](#), 13 June 2023

"The LGBT community in Uganda is on lockdown now," he said. "They don't have preventive services. They cannot access condoms ... they cannot access ARTs (antiretrovirals)."

Under the bill, which President Yoweri Museveni signed into law last week, gay sex is punishable by life in prison while "aggravated homosexuality" - which includes transmitting HIV - is punishable by death. [...]

Now, though, when patients do come in, it's often out of absolute necessity, said Tendo, adding that the HIV cases presenting had become more severe as people skipped treatments. [...]

[...] the trend of HIV patients staying away from treatment centres is being mirrored on a national level, according to Mary Borgman, country director for the US President's Emergency Plan for AIDS Relief (PEPFAR), which funds the Kampala clinic and about 80 other drop-in centres across Uganda.

She said fear had increasingly been deterring people from coming in for treatment ever since the anti-gay bill was introduced in parliament in March. [...]

Lillian Mworeko, the East African regional coordinator for the International Community of Women living with HIV/AIDS, said some providers feared that offering medical services to LGBTQ patients could be classed as "promoting" homosexuality, an offence punishable by 20 years in prison under the new law.³⁴⁶

In mid-June 2023, SMUG International noted that "The Anti-Homosexuality Act 2023, Act (No. 6 of 2023) was assented, to by the President of Uganda on the 26th day of May 2023. [...] The law is currently in force. As a result, some authorities and individuals are enforcing this law, including [...] denial of healthcare services".³⁴⁷

At the beginning of July 2023, CIVICUS released a new report on civic space limitations on LGBTQI+ rights in Africa. On Uganda, it noted that "the new anti-LGBTQI+ law has raised concerns that it may cause a major claw back on decades-long gains made in the country over the HIV/AIDS response, with reduced access to healthcare services already being reported".³⁴⁸

Outright International also posted a commentary on the provisions of the Anti-Homosexuality Act in early July 2023, stating that:

If you work in a maternal and family health program, and you know your client is a lesbian mom, then you can be deemed to have a reasonable suspicion that she is someone who commits the crime of "homosexuality." You have a mandatory duty to report her to the police. Failure to report her carries a penalty of imprisonment of up to twenty years (Secs. 11(2)(a) & 14). You have a duty to report your client regardless of provider-patient privilege. The law gives you immunity from any action anyone might take against you because you violated this privilege. Additionally, if you provide any materials on sexual health related to the mom's sexual orientation, you could face an additional twenty years (Sec. 11(2)(b)). The Act also makes it a crime to "allow any premises to be used" to commit an offense under that act (Sec. 9). If your services are location-based, you could face another twenty years.

Any receptionist, nurse, doctor or another client that you may encounter all have a mandatory duty to report you to the police if they suspect you might commit "homosexuality" or be an advocate or supporter of LGBT people. If they fail to report you, they could face a jail penalty of up to twenty years

³⁴⁶ Reuters, [HIV alarm in Uganda as anti-gay law forces LGBT 'lockdown'](#), 8 June 2023

³⁴⁷ SMUG International, [Effect of Anti-Homosexual Act 2023 in Uganda](#), 16 June 2023

³⁴⁸ CIVICUS, [Challenging Barriers: Investigating Civic Space Limitations on LGBTQI+ Rights in Africa](#), 4 July 2023, p.28

twenty-years (Secs. 11(2)(a) & 14). If you are LGBT person or an advocate, seeking health services could lead to your arrest.

On June 5, 2023, the Ministry of Health issued a circular stating that health facilities should not discriminate against patients based on their sexual orientation or gender identity, citing privacy provisions in the [Patients' Charter](#). However, the Patients' Charter only protects privacy insofar as there is no suspected violation of Ugandan law. The duty to report patients to the police continues to apply to health workers.³⁴⁹

The same month, Vox News reported on the impact of the Anti-Homosexuality Bill on LGBTQ clinics in Uganda, stating that:

Experts are deeply concerned about the [law's impact on Uganda's progress on health](#) — in particular, its impact on HIV transmission. Although gay men and their sexual networks comprise less than a third of new HIV cases in the country, containing the infection's spread among men, women, and children depends on steady access to HIV treatment and prevention. [...]

In Kampala, amid intensifying hostility toward LGBTQ people and those who provide their health care, [Brian Aliganyira](#) is executive director of the [Ark Wellness Hub](#), an LGBTQ health clinic. We talked to him in mid-June about the clinic's work, the risks he and his staff face, and what action he thinks people outside Uganda should take in response to the AHA.

When we checked in with Aliganyira in early July, his clinic had just received a visit from employees of the national bureau that monitors nongovernmental organization work within Uganda. He was told the bureau had information on the group's involvement in immoral acts and the recruitment of minors for homosexual behavior³⁵⁰

The article also posted the script from an interview with Brian Aliganyira, executive director of the Ark Wellness Hub, who stated the following:

Long before this law passed, our community faced a lot of stigma and discrimination, and a lack of competent counseling services and information. Our idea was to gather people from within [the LGBTQ] community who are skilled or professionals in different disciplines, and to have them provide services in one place.

HIV infections among our community is very high — prevalence is about 13.5 percent [among [men who have sex with men](#) in Kampala]. So we are open seven days a week until late evening, and we've been able to provide services to around 4,200 LGBTQ persons.

Just providing health education is a challenge. It's very hard to provide information that includes sexual health for men who have sex with men or for LGBTQ persons, because now that is also termed as promotion of homosexuality. And now authorities are viewing just providing lubricants as promotion of homosexuality, so our supplies of those have gone down. [...]

For us as health workers and service providers, we are at risk for being penalized under this law. But if we give up and don't provide services to our community, we'd be assured they would not get them anywhere.

³⁴⁹ Outright International, [Six Ways to Get Arrested Through the Work of an Internationally Financed Development Project in Uganda](#), 6 July 2023

³⁵⁰ Vox News, [How an LGBTQ clinic in Uganda keeps going amid rising homophobic violence](#), 8 July 2023

In early June, a transgender woman who had been beaten was taken to the hospital to access emergency services. While the doctors were tending to her wounds, they saw that she had male genitals and called the media. This person was in critical condition, and instead of giving them care, they just called the media and took pictures and exposed the person. [...]

We've not had any attack on the clinic physically. But in the past few months, we've lost about four health workers who resigned because of the danger of this work.

There's a false narrative that clinics like ours promote homosexuality and human trafficking. So occasionally, people — spies — show up dressed as students and pretending to be seeking sexual partners abroad. They use it as a trap to see if you fit the narrative. So we train our staff on what to do when people come in and try to trick them into doing something wrong. [...]

Recently, the police arrested six guys who were in Jinja [a city in eastern Uganda] and said they were caught having group sex. But according to some reports, when they were peer educators working for health care organizations. To avoid this kind of situation, we avoid having a number of people in one place at the same time.

So although we welcome walk-ins, we have shifted to doing a lot of our care outside the clinic. Like for people who are on HIV medication and need blood samples collected for testing, we now send someone to them to collect the samples. So we tell clients, unless you really have to walk up, please order whatever you want or maybe let's do a phone call or video call. The most important thing is protection for everyone.

We have been able to maintain care for most of our clients through telemedicine, but not all. About 600 clients who don't have phones or internet or who cannot read have fallen out of contact. [...]

It makes me so frustrated that our work is shifting from providing services to just basically always trying to stay safe, like in a war zone — instead of providing health services, the biggest share of our budget now is going into security. I feel so bad when my work is reduced to just survival.³⁵¹

The Washington Blade posted an article in July 2023, written by Outright International's Senior Director of Law, Policy & Research, Neela Ghoshal, where it was reported that:

Uganda's Anti-Homosexuality Act (AHA), enacted on May 30 by President Yoweri Museveni, enshrines discrimination in Ugandan law. The AHA includes the death sentence for some consensual same-sex acts, prohibits organizations from "normalizing" sexual diversity through inclusive programming and requires everyone in Uganda, including health workers, to report people who might be lesbian, gay, bisexual, transgender or queer (LGBTQ) to the police.

Can Ugandan LGBTQ people still access medical care and other basic services?

The Ministry of Health would like donors to think so. In a [June 5 circular](#), posted briefly online, shared with donors in PDF form, and then removed from the internet, the health ministry says its policy is to provide health services "to all people in Uganda in their diversity without any form of discrimination," "not to discriminate or stigmatize any individual who seeks health care services, for any reason — gender, religion, tribe, economic status, social status or sexual orientation" and to uphold "confidentiality, privacy [and] patient safety as stipulated in the Patient's Charter." [...]

Pleasing words, but the law trumps health policies, even if they were enacted in earnest. Uganda's Patients' Charter is clear: "Information concerning one's health, including information regarding treatment, may only be disclosed with informed consent, except when required by law." Because the law, the Anti-Homosexuality Act, 2023, states that anyone who has information that a person has committed

³⁵¹ Vox News, [How an LGBTQ clinic in Uganda keeps going amid rising homophobic violence](#), 8 July 2023

or intends to commit an offense “shall report the matter to the police for appropriate action,” health providers are still required by law to turn in LGBTQ patients. There is no client-provider privilege enshrined in the AHA for health providers.

The circular from the Ministry of Health is part of a pattern of two-faced communications from the government of Uganda regarding what the law actually states and how it will be implemented. On June 7, during his State of the Nation address, President Yoweri Museveni reiterated the claims in the health circular: “Therefore, those who say that the homosexuals will be arrested if they go for medical care, etc., are wrong. The law now says that a homosexual will not be criminalized for merely being so if he/she keeps the being to oneself.” What does this really mean in practice? If no one in the world ever finds out you are LGBTQ, including your health provider, you might be able to safely access health care, as long as that health care does not address any specific needs related to your sexual orientation or gender identity.³⁵²

In July 2023, Erasing 76 Crimes reported on discrimination against healthcare for those with HIV/AIDS, writing that:

Uganda’s Ministry of Health is worried that the nation’s harsh new Anti-Homosexuality Law will cripple the country’s battle against HIV/AIDS.

Fearful HIV patients have stopped going to clinics to receive anti-HIV medication.

Treatment centers have reported that their clinics have emptied out since the new law was passed in late May.

In hopes of assuring HIV patients that it’s still safe to visit clinics, the ministry issued a communique urging clinics not to deny services to any client “for any reason – gender, religion, tribe, economic status, social status or sexual orientation.”

However, the Ugandan human rights group Convening For Equality (CFE) pointed out that the Ministry’s instruction doesn’t provide LGBTI patients with any protection:

The Director General of Health Services at the Ministry of Health recently sent out a circular to health service providers directing them not to deny services to any client irregardless of how they present and always maintain confidentiality.

“While this stance is commendable, the Anti Homosexuality Act provides NO protections for LGBTQI+ persons who are seeking health services at these facilities. In fact, the Act further empowers health service providers to discriminate and stigmatize LGBTQI+ persons at will.

“CFE continues to therefore appeal to the courts to urgently hear the petitions that are challenging this draconian law and repeal this law that should never have been passed in the first place and ensure that the ministry commits to ACTUAL non-discrimination.”³⁵³

At the beginning of August 2023, The East African reported on responses in Uganda to World Bank’s suspension of funds to Uganda following the enactment of the Anti-Homosexuality Bill. It stated that:

³⁵² The Washington Blade, [Uganda’s nondiscrimination assurances won’t protect queer people from prosecution](#), 18 July 2023

³⁵³ Erasing 76 Crimes, [Uganda health ministry says ‘Don’t discriminate’, but the law says otherwise](#), 20 July 2023

In a statement on Tuesday, the Bank said that further funding will be frozen until authorities in Uganda provide adequate policy to protect minorities, including the lesbian, gay, bisexual, transgender and other groups commonly categorised as LGBTQ+. [...]

Ugandan government officials, though, have issued statements to dispel reports of real or perceived discrimination against sexual minority groups.

For instance, within hours of the World Bank announcement to suspend new lending, the Ministry of Health in Uganda issued a statement to clarify that the anti-gay law does not target LGBTQ+ persons for discrimination when they seek medical services.

“This is to reiterate that the Anti-Homosexuality Act, 2023 does not forbid any person from seeking medical services from a health facility or hospital. Furthermore, all services should be provided in a manner that ensures safety, privacy and confidentiality to all clients that see health services in public and private health facilities,” wrote Dr Henry Mwebesa, the Director General of Health Services, in a statement.

Dr Mwebesa highlighted the principle that health workers should not discriminate or stigmatise any individual who seeks healthcare for any reason – gender, religion, tribe, economic or social status or sexual orientation.³⁵⁴

iii. Access to state employment (e.g. civil service)

Note that not all sources distinguish between state and non-state -employment. This section only includes information that is specific to state employment and therefore should be read against [V. Treatment by Non-State Actors](#), [ii. Access to work](#) which includes information on access to employment more broadly.

Freedom House noted in its annual report on political rights and civil liberties that covering 2022 “LGBT+ people in Uganda face severe discrimination and are not represented in politics”.³⁵⁵ Similarly this was reported in Freedom House’s report covering 2021³⁵⁶ and 2020³⁵⁷.

iv. Access to public education

In 2020 the UK organization ReportOut published research led by Drew Dalton, senior Lecturer in Sociology at the University of Sunderland, in partnership with seven local organisations, based on 76 survey responses on the situation of Sexual Orientation, Gender Identity, Expression and Sexual Characteristics (SOGIESC) in Uganda.³⁵⁸ The report found that “Within everyday life, SOGIESC people face discrimination in a range of settings which cut across a range of institutions. Three key areas where these were highlighted, included: school/university staff (55.3%), when looking for a job (63.2%) and when looking for accommodation to rent or buy (51.3%).”³⁵⁹

³⁵⁴ The East African, [It is hypocrisy: Uganda responds to World Bank funding freeze](#), 9 August 2023

³⁵⁵ Freedom House, [Freedom in the World 2023 - Uganda](#), 2023

³⁵⁶ Freedom House, [Freedom in the World 2022 - Uganda](#), 24 February 2022

³⁵⁷ Freedom House, [Freedom in the World 2021 - Uganda](#), 3 March 2021

³⁵⁸ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020

³⁵⁹ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020, 9. Key Findings: prejudice and discrimination p.32

The November 2021 UN Human Rights Council Working Group on the Universal Periodic Review summary of stakeholder information noted that “Several stakeholders were concerned about persistent discrimination against LGBTIQ+ persons, including access to housing, education, health care and employment, and increased homophobic rhetoric from government officials”.³⁶⁰

Open Democracy published an article in February 2022 on LGBTIQ students fighting back after having been kicked out of school in East Africa, stating that:

Violent homophobic attacks, expulsions and discrimination against LGBTIQ school students in Kenya and Uganda are “commonplace”, according to victims and activists who spoke to openDemocracy.

Zawadi Mashego, a member of the Queer Republic, said that because many countries in East and Southern Africa are former colonies of Britain, Christianity is “a focal point for driving the whole system”, including in schools.

School culture in Uganda and Kenya remains largely modelled on its founding by white Christian missionaries. In Uganda, three-quarters of schools “are religiously founded” [...].

Like the ‘sodomy’ laws based on Victorian Christian morality, most schools in both countries continue to enforce heteronormative standards of sexuality and gender. Students who are perceived as falling outside these categories can be made to pay a high price. [...]

Mahmood (not his real name), a gay man in his early twenties, attended a prominent Muslim school in Uganda. He said the school’s constitution listed the term “gayism” as an offence punishable by expulsion. There was no equivalent offence for heterosexual relationships, despite the school having both male and female pupils.

‘I was constantly harassed, called a woman, a cissy,” Mahmood told openDemocracy. “They pick on you to fight you, beat you up.” [...]

Like Mahmood, most students accused or suspected of engaging in same-sex relationships are punished by being suspended or expelled from school. While schools often ban any form of sexual relationship, the stigma attached to being expelled because of suspected homosexuality is an additional barrier for resuming education elsewhere, especially at a school of a similar standard.³⁶¹

In June 2022, CIVICUS published an interview with Opio Sam Leticia, founder and Executive Director of Queer Youth Uganda (QYU) on the situation of LGBTIQ+ rights in Uganda, who noted that “some LGBTIQ+ people do not have the skills needed for the job market due to their higher school dropout rates. Parents play a significant role in this because when they discover their kids’ sexual orientation they often deny them access to education and even throw them out of their homes”.³⁶²

Erasing 76 Crimes noted in February 2023 that speaker of parliament, Anita Among, “directed the Education Committee to investigate schools suspected of encouraging LGBTQ rights”.³⁶³ Minister of

³⁶⁰ UN Human Rights Council Working Group on the Universal Periodic Review, [Summary of Stakeholders’ submissions on Uganda*](#), 9 November 2021, paragraph 22

³⁶¹ Open Democracy, [LGBTIQ students kicked out of school in East Africa are fighting back](#), 11 February 2022

³⁶² CIVICUS, [UGANDA: ‘Hate speech against LGBTIQ+ people comes from religious, traditional and political leaders’](#), 20 June 2022

³⁶³ Erasing 76 Crimes, [Uganda demands probe into ‘LGBTQ activities’ in schools](#), 3 February 2023

Education, Janet Museveni ordered an investigation of Kings College Budo in Kampala following claims of sexual assault of a boy by a male teacher.³⁶⁴

Rella Women's Foundation published an article in June 2023 on the economic impact of the Ugandan anti-homosexuality bill for LBQ persons, noting that "Many queer youths have had to leave school or drop out of university because they could not afford to pay the extra fees demanded by their schools or because they were denied scholarships or other financial support".³⁶⁵

IV. Societal Attitudes Towards LGBTQI+ Individuals

a. Societal norms

The U.S. Department of State annual human rights report covering 2020 listed described that "LGBTI persons faced discrimination, legal restrictions, harassment, violence, and intimidation".³⁶⁶

According to Freedom House's annual report on political rights and civil liberties for 2020, "the LGBT+ community faces overt hostility from the government and much of society".³⁶⁷

The 2022 Bertelsmann Stiftung Report on Uganda covering the period 1st February 2019 to 31st January 2021 noted that "Individuals whose sexual orientation is not in line with the 'moral values' of the majority of the population face social ostracism, and occasionally threats and violence".³⁶⁸

The Human Rights Awareness and Promotion Forum (HRAPF) published a report on human rights violations based on sexual orientation and gender identity in 2020 based on contributions from six other organisations.³⁶⁹ The report was based on "only cases reported to HRAPF and its partner organisations that either host regional legal aid centres or legal aid desks, and those handled by HRAPF trained paralegals and reported to HRAPF" and "based on properly documented cases of human rights violations based on real or presumed SOGIE".³⁷⁰ The report noted that "There were a total of 151 violations of the human rights and dignity of LGBT persons based on sexual orientation and/ or gender identity or expression by non state actors in 2020, for which the state did not provide redress. This number has increased significantly from the previous year, largely because of the added pressures of the

³⁶⁴ The Monitor, [Janet orders probe into improper Budo conduct](#), 20 January 2023

³⁶⁵ Rella Women's Foundation, [Economical Impact of the Anti-Homosexaul Bill \(AHB\) to the LBQ Community](#), 13 April 2023

³⁶⁶ US Department of State, [2020 Country Reports on Human Rights Practices: Uganda](#), 30 March 2021, *Executive Summary*

³⁶⁷ Freedom House, [Freedom in the World 2021 - Uganda](#), 3 March 2021

³⁶⁸ Bertelsmann Stiftung, [BTI 2022 Country Report Uganda](#), 23 February 2022, *II. Economic Transformation, 10 Welfare Regime p.26*

³⁶⁹ Health and Rights Initiative; HOPE Mbale; Human Rights and Economic Empowerment Development (HUREED); Freedom and Roam Uganda; Mbarara Rise Foundation and Tranz Network Uganda

³⁷⁰ Human Rights Awareness and Promotion Forum (HRAPF), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, *Preface p.4*

COVID-19 stay-at-home regulations and the tensions sparked by political leaders in the run up to the January 2021 general elections”³⁷¹.

The same source explained that “Members of the general population emerged as the biggest violators of the rights of LGBT persons based on sexual orientation and gender identity, being responsible for 91 out of 151 violations (60.3%) by non state actors” which was followed by family members (37); landlords (19) and fellow LGBT persons (5).³⁷² Furthermore “in a deeply religious society, it was not uncommon to hear members of the general public attributing the scourge of COVID-19 to declining moral standards, and in some cases, LGBT persons were individually blamed for this. For instance, in one case where a gay man was evicted from his home and threatened with physical violence, the neighbours repeatedly accused him “and his kind” of being responsible for the pandemic and other disasters because of their ‘sinful ways’”.³⁷³

Moreover, “there were nine cases of the violation of the right to privacy by private actors in an alarming trend of general community members and some LGBT persons using other LGBT people’s SOGIE as a tool of extortion or punishment”.³⁷⁴

Reporting in January 2020 of the impact of the arrest in November of 127 people at a gay friendly bar, the director of the access to justice programme at the Human Rights Awareness and Promotion Forum (HRAPF) in Kampala, Uganda noted that 67 went on to be charged with the offence of common nuisance and that:

Over the following weeks, bail applications for the 67 were heard, and accepted, but for a few individuals at a time. Although all were eventually released, significant harm was done. People were denied legal representation. Some lost their jobs while in jail. Families rejected those who had been in the closet, and were now outed. The reactions of some parents at the court were really awful. I was the lead lawyer for the defendants and the parents seemed to believe that we were responsible for 'recruiting' their children into homosexuality; that we were spoiling society.³⁷⁵

Erasing 76 Crimes noted in February 2020 that the Uganda country assessment report of the People Living with HIV Stigma Index, based on surveys of 1,398 Ugandans, revealed that “Stigma against HIV+ homosexuals and sex workers in Uganda is almost six times greater than stigma faced by HIV+ Ugandans in general”.³⁷⁶ It further noted that “Among transgender respondents, 25% of trans women and 24% of

³⁷¹ Human Rights Awareness and Promotion Forum (HRAPF), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, 5.4 Conclusion p.35

³⁷² Human Rights Awareness and Promotion Forum (HRAPF), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, 5.3 Identity of perpetrators p.35

³⁷³ Human Rights Awareness and Promotion Forum (HRAPF), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, 6.3 Trends in nature of rights violations p.38

³⁷⁴ Human Rights Awareness and Promotion Forum (HRAPF), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, 5.2.3 Abuses of the right to privacy p.34

³⁷⁵ Open Democracy, [I’ve defended hundreds of LGBTI people arrested in Uganda. Our laws must change – but we need public acceptance too](#), 23 January 2020

³⁷⁶ Erasing 76 Crimes, [Uganda HIV stigma drops, but it’s still high against gays](#), 3 February 2020

trans men said that in the past 12 months they had “Challenged or educated someone who was engaging in stigma or discrimination against you” and About 18% of trans people were excluded from family events”.³⁷⁷ Moreover “Similar discrimination from their families within the past 12 months were reported by 11% of “gay/homosexual” respondents, 15% of MSM, 27% of lesbians, 14% of sex workers and 20% of drug users”.³⁷⁸

An article in the Global Press Journal in June 2020 explored the denial of adoption to LGBTQ+ persons in Uganda, stating that:

Under Ugandan law, adoptive parents must be Ugandan citizens, 25 or older, at least 21 years older than the child, in good physical and mental health, and must have fostered the child for at least 36 months with the supervision of a probation officer to complete the adoption process. Prospective single parents are allowed to adopt but only a child of the same sex. The law does not explicitly prohibit Kuchu [the local term for sexual minorities] people from adopting children.

But even without a legal prohibition, homophobic sentiments in the country make it difficult for Kuchu people to adopt children. Some find other ways, such as adopting as single parents but raising the children with their romantic partners. Others simply give up. [...]

Legal representation is another hurdle prospective Kuchu parents face in Uganda. Pepe Onziema, a transgender man, has been trying to adopt a child he intends to co-parent with a female friend and only recently found a lawyer to help him. But in some cases, homophobic attitudes permeate the legal profession.³⁷⁹

Guardian reported in April 2020 that “Activists in Uganda said the pandemic had contributed to a rise in homophobic rhetoric in Uganda, with the LGBT community being blamed by some for the disease”.³⁸⁰

An October 2020 article in African Arguments on discrimination faced by and legal support available for the LGBTQ+ community in Uganda noted that:

Paralegals can provide invaluable legal support to queer Ugandans. But as prominent human rights lawyer and activist Nicholas Opiyo points out, this fixes just one part of the problem. The biggest issue, he says, is deeply entrenched “negative social attitudes” that lead the law to be misapplied in the first place.

“The paralegal programme is a good thing but it is just a part of the large ecosystem to help LGBTQ people access justice system here in Uganda. LGBTQ people are still looked at as aliens because there is still cultural biases among people which contributes to the pervasive misapplication of laws towards them,” he says.

For broader change, Opiyo believes that the law itself must be amended to punish people who preach discrimination and hatred towards the LGBTQ community. At the same time, he argues, long term sensitisation efforts are needed to change attitudes.³⁸¹

³⁷⁷ Erasing 76 Crimes, [Uganda HIV stigma drops, but it's still high against gays](#), 3 February 2020

³⁷⁸ Erasing 76 Crimes, [Uganda HIV stigma drops, but it's still high against gays](#), 3 February 2020

³⁷⁹ Global Press Journal, [Would-be Ugandan Parents Denied Adoptions Because of Sexuality](#), 7 June 2020

³⁸⁰ The Guardian, [Ugandan police accused of abusing lockdown laws after LGBT arrests](#), 1 April 2020

³⁸¹ African Arguments, [“Someone willing to help people like me”: Uganda’s LGBTQ paralegals](#), 29 October 2020

The U.S. Department of State annual human rights report covering 2021 reported that “LGBTQI+ persons faced discrimination, legal restrictions, harassment, violence, and intimidation”.³⁸²

According to Freedom House’s annual report on political rights and civil liberties for 2021, “the LGBT+ community faces overt hostility from the government and much of society”.³⁸³

The Human Rights Awareness and Promotion Forum (HRAPF) published a report on human rights violations based on sexual orientation and gender identity in 2021 based on contributions from six other organisations.³⁸⁴ The report was based on “cases handled through the HRAPF legal aid network: the main legal aid clinic, the three regional legal aid centres, the two legal aid desks and the network of community paralegals, and contains only cases that have been independently verified through reference to case files, documentary evidence and interviews with the victims, lawyers and/ or paralegals that handled the cases”.³⁸⁵

The 2021 HRAPF annual report described that “LGBT persons in Uganda are routinely subjected to ridicule, humiliation, violence, threats of violence, myriad forms of discrimination and harassment and other human rights abuses by a homophobic and latently unfriendly populace that still views LGBT people as ‘unapprehended felons’. This fear and prejudice continue to be driven in part by state propaganda especially during campaigns as well as a concerted opposition campaign that posits that LGBT people are targeting young children for ‘recruitment’, causing a moral panic that parts of the population have reacted to with anti-gay talks to children in schools as well as a sweeping moral panic across the different sections of society in Uganda. As such, human rights violations against LGBT people on the basis of their presumed sexuality continued to abound in 2021, affecting the lives, dignity, well-being, livelihoods and the lived realities of LGBT people”.³⁸⁶

Tranz Network Uganda (TNU) reported in September 2021 in a guide to the Sexual Offences Bill 2021 that “Transgender persons are also regarded by many as the face of the ‘gay community’ in Uganda, making them more susceptible and prone to targeted arrested [sic], discrimination and stigma”.³⁸⁷

³⁸² US Department of State, [2021 Country Report on Human Rights Practices: Uganda](#), 12 April 2022, Section 6. *Discrimination and Societal Abuses, Section 6. Discrimination and Societal Abuses, Acts of violence, criminalization, and other abuses based on sexual orientation and gender identity*

³⁸³ Freedom House, [Freedom in the World 2021 - Uganda](#), 3 March 2021

³⁸⁴ Health and Rights Initiative; HOPE Mbale; Human Rights and Economic Empowerment Development (HUREED); Freedom and Roam Uganda; Mbarara Rise Foundation and Tranz Network Uganda

³⁸⁵ HRAPF, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, Preface p.4

³⁸⁶ HRAPF, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, 4.4. *Cases of violation of human rights based on sexual orientation and/or gender identity or expression by non state actors in 2021* p.20

³⁸⁷ Tranz Network Uganda, [The Sexual Offences Bill 2021 and its Implications on Transgender Persons in Uganda \(A Simplified Guide\)](#), September 2021

The November 2021 UN Human Rights Council Working Group on the Universal Periodic Review summary of stakeholder information noted that “Several stakeholders were concerned about persistent discrimination against LGBTIQ+ persons, including access to housing, education, health care and employment, and increased homophobic rhetoric from government officials”.³⁸⁸

In July 2021 Erasing 76 Crimes cited Williams Apako, Uganda Network for the Transgender and Gender Non-Confirming Persons Executive Director as stating that “Transgender persons are easily identified in society due to facial expressions. Most people think all trans people are homosexuals, which is too dangerous and wrong in the current situation”.³⁸⁹ Reporting on the impact of the lack of right to update one’s gender on national identity documents the source noted that “Apako says trans Ugandans face obstacles to social inclusion because they cannot participate in most social endeavors due to this law. Being outed as a trans person also carries significant risks that are amplified by government policies that impose burdens on trans people trying to access services”.³⁹⁰

In November 2021, the Uganda LBQ Loose Network, CREA, and the Sexual Rights Initiative submitted a report ahead of the Universal Periodic Review of Uganda’s 40th session stating that “parenting has always been a major challenge for LBQ women, who are often denied parental rights over their own children once their sexuality is discovered. In far too many cases, LBQ women have been considered not fit and to raise their own children by their own families and their communities, violating the right of the women to raise their children and the right of the children to be raised by their own biological parents as protected under Article 31(5) of the Constitution”.³⁹¹

ILGA noted in a December 2021 report that “Local media outlets regularly incite the already too common homophobic violence in society, or otherwise seem to willingly co-operate with the government and law enforcement in outing, targeting or gathering evidence on individuals with diverse sexual orientations, gender identities and gender expressions”.³⁹²

The U.S. Department of State annual human rights report covering 2022 noted that “Human rights activists reported that LGBTIQ+ persons suffered stigma and faced discrimination in access to healthcare, employment, housing, and other social services. Human rights activists reported that families disowned LGBTIQ+ persons and expelled them from households, which left many homeless and

³⁸⁸ UN Human Rights Council Working Group on the Universal Periodic Review, [Summary of Stakeholders’ submissions on Uganda*](#), 9 November 2021, paragraph 22

³⁸⁹ Erasing 76 Crimes, [Trans Ugandans issue desperate food appeal as lockdown bites harder](#), 16 July 2021

³⁹⁰ Erasing 76 Crimes, [Trans Ugandans issue desperate food appeal as lockdown bites harder](#), 16 July 2021

³⁹¹ The Uganda LBQ Loose Network, CREA, and the Sexual Rights Initiative, [Universal Periodic Review of Uganda 40th Session, January - February 2022: Joint Stakeholder Submission](#), 30 November 2021, p.8

³⁹² International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), [Our Identities Under Arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expression](#), December 2021, Uganda p.113

led others to conceal their sexual orientation”.³⁹³ The same source further reported that “Human rights activists reported that LGBTQI+ persons endured intense social pressure to change their sexual orientation. Activists reported that some families had LGBTQI+ children undergo counseling sessions with religious leaders or compelled their LGBTQI+ children into arranged and forced marriages in an attempt to change their sexual orientation. Some government officials openly encouraged attempts to change the sexual orientation of LGBTQI+ persons”.³⁹⁴

Freedom House noted in its annual report on political rights and civil liberties covering 2022 that “Ugandan laws prohibit discrimination based on ethnicity, religion, age, race, disability, color, and sex. However, LGBT+ people face overt hostility from the government and society”.³⁹⁵ Furthermore “there is very low tolerance for LGBT+ people, who face serious persecution and physical danger”.³⁹⁶

Erasing 76 Crimes described in March 2022 that human rights activists launched a campaign to end religious inspired homophobia, explaining that “Faith and church leaders are some of the most influential people in social, economic, political, and moral debates that shape society’s perceptions of LGBT people and communities”.³⁹⁷ Furthermore, “Anti-LGBTI religious messages are amplified through radio, television and social media (Internet). Religious leaders and institutions play a large role in Uganda’s media, including religiously affiliated TV stations”.³⁹⁸

In August 2022, OpenDemocracy reported in an article that: “It is a popular homophobic trope that the LGBTIQ ‘lifestyle’ in Uganda is sponsored or supported by Western funders”.³⁹⁹

The Taala Foundation published a paper in September 2022 analysing state-sanctioned violence in Uganda during the pandemic experienced by the LGBTQ+ population noting that “While the Constitution of Uganda declares protection for all persons, GSD [gender and sexual diverse] people continue to face stigma and discrimination from the society around them. For example, GSD youth in Uganda report enduring physical assault, and verbal and emotional abuse once their ‘non-conforming’ sexuality or gender and expression are discovered by family members or immediate communities”.⁴⁰⁰

³⁹³ US Department of State, [2022 Country Report on Human Rights Practices: Uganda](#), 20 March 2023, Section 6. *Discrimination and Societal Abuses, Reproductive Rights, Discrimination, Acts of violence, criminalization, and other abuses based on sexual orientation, gender identity or expression, or sex characteristics*

³⁹⁴ US Department of State, [2022 Country Report on Human Rights Practices: Uganda](#), 20 March 2023, Section 6. *Discrimination and Societal Abuses, Reproductive Rights, Discrimination, Acts of violence, criminalization, and other abuses based on sexual orientation, gender identity or expression, or sex characteristics*

³⁹⁵ Freedom House, [Freedom in the World 2023 - Uganda](#), 2023

³⁹⁶ Freedom House, [Freedom in the World 2023 - Uganda](#), 2023

³⁹⁷ Erasing 76 Crimes, [Ugandan activists launch campaign against religion-fueled homophobia](#), 29 March 2022

³⁹⁸ Erasing 76 Crimes, [Ugandan activists launch campaign against religion-fueled homophobia](#), 29 March 2022

³⁹⁹ OpenDemocracy, [Ugandan police accused of anti-gay bias in murder investigation](#), 1 August 2022

⁴⁰⁰ The Taala Foundation, [Upholding the Right to Health and Life with Dignity: An Analysis of Gender and Sexual Diverse Youths’ Experiences of State-Sanctioned Violence in Uganda During the COVID-19 Pandemic](#), 23 September 2022, p.3

In March 2023 Human Rights Watch submitted to the Uganda Parliament Committee on Legal and Parliamentary Affairs on the Anti-Homosexuality Bill 2023, noting that “The criminalization of consensual same-sex conduct contributes to a climate in which violence and discrimination against LGBT people is widespread”.⁴⁰¹ In response to the Bill being enacted Human Rights Watch reported:

Violence and discrimination against LGBT people is already prevalent in Uganda. After the government passed the now scrapped 2014 Anti-Homosexuality Act, Human Rights Watch research found that people faced a notable increase in arbitrary arrests, police abuse, extortion, loss of employment, discriminatory evictions by landlords, and reduced access to health services because of their perceived sexual orientation or gender identity.⁴⁰²

The Daily Monitor reported in February 2023 on a societal backlash for a rainbow painting in a children’s park in Entebbe:

Ugandan authorities announced the removal of a rainbow painting from a children's park following an uproar among parents who alleged that the "satanic" design promoted homosexuality in the largely Christian country.

A local organisation had painted one of the park towers in Entebbe in rainbow colours as part of an effort to refurbish the site, the town's mayor Fabrice Brad Rulinda said in a statement released on Wednesday.

"For years, the children of Uganda have only understood the rainbow as a beautiful arch of colours and biblically it reflects the beauty and majesty of God," Rulinda said.

"It is unfortunate that certain movements have decided to use the rainbow to represent and reflect certain acts that go against the norms of the people of Uganda," he added.

"We need to curb any vices that would corrupt the minds of our children and it is on this background that the concerns raised by the public were heeded to and the rainbow painting was removed from the children's park."

Emmanuel Mugabe from the national Parents Association of Uganda told this reporter that the tower's rainbow colours were "satanic" and signalled an "invasion of homosexuality through manipulation of children's minds".

"We are happy the rainbow painting has been removed before we removed it ourselves," he said.⁴⁰³

A Daily Monitor article in March 2023 reported:

Police in Jinja have arrested a female teacher at PMM Girls School in Jinja City on allegations of promoting homosexuality. [...]

This came a day after hundreds of parents stormed PMM Girls’ School in Jinja City on Friday, protesting against the alleged existence of the teacher promoting homosexuality and lesbianism.

The angry parents, who were blocked from entering the school, were demanding to take away their children after several social media reports accused the teacher of spoiling their daughters.

⁴⁰¹ Human Rights Watch, [Human Rights Watch submission to the Uganda Parliament Committee on Legal and Parliamentary Affairs on the 2023 Anti-Homosexuality Bill](#), 17 March 2023

⁴⁰² Human Rights Watch, [Uganda’s President Signs Repressive Anti-LGBT Law](#), 30 May 2023

⁴⁰³ The Daily Monitor, [Rainbow removed from Entebbe children’s park tower after LGBTQ row](#), 2 February 2023

Ms Rose Kalembe, the chairperson of the old girls' school association, said the teacher should be suspended from school because she is "tarnishing its image".⁴⁰⁴

The March 2023 article in African Arguments on Uganda's anti-gay bill also noted that:

[...] at the center of the current wave of anti-gay sentiments is what is perceived to be the 'promotion and recruitment' of the LGBT community -something for which the West is held responsible – and how children are targeted in this context.

In February, the issue snowballed on social media. A striking example was a moral panic around rainbows, which were seen as the symbol of LGBTI recruitment: in the words of Uganda's National Parents Association, rainbow colors were 'satanic', signalling an 'invasion of homosexuality through manipulation of children's minds'. Shoes with rainbows were condemned on social media; and a freshly painted rainbow in a children's park – which was at the center of this media storm – was eventually removed.⁴⁰⁵

Edge Media Network reported in March 2023 that:

Anti-gay sentiment in Uganda has grown in recent weeks amid press reports alleging sodomy in boarding schools, including a prestigious one for boys where a parent accused a teacher of abusing her son. The recent decision of the Church of England to bless civil marriages of same-sex couples also has inflamed many, including some who see homosexuality as imported from abroad.

Cases of alleged sexual abuse of minors have put more pressure on the LGBTQ community, said Mugisha, the openly gay leader whose organization was shut down by authorities last year.

"Ugandans have been radicalized," he said. "Even those who were sympathetic are no longer sympathetic because they worry about children."⁴⁰⁶

Al Jazeera reported in March 2023 that: "In recent months, conspiracy theories accusing shadowy international forces of promoting homosexuality have gained traction on social media in Uganda".⁴⁰⁷

A May 2023 report from Afro Barometer summarised findings from its most recent survey of face to face interviews with 2,400 adult Ugandans between 7 and 25 January 2022, explaining that "A sample of this size yields country-level results with a margin of error of +/-2 percentage points at a 95% confidence level. This was the 12th Afrobarometer survey in Uganda since 1999".⁴⁰⁸ The survey noted:

Findings from the most recent Afrobarometer survey show that Ugandan adults of all ages and education levels overwhelmingly continue to express intolerance for same-sex relationships, think they should be illegal, and are willing to report their own family member or close friend to the police if they engage in homosexual activity. Their level of intolerance for sexual difference is the highest among 37 African countries surveyed in 2021/2022.⁴⁰⁹

⁴⁰⁴ The Daily Monitor, [Jinja teacher arrested over lesbianism](#), 6 March 2023

⁴⁰⁵ African Arguments, [Unpacking the geopolitics of Uganda's anti-gay bill](#), 10 March 2023

⁴⁰⁶ Edge Media Network, [Uganda LGBTQ+ Leader Says Gay Bill Threatens Homelessness](#), 23 March 2023

⁴⁰⁷ Al Jazeera, [Uganda's new anti-homosexuality law bans identification as LGBTQ](#), 22 March 2023

⁴⁰⁸ Afrobarometer, [Uganda a continental extreme in rejection of people in same-sex relationships](#), 11 May 2023

⁴⁰⁹ Afrobarometer, [Uganda a continental extreme in rejection of people in same-sex relationships](#), 11 May 2023

Afrobarometer recorded the following key findings on societal attitudes towards the LGBTIQ+ community from its 2023 interviews and from its previous survey in 2015:

- Large majorities of Ugandan citizens express tolerant attitudes toward people of different religions (93%), people from different ethnic groups (85%), supporters of different political parties (80%), and immigrants/foreign workers (74%).
 - But more than nine out of 10 (94%) say they would “somewhat dislike” or “strongly dislike” having a homosexual neighbour. These views have not changed significantly over the past seven years.
- In Afrobarometer’s 2015 survey, the vast majority (96%-97%) of citizens expressed discomfort with the idea of having a co-worker, a supervisor, or a member of their religious community who was in a same-sex relationship.
 - The same proportion (97%) said homosexuality was incompatible with their culture and religious norms and should remain illegal.
 - And 94%-95% said they would report a family member, close friend, or co-worker to the police if they were involved in a same-sex relationship.
- Among 37 African countries surveyed in 2021/2022, Uganda ranks last in tolerance for people in same-sex relationships. In five of the surveyed countries, majorities say they would like or not mind having homosexual neighbours: Cabo Verde, South Africa, the Seychelles, Mauritius, and Mozambique.
 - Between 2014/2015 and 2021/2022, nine surveyed countries registered increases of more than 5 percentage points in tolerance for homosexual persons.⁴¹⁰

In terms of regional differences, the survey revealed that “Ugandans who are young, are well educated, and/or live in urban areas express the same levels of intolerance for sexual difference as older, less educated, and rural citizens [...] Residents in the Western region (92%) are slightly less intolerant than those living in other Regions”.⁴¹¹

In 2023 GATE issued a report on the Impact of Anti-Gender Opposition on the Trans and gender diverse (TGD) and LGBTIQ Movements based on responses to an open survey.⁴¹² With regards to Uganda, the report noted that three valid response were received from respondents “affiliated with unregistered collectives that work with TGD communities”, noting that:

Respondents also report that they experience physical attacks. 1 Respondent indicates that “Some of our members were physically attacked and assaulted after being found with their partner.”.⁴¹³

A Guardian article in May 2023, written by a Ugandan non-binary photographer and activist, stated that “many Ugandans now believe that being queer is the same as being a paedophile”.⁴¹⁴

⁴¹⁰ Afrobarometer, [Uganda a continental extreme in rejection of people in same-sex relationships](#), 11 May 2023

⁴¹¹ Afrobarometer, [Uganda a continental extreme in rejection of people in same-sex relationships](#), 11 May 2023

⁴¹² GATE, [Impact of Anti-Gender Opposition on TGD and LGBTIQ Movements](#): Global Report, 2023

⁴¹³ GATE, [Impact of Anti-Gender Opposition on TGD and LGBTIQ Movements](#): Global Report, 2023, *Uganda*, p.37

⁴¹⁴ The Guardian, [I’m heartbroken at my exile from Uganda. Don’t let them erase our queer community](#), 30 May 2023

The Guardian reported in a further May 2023 article that “Smug said it had received reports of people having to flee their homes to avoid arrest by police tipped off by the public. Attacks have taken place at private events, parties and football games. Three trans women were arrested at their homes in the capital, Kampala, last month, and charged with committing ‘unnatural offences’ and subjected to anal examinations”.⁴¹⁵

A HRAPF report covering the period 21st March 2023 and 30th May 2023 noted that “There was also psychological violence involving extortion for money or other favours in exchange for not being outed in three cases. In one case, a gay man was extorted for money by his brother, who continuously demanded upkeep and other things from him in exchange for not telling their parents that he was gay. In another case, a neighbour who had been friendly to a gay man and to whom he had eventually come out started to blackmail him in May 2023, and in another, a gay man was extorted by his ex-partner, who repeatedly threatened to go to police and claim he had been raped if he was not paid several rather large sums of ‘hush money’”.⁴¹⁶

b. Representation in media

A December 2020 Erasing 76 Crimes article described a media training in Kampala on “Media for Equality – Enhancing non-discriminatory representation of LGBT in Uganda”.⁴¹⁷ Vincent Kyabayinze, the director of East African Visual Artists (EAVA) was report as expressing “concern over the continued negative and inaccurate reporting about LGBT persons across media platforms”, stating that “We realized that most of the negative reporting on LGBT persons is largely driven by either prejudices, lack of understanding, or a lack of capacity to access information on human sexuality on the side of journalists”.⁴¹⁸ The article also reported him as noting that “most journalists or media houses have limited or no capacities to document and report on human rights violations faced by LGBT persons as well as the great work done by LGBT persons as Ugandans”.⁴¹⁹ It cited a LGBT advocate, Kivumbi, as stating “Stigmatizing attitudes towards LGBT are widespread in Ugandan society. This also influences the mindset of journalists and there is a clear bias leading to stories about LGBT being practically absent from mainstream media”.⁴²⁰ In addition “when LGBT issues are covered, it is mostly done with a negative overtone, which reinforces already-existing stereotypes”.⁴²¹

A January 2021 Erasing 76 Crimes article noted that “The country’s 42 million population is served by 192 radio stations and 66 television stations plus many newspapers and online publishers — a majority

⁴¹⁵ Guardian, [LGBTQ+ groups face crackdowns in Uganda as environment turns hostile](#), 14 March 2023

⁴¹⁶ Human Rights Awareness and Promotion Forum (HRAPF), [Increasing violence: cases of violence and violations against real or suspected LGBTIQ persons for the period between passing of the Anti-Homosexuality Bill, 2023 \(21 March 2023\) and its coming into force \(30th May 2023\)](#), 19 June 2023

⁴¹⁷ Erasing 76 Crimes, [Appeal to journalists: Report accurately about LGBT Ugandans](#), 14 December 2020

⁴¹⁸ Erasing 76 Crimes, [Appeal to journalists: Report accurately about LGBT Ugandans](#), 14 December 2020

⁴¹⁹ Erasing 76 Crimes, [Appeal to journalists: Report accurately about LGBT Ugandans](#), 14 December 2020

⁴²⁰ Erasing 76 Crimes, [Appeal to journalists: Report accurately about LGBT Ugandans](#), 14 December 2020

⁴²¹ Erasing 76 Crimes, [Appeal to journalists: Report accurately about LGBT Ugandans](#), 14 December 2020

of which are owned, funded or otherwise have strong links to homophobic politicians or to faith-based institutions such as churches or mosques”.⁴²² The same source cited human rights activist based in Mbale City in eastern Uganda, Ms Melanie Anyu, as stating “Too many media houses in Uganda sow seeds of stigma and incitement towards LGBTQI+ people”.⁴²³ The article further noted that “Anyu cited the example of a transphobic story published by the New Vision daily newspaper about a trans woman arrested in the town of Soroti. The headline was ‘Shock as Soroti hot babe turns out to be man, arrested’”.⁴²⁴

According to an April 2021 article from Erasing 76 Crimes, “At least 18 out of the 26 free local television channels in Uganda are owned by religious institutions or conservative clerics/pastors who oppose LGBTIQ rights”.⁴²⁵

A joint submission in July 2021 for the Universal Periodic Review of Uganda by the Sexual Minorities Cluster, jointly convened by Human Rights Awareness and Promotion Forum (HRAPF) and Sexual Minorities Uganda (SMUG) stated that:

The media in Uganda has become the podium for hate speech mostly peddled by politicians, whose misinformed utterances serve to inflame homophobia.³⁹ Particularly during the run up to the 2021 general elections, politicians have used homophobia to win the support of voters and distract citizens from other issues, creating a hostile environment for LGBT persons.⁴⁰ These utterances have at times been used by both the ordinary citizens and law enforcers to further justify the discrimination faced by LGBT persons. Furthermore, the negative portrayal of LGBT persons by the media and politicians reinforces harmful stereotypes, thereby sanctioning hate crimes against them.⁴²⁶

39 Human Rights Awareness and Promotion Forum ‘2017 report on the protection and violation of the human rights of sex workers in Uganda’ 2018 .<https://www.hrapf.org/index.php/resources/violation-reports/101-report-the-protection-and-violation-of-the-human-rights-of-sex-workers-in-uganda-2018-final/file> (accessed 27th June 2021).

Freedom House noted in its annual report on political rights and civil liberties covering 2022 that “Numerous parliamentary and presidential attempts to pass new and even harsher legislation against LGBT+ people have made it a common talking point in the media”.⁴²⁷

In 2023 GATE issued a report on the Impact of Anti-Gender Opposition on the Trans and gender diverse (TGD) and LGBTQI Movements based on responses to an open survey.⁴²⁸ With regards to Uganda, the report noted that three valid response were received from respondents “affiliated with unregistered

⁴²² Erasing 76 Crimes, [Uganda: Media bias leads to harassment of trans women](#), 5 January 2021

⁴²³ Erasing 76 Crimes, [Uganda: Media bias leads to harassment of trans women](#), 5 January 2021

⁴²⁴ Erasing 76 Crimes, [Uganda: Media bias leads to harassment of trans women](#), 5 January 2021

⁴²⁵ Erasing 76 Crimes, [‘A Voice Within’: Ugandan religious leaders preach love for LGBTQI people](#), 6 April 2021

⁴²⁶ Human Rights Awareness and Promotion Forum (HRAPF) and Sexual Minorities Uganda (SMUG) et al., [Universal Periodic Review of Uganda: Joint Submission by Civil Society Organisations Working with Lesbians, Gay, Bisexual, Transgenders and Intersex Persons - to: the Office of the High Commissioner for Human Rights](#), 15 July 2021, p.11

⁴²⁷ Freedom House, [Freedom in the World 2023 - Uganda](#), 2023

⁴²⁸ GATE, [Impact of Anti-Gender Opposition on TGD and LGBTQI Movements](#): Global Report, 2023

collectives that work with TGD communities”, noting that “Respondents indicate that AG actors actively engage in creating and spreading false information about TGD communities in Uganda, and mostly use local forum webpages and FaceBook, followed by TV and print media, Twitter, and webpages to communicate with their audiences”.⁴²⁹

Erasing 76 Crimes reported on a debated televised in February 2023 on government owned Uganda Broadcasting Corporation entitled ‘The LGBTQ Debate: An attack on our social fabric’.⁴³⁰ The source noted that the title of the show revealed the “bias against LGBT people”.⁴³¹

An article in Foreign Policy in March 2023 noted the following with regards to homophobia in mass media in Uganda:

In September, I came across a video that was going viral on Twitter in Uganda. In the video, 26-year-old Elisha Mukisa, who is reported to have been previously imprisoned on defilement charges, speaks for a little over eight minutes detailing how he was lured as a minor into acting in gay porn by Sexual Minorities Uganda (SMUG)—a nongovernmental organization (NGO) based in Kampala working to support and defend LGBTQ+ persons in the country.

The video caught my attention for several reasons. The first was the anti-gay rhetoric it catalyzed in the following days and the corresponding moral panic. In the ensuing conversation on social media, SMUG was defined as a threat to children that parents had to watch out for. One Twitter user, @Ashernamanya, wrote: “Uganda must be for God Almighty not for Bum lickers the Gays. SMUG an NGO is recruiting young children into Homosexuality and acting the gay. They need to be arrested.” [...]

The second reason the video kindled my interest was that it added to the growing list of instances of mass media being weaponized in Uganda to propagate the “ex-gay” narrative, in which a person claims to have been “lured” and “recruited” into homosexuality. It was also organized by the Family Life Network’s Stephen Langa [...].⁴³²

An interview by the Real News Network in April 2023 with Ugandan activist Kasha Jacqueline Nabagesera, the founder of Freedom & Roam Uganda, recorded the following:

[...] since the bill passed, so many politicians have been celebrating and talking on television and media and telling how they’ve represented their constituencies. [...]

We are not given a platform in Uganda to create awareness. When I go out on TV, it’s called promotion of homosexuality. But when anti-gay proponents go on TV, they’re given all the platform to create all this fear, all this panic, and the tensions.⁴³³

⁴²⁹ GATE, [Impact of Anti-Gender Opposition on TGD and LGBTQI Movements](#): Global Report, 2023, *Uganda*, p.89

⁴³⁰ Erasing 76 Crimes, [Ugandan TV aired highly charged and biased debate on LGBTQ rights](#), 2 March 2023

⁴³¹ Erasing 76 Crimes, [Ugandan TV aired highly charged and biased debate on LGBTQ rights](#), 2 March 2023

⁴³² Foreign Policy, [How U.S. Evangelicals Helped Homophobia Flourish in Africa](#), 19 March 2023

⁴³³ The Real News Network, [Uganda’s Draconian New Anti-LGBTQ Law Includes Life in Prison and the Death Penalty](#), 4 April 2023

Erasing 76 Crimes reported in June 2023 that following the enactment of Anti-Homosexuality Law, “The direct broadcast satellite service DStv, based in South Africa, said it stopped providing gay-related videos in Uganda in order to comply with the new law”.⁴³⁴

In July 2023, the Committee to Protect Journalists (CPJ) reported on fears around freedom of speech for journalists following the anti-homosexuality law. It stated that:

Kuchu Times was founded eight years ago to give voice to Uganda’s LGBTQ+ community. Now, a new anti-homosexuality law is threatening this mission at a time when LGBTQ+ Ugandans are facing beatings and evictions.

“People will tell us their stories and ask us not to put them out there, not until it is safer,” Kuchu Times deputy director, Ruth Muganzi, told CPJ. “We are meant to ensure LGBTI voices are heard but we are gagged. This is the pain we suffer since the law was passed.” [...]

Kuchu Times still posts on its website. But its annual magazine, Bombastic, is on hold in part because the team is grappling with how to print a publication that [mostly](#) features personal accounts without endangering sources.

The law has potential ramifications for the press beyond issues with sourcing. Anyone convicted of printing, broadcasting, or distributing material “promoting or encouraging homosexuality” could be imprisoned for 20 years. Free speech advocates fear that this provision poses a risk to the media.

“This law, in so many ways, is an anti-publication law. The broad terms in which it talks about promoting homosexuality can be interpreted to mean anything,” said Nicholas Opiyo, a human rights activist and one of the lawyers in a petition challenging the law’s constitutionality. “Covering a story that depicts the community in a positive light could be interpreted to mean promoting homosexuality.”

Companies found to be promoting homosexuality face license revocations or fines of up to one billion Ugandan shillings (US\$269,000). It is a financial penalty akin to “strangulation,” said Robert Ssempala, executive director of Human Rights Network for Journalists-Uganda, a press rights group.

For Kuchu Times, which derives its name from the slang that queer Ugandans use to identify themselves, the implications of these provisions are clear — and grave. But there are signs that the law may have a chilling effect on news organizations that don’t solely focus on the LGBTQ+ community, too.

CPJ interviewed 13 journalists about the new law. Most requested anonymity, fearing professional and social repercussions of talking about a law they perceive to have popular support, including within the media industry. Nine told CPJ that while they have not cut back their reporting, and their newsrooms still cover the LGBTQ+ community, the law is affecting the way they work.

Two Ugandan reporters contributing to international media say that they’ve had trouble finding LGBTQ+ Ugandans to interview about the law’s impact on [access](#) to HIV treatment, and about incidents of persecution. A third journalist has decided to forgo a byline on some LGBTQ+ coverage “out of an abundance of caution.” A newspaper editor and a television reporter told CPJ that company lawyers have been brought into editorial discussions to advise on what copy might breach the law.

“Are you promoting homosexuality if you give a story about a gay person a lot of space in your paper? Or are you just reporting? Should you give these stories lower prominence?” the newspaper editor said. “It is a thin line; journalists might not know where it is until they’ve crossed it.”

Fox Odoi-Oyweloyo, a ruling party politician who voted against the law and is now petitioning against it in court, told CPJ that he recently declined four broadcast interview invitations after journalists called in

⁴³⁴ Erasing 76 Crimes, [Four African nations’ battles against gay-themed films](#), 22 June 2023

advance and asked him to tone down his views once on air. Ssempala said that in two instances, broadcast journalists warned him not to “go there” when he broached the law’s press freedom implications.

Three of the journalists who spoke to CPJ also expressed concern that given Uganda’s spotty press freedom record, which includes physical attacks on journalists, arrests, and the use of criminal libel charges against the press, the law might be used as a pretext to target critical media.

“It is a trap that you eventually walk into. You might be punished not because anyone is necessarily outraged because you interviewed an LGBTQ person, but because they are unhappy with your [other] coverage,” said Lydia Namubiru, news editor of the Pan-African weekly e-paper, *The Continent*.⁴³⁵

c. Representation by influential cultural and religious figures

The 2022 Bertelsmann Stiftung Report on Uganda covering the period 1st February 2019 to 31st January 2021 noted that:

Christians and Muslims mostly live together peacefully and share a common position on social issues, especially when it comes to the preservation of “traditional” societal norms such as the intolerance of homosexuality.

Religious dogmas filter into political discourse occasionally. A cross section of religious groups heavily lobbied for the passage of the contentious homosexuality bill, which was passed into law in 2014. It was later annulled by the Constitutional Court, but calls to return the bill to parliament resurface every so often. The Ethics and Integrity Minister Simon Lokodo has often interpreted his role through a religious lens. While his office is responsible for matters related to corruption and ethics within the public service, a frequent target of his ire have been LGBTQ+ NGOs and a campaign against what he considers immorality in Ugandan society.⁴³⁶

Erasing 76 Crimes reported in February 2020 that “outgoing archbishop of the Church of Uganda, Stanley Ntagali, used his final Sunday service to declare that Uganda will not be intimidated into accepting same-sex marriages”.⁴³⁷

According to a May 2020 report from the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, in Uganda electric shocks have been used as a method of aversion therapy as well as invalid use of medication and leaders of faith-based organizations and political authorities have endorsed conversion therapy.⁴³⁸

⁴³⁵ Committee to Protect Journalists, [Uganda’s anti-homosexuality law poses free speech fears for journalists](#), 20 July 2023

⁴³⁶ Bertelsmann Stiftung, [BTI 2022 Country Report Uganda](#), 23 February 2022, I. Political Transformation, 1 Stateness p.7-8

⁴³⁷ Erasing 76 Crimes, [‘Uganda will never accept same-sex marriages’ – outgoing Anglican Archbishop](#), 27 February 2020

⁴³⁸ UN Human Rights Council, [Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity: Practices of so-called “conversion therapy”](#), 1 May 2020, paras 25, 43 and 47

In 2020 the UK organization ReportOut published research led by Drew Dalton, senior Lecturer in Sociology at the University of Sunderland, in partnership with seven local organisations, based on 76 survey responses on the situation of Sexual Orientation, Gender Identity, Expression and Sexual Characteristics (SOGIESC) in Uganda.⁴³⁹ The report found that “Within everyday life, SOGIESC people face discrimination in a range of settings which cut across a range of institutions. [...] Other key places where prejudice and discrimination were faced by a sizeable portion of the respondents included; in place of worship (47.4%) [...]”.⁴⁴⁰

The U.S. Department of State annual human rights report covering 2021 reported that “Local media and LGBTQI+ organizations reported that some hospitals and religious institutions offered and subjected LGBTQI+ persons to conversion therapy”.⁴⁴¹

According to an April 2021 article from Erasing 76 Crimes, “Ugandans at East Africa Visual Artists (EAVA Artists) have unveiled a video documentary featuring clerics from different faith traditions preaching love for LGBTQI persons”.⁴⁴² Reportedly “At least 18 out of the 26 free local television channels in Uganda are owned by religious institutions or conservative clerics/pastors who oppose LGBTIQ rights”.⁴⁴³ Executive director of the EAVA explained that and “the few religious leaders who preach love and respect for LGBTIQ persons are not given platforms or media space on those channels”.⁴⁴⁴

Erasing 76 Crimes reported in October 2021 that “more than 35 religious leaders in Uganda have vowed to preach, practice, and promote inclusivity in their places of worship, saying that exclusion has done harm to minority populations like the LGBTIQ community”.⁴⁴⁵ The source described that the leaders had made the pledge during a religious inclusivity workshop run by the East Africa Visual Artists in Kampala.⁴⁴⁶

The U.S. Department of State report on religious freedom for Uganda covering 2022 explained that:

Christian members of the LGBTQI+ community reported that most Christian ministers in the evangelical, Catholic, and Anglican churches openly condemned the community, coerced LGBTQI+ members to endure so-called conversion therapy, barred members from openly expressing themselves, and in some cases barred them from attending religious activities. Christian LGBTQI+ groups reported that many churches barred openly transgender persons from accessing church premises. The head of the Interreligious

⁴³⁹ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020

⁴⁴⁰ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020, 9. Key Findings: prejudice and discrimination p.32

⁴⁴¹ US Department of State, [2021 Country Report on Human Rights Practices: Uganda](#), 12 April 2022, Section 6. Discrimination and Societal Abuses, Section 6. Discrimination and Societal Abuses, Acts of violence, criminalization, and other abuses based on sexual orientation and gender identity

⁴⁴² Erasing 76 Crimes, [‘A Voice Within’: Ugandan religious leaders preach love for LGBTQI people](#), 6 April 2021

⁴⁴³ Erasing 76 Crimes, [‘A Voice Within’: Ugandan religious leaders preach love for LGBTQI people](#), 6 April 2021

⁴⁴⁴ Erasing 76 Crimes, [‘A Voice Within’: Ugandan religious leaders preach love for LGBTQI people](#), 6 April 2021

⁴⁴⁵ Erasing 76 Crimes, [Religious leaders in Uganda vow: We’ll include LGBTIQ people](#), 16 October 2021

⁴⁴⁶ Erasing 76 Crimes, [Religious leaders in Uganda vow: We’ll include LGBTIQ people](#), 16 October 2021

Council of Uganda also stated that “we do not have any denomination in our family that is agreeing with homosexuality ... so we will continue to keep those values.”⁴⁴⁷

The U.S. Department of State annual human rights report covering 2022 noted that “Activists reported that some families had LGBTQI+ children undergo counseling sessions with religious leaders or compelled their LGBTQI+ children into arranged and forced marriages in an attempt to change their sexual orientation”.⁴⁴⁸

Erasing 76 Crimes described in March 2022 that human rights activists launched a campaign to end religious inspired homophobia, explaining that “Faith and church leaders are some of the most influential people in social, economic, political, and moral debates that shape society’s perceptions of LGBT people and communities”.⁴⁴⁹ Vincent Kyabayinze, executive director of East African Visual Artists (EAVA) stated that “Many anti-LGBTI faith leaders continuously attack the LGBT community in their preaching. As a community, depending on the geographical location, LGBT persons generally are a target for politicians and religious leaders who seek public approval. LGBT persons are often denied their right to worship, which is traumatic and disruptive to LGBT youth and persons above 40 years. This is where we want religious leaders to come in”.⁴⁵⁰

According to the Global Action for Trans Equality reporting in a September 2022 report, “Religious anti-gay movements and beliefs are persistent in Uganda and have hampered the positive recognition of LGBTIQ rights and acceptance, as no major religion expresses an openly tolerant attitude to homosexuality. The cultural rhetoric has often been fronted by moralistic-culturalisms, which assert that homosexuality is fundamentally un-African and only exists in the Western world, and should therefore never be accepted in Uganda. Such rhetoric further fuels societal attitudes of homophobia, transphobia and stigma towards the LGBTIQ community as a whole”.⁴⁵¹ The same source further noted that “To improve religious inclusion, a number of LGBTI churches have been opened with LGBTI pastors”.⁴⁵²

In December 2022 KFM radio Kampala noted “Archbishop of the Church of Uganda Dr. Samuel Stephen Kaziimba Mugalu publicly confessed that they had received reports of a group of underground individuals on a mission to recruit school-going children into homosexuality”.⁴⁵³

⁴⁴⁷ US Department of State, [2022 Report on International Religious Freedom: Uganda](#), 15 May 2023, *Section III. Status of Societal Respect for Religious Freedom*

⁴⁴⁸ US Department of State, [2022 Country Report on Human Rights Practices: Uganda](#), 20 March 2023, *Section 6. Discrimination and Societal Abuses, Reproductive Rights, Discrimination, Acts of violence, criminalization, and other abuses based on sexual orientation, gender identity or expression, or sex characteristics*

⁴⁴⁹ Erasing 76 Crimes, [Ugandan activists launch campaign against religion-fueled homophobia](#), 29 March 2022

⁴⁵⁰ Erasing 76 Crimes, [Ugandan activists launch campaign against religion-fueled homophobia](#), 29 March 2022

⁴⁵¹ Global Action for Trans Equality, [The anti-gender movement in Uganda: A critical analysis of its impact on trans and gender diverse persons](#), 26 September 2022

⁴⁵² Global Action for Trans Equality, [The anti-gender movement in Uganda: A critical analysis of its impact on trans and gender diverse persons](#), 26 September 2022

⁴⁵³ KFM, [Pornography control committee warns schools about increasing homosexuality](#), 21 December 2022

Mamba Online reported that Church of Uganda Archbishop Stephen Kaziimba Mugalu stated in his 2022 Christmas message delivered in Kampala that “I want to alert all students, parents, and teachers that there are bad people trying to attract children into homosexuality by promising them money and sponsorship” and “To those who are recruiting children into homosexuality, I want to sound a very strong warning to you. These are not my words, but the words of Jesus: ‘If anyone causes one of these little ones...to stumble, it would be better for them to have a large millstone hung around their neck and to be drowned in the depths of the sea’”.⁴⁵⁴

The same source further noted that Annet Kezaabu, chairperson of the Anti-Pornographic Control Committee at the Directorate of Ethics and Integrity, claimed that “members of the LGBTQ+ community are targeting schools to ‘recruit, groom and initiate’ children into homosexuality”.⁴⁵⁵

In February 2023, The Kampala Report published an article on the announcement of the Anglican Church in Uganda that it is set to split from the Church of England after the latter said it would approve same-sex marriages noting that:

Church of Uganda Archbishop Stephen Kaziimba told journalists in Kampala on Friday, 10 February 2023 that starting next week, the province would start meetings with a view to completing the split from Canterbury by April when church leaders under the Global Anglican Future Conference (GAFCON) movement are scheduled to meet in Kigali, Rwanda. [...]

According to Kaziimba, the House of Bishops and the Provincial Assembly are united on the matter and will not allow walking the path of the Church of England. [...]

Kaziimba says that the latest development from the Church of England emphasize that the church is under attack. He appealed to Ugandans and the faithful to follow biblical teachings about marriage.

Dr Kaziimba says that the Church of Uganda position on the issue remains rooted in the biblical teachings. “From the first page of the Bible in the book of Genesis to the last page of the Bible in the book of Revelation, it is clear that God’s design for human flourishing is that we are part of a family – a family that is defined as one man and one woman united in holy matrimony for life and, God willing, a union that produces children. God’s Word has said that the only context for sexual relationships is in the context of a marriage of one man and one woman,” the Archbishop says.

Kaziimba notes that any other kind of marriage that is not between one man and one woman is a sin. He criticized the Church of England for changing the message of the Bible and providing opposite teachings to the people. [...]

Kaziimba recounted his earlier message to parents and appealed to them to watch over their children and beware of well-funded gay organizations that are recruiting children into homosexuality.

“Not only in Kampala but all over the country, they target our poverty and promise our youth money. If you have already been exploited or abused by such groups, please go to your Bishop for prayer, support, and guidance. You will be received with love and compassion. To our Head Teachers -if an organization is

⁴⁵⁴ Mamba Online, [Uganda Dangerous claims that LGBTQ+ people are “recruiting” schoolchildren](#), 27 December 2022

⁴⁵⁵ Mamba Online, [Uganda Dangerous claims that LGBTQ+ people are “recruiting” schoolchildren](#), 27 December 2022

bringing money and resources to your school, or inviting your students to a function, do your research. Make sure you know who they really are,” Kaziimba appealed.⁴⁵⁶

Erasing 76 Crimes reported on a debated televised in February 2023 on government owned Uganda Broadcasting Corporation entitled ‘The LGBTQ Debate: An attack on our social fabric’.⁴⁵⁷ The source noted that the title of the show revealed the “bias against LGBT people”.⁴⁵⁸ One of the speakers was Rev. Canon John Awodi from the Kampala Diocese of the Anglican Church of Uganda who the source reported had “described LGBTQ rights as detestable, sinful and punishable by God”.⁴⁵⁹

The Daily Monitor reported in February 2023 on religious leaders and the anti-gay Bill in Parliament, stating that:

The Inter-Religious Council of Uganda (IRCU) has vowed to do everything possible to have the anti-same-sex Bill returned to Parliament, as one of the measures to tackle the spread of homosexuality, especially in schools.

Addressing a joint media briefing at their offices in Kampala yesterday, the clerics said the lack of a stringent enabling law to tackle this vice is currently fuelling the Lesbian, Gay, Bisexual, Transgender, Intersex, Queer and others (LGBTIQ+) movements in the country, adding that its high time they are stopped.

“Parliament had passed the Anti-Homosexuality Bill which the President accented to and became law in 2014, but some people went to court and nullified it. But it (law) is still our stand and as religious leaders, we urge government and his Excellence the President that if it means bringing back that law, we are in support because that law will bury the LGBTQ practice in Uganda,” the Mufti of Uganda, Sheikh Shaban Ramadhan Mubaje, said.⁴⁶⁰

The Daily Monitor reported again that month on calls against homosexuality by clerics in Uganda in the run up to Lent in February 2023:

Cleric after cleric used Ash Wednesday to ask Christians to shun homosexuality as they kick-start the 40-day fasting period known as Lent that climaxes into Easter celebrations. [...]

While addressing journalists at the diocesan offices at All Saints Church in Kampala yesterday, Rev Dr Hannington Mutebi, the assistant Bishop of Kampala Diocese, said Christians should combine forces to fight homosexuality which has hit schools and is currently a big threat because it is a global agenda to destroy the young generation.

He added that as a Church and founders of schools, they have observed that the failure by parents, teachers and government to manage schools has escalated and aided the vice. [...]

⁴⁵⁶ The Kampala Report, [BREAKING! Church of Uganda set to split from Canterbury over its endorsement of same-sex marriages](#), 10 February 2023

⁴⁵⁷ Erasing 76 Crimes, [Ugandan TV aired highly charged and biased debate on LGBTQ rights](#), 2 March 2023

⁴⁵⁸ Erasing 76 Crimes, [Ugandan TV aired highly charged and biased debate on LGBTQ rights](#), 2 March 2023

⁴⁵⁹ Erasing 76 Crimes, [Ugandan TV aired highly charged and biased debate on LGBTQ rights](#), 2 March 2023

⁴⁶⁰ The Daily Monitor, [Religious leaders to return anti-gay Bill to Parliament](#), 16 February 2023

In Fort Portal City, Bishop Reuben Kisembo of Ruwenzori Diocese [...] explained that true fasting is about repenting from all forms of wickedness such as land grabbing, drug abuse, and all forms of sexual promiscuity, including homosexuality.

“As Church, we condemn the act of homosexuality, corruption, greed, selfishness, violation of human rights; let us do good to the needy, orphans, widows, elderly, disabled. Let us overcome evil with good,” he said.

Bishop George Turyasingura of East Ruwenzori Diocese, asked Christians to use the Lent period to forgive one another, pray for others and help the poor. [...]

On homosexuality, Bishop Turyasingura said: “We cannot allow such in Uganda. God created a man and woman to multiply, now can a man, after marrying fellow man, produce? We condemn such evil.”

In Lira, the Bishop of Lira Catholic Diocese, Rt Rev Sanctus Lino Wanok, called on Christians luring people into homosexuality to utilise this Lent season for repentance and seek God’s blessings.

He said God cannot bless what he considers to be sin, and that the Catholic Church will not accept homosexuality.

“Don’t lure anybody into the sin of homosexuality as it is not human; it is death, which humanity must repent against. God wants salvation for that person and that person can be saved if we relieve him from that,” Bishop Wanok said.

Bishop Wanok said homosexuality is unacceptable and that the Bible condemns it, but since salvation is promised for everyone, including homosexuals, they should repent from such acts.

He said God designed that a man and a woman should meet in order to marry and whoever is engaging in homosexual acts is directly contradicting God’s creation.

“It is a shameful thing actually, they are mocking the Church by saying we want blessings for our union. That mockery should stop, otherwise, it is offensive to God as our creator,” he explained. [...]

Fr AGabito Arinaitwe, a curate at Uganda Martyrs Catholic Parish, said it is unfortunate that some people have started practicing homosexuality and lesbianism, claiming it is part of human rights.⁴⁶¹

The following day, the Daily Monitor also reported on Muslims in Uganda expected to hold anti-gay protests:

Muslims across the country are today expected to hold peaceful demonstrations against homosexuality, according to a communication from the Uganda Muslim Supreme Council (UMSC).

A February 11 letter seen by this publication gazetted the day for all mosques to express their disagreement with homosexuality, a vice, they say, has reared its ugly head targeting, especially young people.

“The council requested all Muslim leaders to have their sermons on the fight against the vice, radios and televisions teaching address the same, peaceful walks through towns with placards and every district Muslims representative (Khadi) issue a press statement against homosexuality,” letter reads in parts.

The UMSC call came after the Inter-Religious Council of Uganda (IRCU) issued a statement, expressing concern about the increasing promotion of the Lesbian, Gay, Bisexual and Transgender (LGBT) agenda in the country.

The deputy Mufti, Sheikh Muhammad Warsaw, said the main aim of the demonstration is to create awareness as well as reinforcing the role of religious leaders in this fight, following a decision of the Church of Uganda to break away from the Church of England that endorsed same sex relations.⁴⁶²

⁴⁶¹ The Daily Monitor, [Clerics usher in Lent with call against homosexuality](#), 23 February 2023

⁴⁶² The Daily Monitor, [Muslims to hold anti-gay protests today](#), 24 February 2023

The same newspaper reported again on the march a few days later, stating that:

Thousands of Muslim demonstrators took to the streets of Jinja City, on Friday condemning homosexuality.

The protesters shouted slogans and held placards with inscriptions against the lesbian, gay, bisexual, and transgender (LGBT) community.

The placards had words such as “say no to LGBTQ”, “homosexuality and lesbianism is sin”, “Gayism is evil”, “homosexuality is not African culture” and “No room for LGBTQ”. [...]

The protestors, who also included children from different primary and secondary schools, and leaders from other religious groups, also organised an anti-LGBT rally at Faisal Mosque at Mvule Crescent in Jinja City on Friday.⁴⁶³

OpenDemocracy reported in March 2023 that “Last Friday, the Uganda Muslim Supreme Council organised nationwide anti-gay marches and the speaker of parliament has announced that a bill to further criminalise homosexual relations will be tabled on 1 March”.⁴⁶⁴

The Human Rights Awareness and Promotion Forum (HRAPF) noted in a May 2023 report that “The passing of the new Anti-Homosexuality Bill, 2023 comes against a backdrop of a massive wave of homophobic rhetoric and violence, spurred equally by political and religious leaders”.⁴⁶⁵ It further reported:

condemnation of homosexuality and of LGBTIQ+ people by President Yoweri Museveni,¹⁰ religious leaders including the Archbishop of the Church of Uganda,¹¹ the Supreme Mufti of Uganda¹² and military personnel,¹³ among others. A section of religious leaders have also led marches ‘against homosexuality’ in different cities across the country.¹⁴

The Speaker of Parliament further fueled this debate when she promised that the AntiHomosexuality Bill would be tabled and voted on by calling up names of MPs and asking their position on the matter so that Ugandans would know where every MP stood on this Bill.¹⁵ As such, the Bill was passed by Parliament less than two weeks after its first reading in a very public sitting of the house, with a great show made of taking note of the MPs who attended.⁴⁶⁶

10 ‘Museveni: Uganda won’t support homosexuality’ Monitor, 17 February 2023.

11 See for example ‘Uganda Archbishop Kazimba’s message on homosexuality awakens old ghosts’ Red pper, 14 February 2023 <https://redpepper.co.ug/uganda-archbishop-kazimbass-message-on-homosexuality-awakens-oldghosts/127989/> (accessed 7 March 2023).

12 ‘Mufti Mubaje calls for closure of NGOs that promote LGBTQ rights in Uganda’ Nile Post, 26 February 2023 <https://nilepost.co.ug/2023/02/26/mufti-mubaje-calls-for-closure-of-ngos-that-promote-lgbtq-rights-in-uganda/>

⁴⁶³ The Daily Monitor, [Muslims march against homosexuality](#), 26 February 2023

⁴⁶⁴ OpenDemocracy, [Ugandan charity regulator accused of targeting LGBTIQ groups to avoid austerity](#), 1 March 2023

⁴⁶⁵ Human Rights Awareness and Promotion Forum (HRAPF), [A legal and human rights analysis of the Anti-Homosexuality Bill 2023, as enacted by parliament](#), 3 May 2023

⁴⁶⁶ Human Rights Awareness and Promotion Forum (HRAPF), [A legal and human rights analysis of the Anti-Homosexuality Bill 2023, as enacted by parliament](#), 3 May 2023, p.3

(accessed 7th February 2023). 13 Daily Monitor, 'Do not treat homosexuals in our facilities, says Maj Gen Takirwa, February 7, 2023, <https://www.monitor.co.ug/uganda/news/national/don-t-treat-homosexuals-in-our-facilities-says-maj-gentakirwa-4114502>, accessed 28 March 2023. 14 'Muslims march against homosexuality' Monitor, 26th February 2023; UG Reports, Homosexuality in Kisoro: Voters want their MP to resign, 28 March 2023, <https://ugreports.com/homosexuality-kisoro-voters-want-their-mp-toresign/>, accessed March 28, 2023; Daily Monitor, 'Homosexuality is an abnormal lifestyle choice – Lango Chief', March 6, 2023, <https://www.monitor.co.ug/uganda/news/national/homosexuality-is-an-abnormal-lifestyle-choicelango-chief-4147478>, accessed 28 March 2023. 15 'Anti-homosexuality law to be tabled tomorrow - Speaker Among' Monitor, 28 February 2023.

A March 2023 African Arguments article on the 'sexual culture war' in Uganda stated that:

The latest flashpoint is a new bill tabled in parliament last week containing proposals to further criminalise homosexual acts. This move has followed what, a decade after the introduction of the first bill entrenching the colonial-era law criminalising homosexuality, has become a familiar script. [...] The leadership of the Anglican Church in Uganda, as well as many Evangelical groups, stand at a polar opposite [to the Church of England and the Pope]. Their fulminations against this "abomination" dominate the airwaves, consultative seminars, and the pulpit. Feeling trapped, the Ugandan government resorts to some complex tap-dancing. Last time round, the president assented to the bill, and then performed outrage when it was quashed in the courts due to a previously "unforeseen" but very visible parliamentary error in the process of its passing. This time, there was some initial hemming and hawing at the finance ministry which is legally obliged to scrutinise any proposed legislation and clear it (or not) via an instrument known as a Certificate of Financial Implication (read in this case as: "what if the donors actually cut off the money this time?"). [...] Uganda is not a democracy. It retains the organisational logic bequeathed it by its roots in the colonial project. The state is apexed by powerful interest groups descended from the various African warlord factions that secured the colony for Britain. Prime among these are the Anglican Church, one of the biggest landowners in the country, owner of nearly half the country's schools, some hospitals and rural clinics, and, until the eve of independence in 1962, the one religious group whose members had the exclusive and legal right to rise to the very top of the civil service by dint of their religious denomination. Uganda's ruling NRM party, the donor community, the powerful Christian factions, and human rights activists all bear perspectives that seek no benefit in hindsight but dominate the debate to the point of silencing all other voices.⁴⁶⁷

Human Rights Watch reported in April 2023 that "religious leaders in Uganda, including the Anglican Archbishop, Rt. Rev. Stephen Samuel Kaziimba, had been urging the passage" of the Anti-Homosexuality Bill.⁴⁶⁸ The same source further noted:

Ugandan Catholic clergy used the occasion of Ash Wednesday, a Christian ritual of repentance, to condemn homosexuality in the strongest terms, adding to a chorus of denunciation by public figures that has stoked a moral panic in Uganda.

⁴⁶⁷ African Arguments, [Well-funded Riddles: Notes from Uganda's sexual culture war](#), 15 March 2023

⁴⁶⁸ Human Rights Watch, [Would the Pope Fall Foul of Uganda's Pending Anti-LGBTQ+ Law?](#) 7 April 2023

Bishop Sanctus Lino Wanok, depicted homosexuality as “not human” and akin to “death”, while Fr. Agabito Arinaitwe, a curate in the important parish of the Uganda Martyrs Catholic Shrine, which commemorates the execution of early Catholic converts who refused the sexual advances of Mwanga II, the 19th century Buganda king, said, with reference to homosexuality: “It’s time we turn away from our evil deeds and turn back to the Lord.”⁴⁶⁹

At the end of May 2023, following the President signing a harsh new anti-LGBTQI+ law, KFM reported on the reaction of the Church of Uganda:

The Church of Uganda has applauded President Museveni for assenting to the Anti-Homosexuality Act, 2023.

The Archbishop of the Church of Uganda, Stephen Samuel Kaziimba Mugalu, says the law will go a long way in protecting children from harmful practices.

He has however expressed reservations with the death penalty, saying the church supports life and thus in principle, it does not support the death penalty for aggravated defilement and aggravated homosexuality.

The legislation imposes the death penalty in aggravated cases, which include having gay sex with someone below the age of 18 or where someone is infected with a life-long illness including HIV.

The Archbishop has instead recommended the punishment of life imprisonment.⁴⁷⁰

The June 2023 report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity noted that:

An unprecedented pushback by alliances of conservative political ideologies and religious fundamentalisms is advocating for the criminalization of homosexuality and the denial of gender recognition in numerous States.⁶⁷ These alliances rarely present themselves as religious fundamentalist,⁶⁸ but rather as human rights groups working to protect the family and religious freedom. Striking cases can be seen in recent legislative projects in Uganda and Ghana, where a bill was tabled by a Coalition of MPs with the support of the National Coalition for Proper Human Sexual Rights and Family Values, a tripartite movement that is said to include all Christian Councils, all Muslim Councils and all Traditional Leaders in the country. The Coalition of Muslim Organizations, Ghana (COMOG), has openly backed the bill.⁴⁷¹

67 AWID, Rights at Risk: Time for Action – Observatory on the Universality of Rights Trends Report, 2021, 2021: <https://www.awid.org/ours-2021>.

69 A/HRC/34/56, paras. 24, 29.

d. Impact of societal norms on state attitudes

⁴⁶⁹ Human Rights Watch, [Would the Pope Fall Foul of Uganda’s Pending Anti-LGBTQ+ Law?](#) 7 April 2023

⁴⁷⁰ KFM, [Anti-gay law: Church condemns death penalty](#), 30 May 2023

⁴⁷¹ UN Human Rights Council Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, [Freedom of religion or belief, and freedom from violence and discrimination based on sexual orientation and gender identity](#), 28 June 2023, paragraph 30

The sources in this section detail the impact of political ideology on societal norms. This section should therefore be read against section [*III. Treatment by State Actors, a. Public statements by government officials*](#) and [*b. Homophobia and transphobia in government institutions \(incl. state-owned media, within the police, in the prison service, in the judiciary\)*](#).

For information on societal norms more broadly, see section [*IV. Societal Attitudes Towards LGBTQI+ Individuals, a. Societal norms*](#).

The Human Rights Awareness and Promotion Forum (HRAPF) published a report on human rights violations based on sexual orientation and gender identity in 2020 based on contributions from six other organisations.⁴⁷² It explained that “The level of acceptance of LGBT persons is shaped by the society in which they live, and the political ideology, which informs how LGBT persons are treated in society. LGBT persons in Uganda find themselves in a society that is largely homophobic, with political leaders who blame criminality and political dissidence on LGBT persons, creating an unnecessarily hostile environment for LGBT persons and in extreme cases inadvertently encouraging homophobic hate and violence against LGBT persons”.⁴⁷³

The 2021 HRAPF annual report described that “LGBT persons in Uganda are routinely subjected to ridicule, humiliation, violence, threats of violence, myriad forms of discrimination and harassment and other human rights abuses by a homophobic and latently unfriendly populace that still views LGBT people as ‘unapprehended felons’. This fear and prejudice continue to be driven in part by state propaganda especially during campaigns as well as a concerted opposition campaign that posits that LGBT people are targeting young children for ‘recruitment’, causing a moral panic that parts of the population have reacted to with anti-gay talks to children in schools as well as a sweeping moral panic across the different sections of society in Uganda. As such, human rights violations against LGBT people on the basis of their presumed sexuality continued to abound in 2021, affecting the lives, dignity, well-being, livelihoods and the lived realities of LGBT people”.⁴⁷⁴

Al Jazeera noted in June 2021 that in Uganda “the threat of bringing another stringent law against homosexuality has remained any politician’s favourite tool, especially when they are falling out of favour with the population”.⁴⁷⁵

According to the Global Action for Trans Equality reporting in September 2022 “The systematic abuse and non-recognition of Ugandan’s based on their sexual orientation and gender identity is strongly

⁴⁷² Health and Rights Initiative; HOPE Mbale; Human Rights and Economic Empowerment Development (HUREED); Freedom and Roam Uganda; Mbarara Rise Foundation and Tranz Network Uganda

⁴⁷³ Human Rights Awareness and Promotion Forum (HRAPF), [*The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity*](#), June 2021, 5. CASES OF HUMAN RIGHTS ABUSES BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY DURING 2020 BY NON STATE ACTORS, 5.1 Introduction

⁴⁷⁴ HRAPF, [*The Uganda Report of human rights violations based on sexual orientation and gender identity 2021*](#), June 2022, 4.4. Cases of violation of human rights based on sexual orientation and/or gender identity or expression by non state actors in 2021 p.20

⁴⁷⁵ Al Jazeera, [*Uganda: Fueling anti-LGBTQI sentiment to stay in power*](#), 19 June 2021

driven by anti-gender opposition, notably sanctioned by the state, upheld by religion, culture and intolerant social attitudes, and emanating from colonial law enforcement”.⁴⁷⁶

Erasing 76 Crimes described in March 2022 that human rights activists launched a campaign to end religious inspired homophobia.⁴⁷⁷ Vincent Kyabayinze, executive director of East African Visual Artists (EAVA) stated that “Many anti-LGBTI faith leaders continuously attack the LGBT community in their preaching. As a community, depending on the geographical location, LGBT persons generally are a target for politicians and religious leaders who seek public approval. LGBT persons are often denied their right to worship, which is traumatic and disruptive to LGBT youth and persons above 40 years. This is where we want religious leaders to come in”.⁴⁷⁸

The Centre for Strategic and International Studies noted in May 2023 in consideration of the Anti-Homosexuality Bill that “LGBTIQ+ individuals in Uganda, who have always been at risk for blackmail, witch hunts, extortion, and mob violence, will be living under a darker cloud of fear orchestrated by state-sanctioned homophobia and transphobia”.⁴⁷⁹

A March 2023 African Arguments article on the ‘sexual culture war’ in Uganda stated that:

The latest flashpoint is a new bill tabled in parliament last week containing proposals to further criminalise homosexual acts. This move has followed what, a decade after the introduction of the first bill entrenching the colonial-era law criminalising homosexuality, has become a familiar script. [...]

The leadership of the Anglican Church in Uganda, as well as many Evangelical groups, stand at a polar opposite [to the Church of England and the Pope]. Their fulminations against this “abomination” dominate the airwaves, consultative seminars, and the pulpit.

Feeling trapped, the Ugandan government resorts to some complex tap-dancing. Last time round, the president assented to the bill, and then performed outrage when it was quashed in the courts due to a previously “unforeseen” but very visible parliamentary error in the process of its passing.

This time, there was some initial hemming and hawing at the finance ministry which is legally obliged to scrutinise any proposed legislation and clear it (or not) via an instrument known as a Certificate of Financial Implication (read in this case as: “what if the donors actually cut off the money this time?”). [...]

Uganda is not a democracy. It retains the organisational logic bequeathed it by its roots in the colonial project. The state is apexed by powerful interest groups descended from the various African warlord factions that secured the colony for Britain. Prime among these are the Anglican Church, one of the biggest landowners in the country, owner of nearly half the country’s schools, some hospitals and rural clinics, and, until the eve of independence in 1962, the one religious group whose members had the exclusive and legal right to rise to the very top of the civil service by dint of their religious denomination.

⁴⁷⁶ Global Action for Trans Equality, [The anti-gender movement in Uganda: A critical analysis of its impact on trans and gender diverse persons](#), 26 September 2022

⁴⁷⁷ Erasing 76 Crimes, [Ugandan activists launch campaign against religion-fueled homophobia](#), 29 March 2022

⁴⁷⁸ Erasing 76 Crimes, [Ugandan activists launch campaign against religion-fueled homophobia](#), 29 March 2022

⁴⁷⁹ Centre for Strategic and International Studies, [Uganda’s Horrific Anti-LGBTIQ+ Bill Returns: The Stakes Are Higher Than Ever](#), 3 May 2023

Uganda's ruling NRM party, the donor community, the powerful Christian factions, and human rights activists all bear perspectives that seek no benefit in hindsight but dominate the debate to the point of silencing all other voices.⁴⁸⁰

In April 2023, following the passing of the anti-gay bill, IPS News reported on a letter from mothers of LGBTQ+ individuals in Uganda, noting that "The women expressed fear that their children were likely to be targets of mob violence, which they noted was a direct consequence of living in a country whose legislators are "recklessly" legalizing homophobia and transphobia with the Anti-Homosexuality law".⁴⁸¹

The New York Times reported at the end of May 2023, following the signing of the anti-gay bill, that "'What's so troubling about this moment is how swiftly the bill moved through Parliament and how thoroughly Uganda's institutions beyond the legislature, like the judiciary and police, have absorbed and pushed anti-L.G.B.T.Q. sentiment,' said Gillian Kane, a senior analyst at Ipas, a nonprofit, who has studied anti-gay measures across Africa".⁴⁸²

V. Treatment by Non-State Actors

a. Harassment and violence

This section focuses on societal and community perpetrated harassment and violence. On occasion sources do not indicate the perpetrators, therefore also see section [III. Treatment by State Actors, c. Harassment and violence](#).

2020

The U.S. Department of State annual human rights report covering 2020 listed among the 'significant human rights issues' in Uganda "crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, or intersex persons".⁴⁸³ The same source further noted "LGBTI persons faced discrimination, legal restrictions, harassment, violence, and intimidation. Authorities incited, perpetrated, and tolerated violence against LGBTI individuals and blocked some meetings organized by LGBTI persons and activists".⁴⁸⁴ Furthermore "Local civil society organizations reported that public and private health-care services turned away LGBTI persons who sought medication and some health-care providers led community members to beat LGBTI persons who sought health care".⁴⁸⁵

⁴⁸⁰ African Arguments, [Well-funded Riddles: Notes from Uganda's sexual culture war](#), 15 March 2023

⁴⁸¹ IPS News, [No Parent Should Ever Be in the Position We Find Ourselves, Say Mothers of LGBTQ+ People in Uganda](#), 21 April 2023

⁴⁸² The New York Times, [Ugandan President Signs Anti-Gay Law That Includes Death Penalty as a Punishment](#), 29 May 2023

⁴⁸³ US Department of State, [2020 Country Reports on Human Rights Practices: Uganda](#), 30 March 2021, *Executive Summary*

⁴⁸⁴ US Department of State, [2020 Country Reports on Human Rights Practices: Uganda](#), 30 March 2021, *Section 6. Discrimination, Societal Abuses, and Trafficking in Persons, Women*

⁴⁸⁵ US Department of State, [2020 Country Reports on Human Rights Practices: Uganda](#), 30 March 2021, *Section 6. Discrimination, Societal Abuses, and Trafficking in Persons, Women*

The Human Rights Awareness and Promotion Forum (HRAPF) published a report on human rights violations based on sexual orientation and gender identity in 2020 based on contributions from six other organisations.⁴⁸⁶ The report was based on “only cases reported to HRAPF and its partner organisations that either host regional legal aid centres or legal aid desks, and those handled by HRAPF trained paralegals and reported to HRAPF” and “based on properly documented cases of human rights violations based on real or presumed SOGIE”.⁴⁸⁷ The report noted that “There were 25 acts and/or threats of violence recorded in 2020 against LGBT persons based on their SOGIE by non state actors without proper redress from the state” and included amongst the incidents:

In one case, a gay man was assaulted by a gang of youths on his way back home. He was berated with insults and informed that they (the assailants) would not tolerate homosexuals, and to safeguard himself, he went to a paralegal's home for refuge, only to discover a note outside the paralegal's house in the morning, threatening to burn them both.⁸² In another similar incident, a transgender woman was constantly harassed by neighbours who threatened to kill her for being transgender, calling her a "walking corpse" in addition to several other insults.⁸³ In one case, a transgender woman was assaulted and severely beaten by her uncle, who claimed that she was a homosexual. She was admitted to the hospital but she chose not to pursue the case of assault, preferring to relocate to a safer place where her family would not be able to assault her.⁸⁷⁴⁸⁸

82 HRAPF/G/06/07/20.

83 HRAPF/T/06/09/20 [...]

87 HRAPF/T/03/02/20.

In November 2020, the Guardian reported on a police raid on LGBT persons during Covid-19, stating that:

When you ask Ronald Ssenyonga, a 21-year-old Ugandan, to tell you about his arrest, he asks: “Which one?” Like many gay people struggling to survive in a country that has [used Covid-19 as an excuse](#) to clamp down on human rights, Ssenyonga is used to arrests and raids. [...]

It all began on a lazy Sunday morning at the shelter run by a non-profit, Children of the Sun, Ssenyonga says, as he sits on his bunk bed in a tiny room. [...]

Some people were still in bed at the shelter, which has given Ugandan gay people a home during lockdown. [...] The police gathered them all together, and ordered them to sit down and face journalists who had been brought along on the raid.

⁴⁸⁶ Health and Rights Initiative; HOPE Mbale; Human Rights and Economic Empowerment Development (HUREED); Freedom and Roam Uganda; Mbarara Rise Foundation and Tranz Network Uganda

⁴⁸⁷ Human Rights Awareness and Promotion Forum (HRAPF), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, Preface p.4

⁴⁸⁸ Human Rights Awareness and Promotion Forum (HRAPF), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, 5.2.2 Violation of the right to freedom from inhuman and degrading treatment, b) Violence p.33

“After the ‘photoshoot’, they tied us like slaves and marched us through a trading centre full of homophobic people. Some people slapped us. Others hit us with stones or whatever they could find. They shouted and condemned us.”⁴⁸⁹

In 2020 the UK organization ReportOut published research led by Drew Dalton, senior Lecturer in Sociology at the University of Sunderland, in partnership with seven local organisations, based on 76 survey responses on the situation of Sexual Orientation, Gender Identity, Expression and Sexual Characteristics (SOGIESC) in Uganda.⁴⁹⁰ The report found with regards to forms of violence that:

When asked about threats and attacks of physical and sexual violence the results were alarming. In the past twelve months 22.4% of SOGIESC people reported being threatened with violence or violently attacked twice as a result of their SOGIESC identity. It was evident from the results that perpetrators tend to commit threats of violence and violent attacks in groups which suggests mob violence is commonplace when targeting the SOGIESC population in Uganda. Almost half (47.4%) of these respondents claimed that there was more than one perpetrator when threatened or physically attacked. Of these, it was reported that neighbours or a local community member were the perpetrators of threats or violent attacks against the SOGIESC population (42.1%), followed by family or household members (26.3%). This implies a relational familiarity between the victim and the perpetrator as the data suggests a sizeable number of perpetrators know the victim on a personal or social level.

Another distressing theme which arose from the data was the concerning levels of sexual violence both threatened and carried out against the SOGIESC population in Uganda. 38.2% of respondents said they had been attacked or threatened with sexual violence twice in the last 12 months, and 36.8% stated that there was more than one perpetrator involved. This presents a commonality between the nature of perpetrators involved in sexual attacks and violent physical attacks against SOGIESC Ugandans. It was reported that most perpetrators were strangers (19.7%), followed by a neighbour or local community member (18.4%). As almost half (48.6%) of SOGIESC Ugandans are unemployed leading to poverty and a low standard of living, sex work is commonly used as a means of income, which could reflect the percentage of sexual attacks and threats from strangers. [...]

When asked about the infliction of torture among SOGIESC Ugandans the results were extremely alarming. Overall, more than half (60.5%) of respondents reported that they had been tortured by another person because of their SOGIESC Identity. [...]

Overall, 75% of the SOGIESC respondents stated that Uganda is 'very unsafe' for SOGIESC people.⁴⁹¹

2021

The U.S. Department of State annual human rights report covering 2021 listed among the ‘significant human rights issues’ in Uganda “crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons”.⁴⁹² The same source further reported that “LGBTQI+

⁴⁸⁹ The Guardian, [‘Nowhere to go’: the young LGBT+ Ugandans ‘outed’ during lockdown](#), 23 November 2020

⁴⁹⁰ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020

⁴⁹¹ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020, 10, Key Findings: Forms of Violence p.36

⁴⁹² US Department of State, [2021 Country Report on Human Rights Practices: Uganda](#), 12 April 2022, Executive Summary

persons faced discrimination, legal restrictions, harassment, violence, and intimidation. Authorities incited, perpetrated, and tolerated violence against LGBTQI+ individuals and blocked some meetings organized by LGBTQI+ persons and activists”.⁴⁹³ In addition “Local media also reported that intersex children were at a high risk of infanticide”.⁴⁹⁴

The Human Rights Awareness and Promotion Forum (HRAPF) published a report on human rights violations based on sexual orientation and gender identity in 2021 based on contributions from six other organisations.⁴⁹⁵ The report was based on “cases handled through the HRAPF legal aid network: the main legal aid clinic, the three regional legal aid centres, the two legal aid desks and the network of community paralegals, and contains only cases that have been independently verified through reference to case files, documentary evidence and interviews with the victims, lawyers and/ or paralegals that handled the cases”.⁴⁹⁶

The HRAPF annual report for 2021 documented that “In 2021, there was a total of 77 human rights abuses perpetrated by non-state actors, and these were of the rights to freedom from discrimination (33 incidents); the right to human dignity and freedom from cruel, inhuman or degrading treatment (30 incidents); the right to privacy (11 incidents); the right to family (2 incidents) and the right to practice a lawful trade or occupation of one’s choice (1 incident). All these violations were based primarily on the real or presumed SOGIE of the victims”.⁴⁹⁷

The same source further noted cases of violence and harassment, including blackmail:

Often, LGBT people are subjected to cruel and humiliating treatment by members of the general community in which they reside, who find LGBT identities offensive or otherwise unacceptable. In 2021, there were 30 recorded incidents in which LGBT people were subjected to physical and/ mental pain, humiliation and outrage by the actions of non state actors. [...]

There were 30 acts or threats of violence recorded in 2021 against LGBT persons based on their SOGIE by non state actors.

In these cases, humiliating treatment was visited upon LGBT people by their neighbours, landlords and even family members, purely on the basis of their presumed sexuality. In one case, a lesbian woman was repeatedly sexually assaulted by her father, who claimed he wanted her to stop being a lesbian, until she

⁴⁹³ US Department of State, [2021 Country Report on Human Rights Practices: Uganda](#), 12 April 2022, Section 6. *Discrimination and Societal Abuses, Section 6. Discrimination and Societal Abuses, Acts of violence, criminalization, and other abuses based on sexual orientation and gender identity*

⁴⁹⁴ US Department of State, [2021 Country Report on Human Rights Practices: Uganda](#), 12 April 2022, Section 6. *Discrimination and Societal Abuses, Section 6. Discrimination and Societal Abuses, Acts of violence, criminalization, and other abuses based on sexual orientation and gender identity*

⁴⁹⁵ Health and Rights Initiative; HOPE Mbale; Human Rights and Economic Empowerment Development (HUREED); Freedom and Roam Uganda; Mbarara Rise Foundation and Tranz Network Uganda

⁴⁹⁶ HRAPF, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, Preface p.4

⁴⁹⁷ HRAPF, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, 4.4. *Cases of violation of human rights based on sexual orientation and/or gender identity or expression by non state actors in 2021 p.20*

managed to escape from home to seek mental health support.⁸⁴ In a similar case, a transgender man was repeatedly harassed by his parents who later got a man to marry him against his will, in an attempt to force him to conform and behave like a woman.⁸⁵

There were 10 different cases in which LGBT people were verbally and physically assaulted by non-state actors on the basis of their sexuality, including the case in which a gay man was assaulted and nearly lynched by a mob because of his sexuality, yet when he was taken to the police station, the assault on him was not investigated at all or recorded, but he was instead arrested.⁸⁶ In another case, a transgender woman who is also a sex worker was assaulted, undressed and left naked and unconscious on the street by a client when

he discovered that she was a biological male.⁸⁷

In one case, the matter went to the victim's family when a transgender woman's mother was repeatedly threatened with physical violence by some youths in the area, who demanded that she remove her 'homosexual son' from their village.⁸⁸ In another case, a lesbian woman was repeatedly taunted, verbally assaulted and threatened with rape by some youths in her neighbourhood for 'walking like a man' and being a lesbian, until she was forced to leave the area and find accommodation elsewhere.⁸⁹ Another lesbian woman was also forced to flee her home after dealing with repeated threats of physical harm and verbal abuse from her family after they discovered her sexuality.⁹⁰ [...]

The phenomenon of publicly undressing transgender people was also noted in 2021 in a case where a man attacked a transgender woman in a public market, insisting that she was a male and attempting to assault her. He was stopped by onlookers, who however took her to the police station and then stayed while the police officers undressed her, allegedly to ascertain her gender, before charging her with personation.³⁰ [...] There were 11 cases of the violation of the right to privacy by non-state actors in 2021, arising from the actions of family, the general community and even members of the LGBT community. In all these 11 instances, the sexuality of the victim was the major factor/ basis of the violation, or the threatened exposure of such sexuality was central to the violation itself. [...]

For instance, a lesbian woman's ex-partner sent nude photos of her and videos of her doing sexual acts to her friends, work colleagues and teenage son as retaliation for ending the relationship and refusing to give money she had asked for.¹⁰⁰ In another case, a gay man was blackmailed repeatedly by his ex-partner, who threatened to tell people about his sexuality if he did not pay out large sums of money;¹⁰¹ the same also happened in another case where the perpetrator threatened to out the victim to his family.¹⁰² In two related cases, the clients, both being young transgender women, were targeted when their photos and names were posted on social media platforms with calls to the public to cause beat them or shun them in order to 'keep Mbarara clean'.¹⁰³ [...]

In 2021, there were two documented incidents of violations of this right when a lesbian woman was forced to flee her family home after her mother and sister found an older man to marry her following an incident

in which her sister found emails and WhatsApp messages in her phone that indicated she was lesbian,¹⁰⁷ and when a transgender man was locked in his room for several days by his father as the father attempted to get one of his friends to marry the transgender man against his will in an effort to force him to behave more like a woman.¹⁰⁸⁴⁹⁸

30 HRAFP/VR/043/2021. [...]

⁴⁹⁸ HRAFP, *The Uganda Report of human rights violations based on sexual orientation and gender identity 2021*, June 2022, 4.3.1. *Violation of the right to dignity and freedom from torture, cruel, inhuman and degrading treatment or punishment* p.11

84 HRAPF/VR/063/2021.
 85 HRAPF/VR/058/2021.
 86 N 53 above.
 87 HRAPF/VR/064/2021.
 88 HRAPF/VR/016/2021.
 89 HRAPF/VR/017/2021.
 90 HRAPF/VR/061/2021. [...]
 100 HRAPF/VR/055/2021.
 101 HRAPF/VR/068/2021.
 102 HRAPF/VR/067/2021.
 103 HRAPF/VR/079/2021; HRAPF/VR/066/2021. [...]
 107 HRAPF/VR/033/2021.
 108 HRAPF/VR/058/2021

Kuchu Times reported on the challenges faced by LBQ women in Uganda during the election period, stating that:

In addition to sexual abuse through rape attempts and actual rape cases by close relatives and friends, there were are also incidents of intimidation by society and local authorities.

Some of the experiences shared by the participants:

Participant 1 from Rella: "During this period, there was a time a boda boda man who refused to take me home because he wasn't sure of my gender identity even when I offered to pay more than he had requested and yes, it was before curfew time."

Participant 2 from Makidye: "It was late past curfew and I was stranded at a male friend's house so for safety, I decided to sleep over. Late in the night, this guy violently attempted to rape me and I fought back. In return, he threw punches in my face. I took off but I have been traumatized ever since. I had to go to a therapist friend to help me through counseling."

FARUG member: "A boda guy threatened to cut off my dreadlocks saying that we are the cause of havoc in the country. I was so scared that I almost chopped all my hair off."⁴⁹⁹

In July 2021 Amnesty International published its submission for the UN Universal Periodic Review for Uganda and noted that "Violence against LGBTI communities remained high", citing deaths of four LGBTI persons in 2019 "in the wake of heightened anti-LGBTI sentiments from political leaders".⁵⁰⁰

Erasing 76 Crimes reported that on 25 November 2021, a member of the LGBT community in eastern Uganda was attacked at home "by men brandishing machetes and chanting homophobic slurs".⁵⁰¹ According to Philip Mutebi, executive director of Human Rights and Economic Empowerment Development (HUREED), two of his fingers and left ear were cut off, along with a deep cut on his neck and the attackers cut down the whole of his 1.5 acre maize plantation.⁵⁰² The source described that "In

⁴⁹⁹ Kuchu Times, [Lockdown, elections, and GBV: FARUG takes on mantle to help LBQ women recover](#), 2 February 2021

⁵⁰⁰ Amnesty International, Uganda: Guarantee human rights: Amnesty International submission for the UN Universal Periodic Review, 40th session of the UPR Working Group, January-February 2022, 30 July 2021

⁵⁰¹ Erasing 76 Crimes, [Gay man survives homophobic attack in eastern Uganda](#), 6 December 2021

⁵⁰² Erasing 76 Crimes, [Gay man survives homophobic attack in eastern Uganda](#), 6 December 2021

Ugandan culture, cutting down a person's food crops and destruction of livestock is a mob sentence designed to banish the individual from the community".⁵⁰³

In November 2021, the Uganda LBQ Loose Network, CREA, and the Sexual Rights Initiative submitted a report ahead of the Universal Periodic Review of Uganda's 40th session stating that:

Many LBQ women have been subjected to sexual violence within their own homes, physical violence in forms of beatings for "embarrassing the family"²⁴ and even forced marriages in a bid to "rehabilitate" them. There is no redress for this violence as LBQ women live in constant fear of further victimization because of their gender identity or sexual orientation should they choose to come out and challenge such actions.⁵⁰⁴

²⁴ See for instance <https://www.rollingstone.com/politics/politics-features/asylum-lgbt-border-africa-uganda-mexico-juarez-trump-898702/> accessed 17th June 2021.

In 2021 HER Internet, a feminist organisation in Uganda advocating for digital rights and internet freedoms of women, released a research report on digital security for queer women and female sex workers, based on analysis of existing data as well as the conducting of focus group discussions and key informant interviews with female sex workers, LBQ women, and experts/activists.⁵⁰⁵ The research highlighted that "There is an increase in the number of conversations that LBQ womxn are having about 'corrective rape' and other forms of VAW and many have received these threats both physically and online where many Ugandan LBQ womxn have found community, organize and share information on various issues".⁵⁰⁶ The report also emphasised that LBQ women and female sex workers in Uganda are suffering from technologically assisted GBV, including abuse facilitated through social media, non-consensual sharing of intimate images, threats of violence, outing, body shaming, shaming of sex work, and extortion.⁵⁰⁷

2022

Freedom House noted in its annual report on political rights and civil liberties covering 2022 that "Ugandan laws prohibit discrimination based on ethnicity, religion, age, race, disability, color, and sex. However, LGBT+ people face overt hostility from the government and society. Same-sex relations are criminalized under a colonial-era law, and people accused of same-sex relations are at significant risk of

⁵⁰³ Erasing 76 Crimes, [Gay man survives homophobic attack in eastern Uganda](#), 6 December 2021

⁵⁰⁴ The Uganda LBQ Loose Network, CREA, and the Sexual Rights Initiative, [Universal Periodic Review of Uganda 40th Session, January - February 2022: Joint Stakeholder Submission](#), 30 November 2021, p.8

⁵⁰⁵ HER Internet, [Research Report on the trends and impact of technology assisted violence among Lesbian, Bisexual, Queer \(LBQ\) Womxn and Female Sex workers \(FSW\) in Uganda](#), 2021, p.16

⁵⁰⁶ HER Internet, [Research Report on the trends and impact of technology assisted violence among Lesbian, Bisexual, Queer \(LBQ\) Womxn and Female Sex workers \(FSW\) in Uganda](#), 2021, p.16

⁵⁰⁷ HER Internet, [Research Report on the trends and impact of technology assisted violence among Lesbian, Bisexual, Queer \(LBQ\) Womxn and Female Sex workers \(FSW\) in Uganda](#), 2021

being tortured and killed”.⁵⁰⁸ Furthermore “there is very low tolerance for LGBT+ people, who face serious persecution and physical danger”.⁵⁰⁹

The U.S. Department of State annual human rights report covering 2022 listed among the ‘significant human rights issues’ in Uganda “crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons”.⁵¹⁰ The same source noted that “Human rights activists reported instances of nonstate actor violence against LGBTQI+ persons and noted that authorities did not adequately investigate the cases. On September 10, human rights activists reported that a mob raped and beat a transgender woman after an acquaintance lured her out of her house”.⁵¹¹ Furthermore “Freedom and Roam Uganda reported that lesbians and transgender women suffered gender-based violence and rape in a reported attempt to change their sexuality”.⁵¹²

CIVICUS interviewed Opio Sam Leticia, founder and Executive Director of Queer Youth in June 2022 who stated that LGBTI people “continue to suffer assaults, sexual violence and ‘corrective rape’ as a way of trying to change them into what those perpetrating abuses think is the African way of life, with the LGBTQI+ ‘lifestyle’ still viewed as an imposition of ‘western ideology’”.⁵¹³

The July 2022 statement by Sexual Rights Initiative, the Uganda LBQ Loose Network, CREA, and the Coalition of African Lesbians (CAL) on Uganda’s Universal Periodic Review noted that “Uganda continues to criminalize consensual same sex relations and due to this criminalization, the LGBT community experiences discrimination and various forms of violence by State and Non-State actors alike, such as [...] online violence, sexual and gender-based violence and harassment, raids and mass arrests at various LGBTQ crisis shelters”.⁵¹⁴ The statement further emphasised that “COVID-19 has exacerbated heightened economic, sexual and gender-based violence against LBQ women” and that “LBQ women continue to face sexual harassment in the world of work. Harassment is rife, undocumented and unreported.”⁵¹⁵

In August 2022, OpenDemocracy reported:

⁵⁰⁸ Freedom House, [Freedom in the World 2023 - Uganda](#), 2023

⁵⁰⁹ Freedom House, [Freedom in the World 2023 - Uganda](#), 2023

⁵¹⁰ US Department of State, [2022 Country Report on Human Rights Practices: Uganda](#), 20 March 2023, *Executive Summary*

⁵¹¹ US Department of State, [2022 Country Report on Human Rights Practices: Uganda](#), 20 March 2023, *Section 6. Discrimination and Societal Abuses, Reproductive Rights, Discrimination, Acts of violence, criminalization, and other abuses based on sexual orientation, gender identity or expression, or sex characteristics*

⁵¹² US Department of State, [2022 Country Report on Human Rights Practices: Uganda](#), 20 March 2023, *Section 6. Discrimination and Societal Abuses, Women*

⁵¹³ CIVICUS, [UGANDA: ‘Hate speech against LGBTQI+ people comes from religious, traditional and political leaders’](#), 20 June 2022

⁵¹⁴ Sexual Rights Initiative, the Uganda LBQ Loose Network, CREA, and the Coalition of African Lesbians (CAL), [HRC50 - Statement on Uganda’s UPR by LBQ Loose Network CREA, the CAL and SRI](#), 1 July 2022

⁵¹⁵ Sexual Rights Initiative, the Uganda LBQ Loose Network, CREA, and the Coalition of African Lesbians (CAL), [HRC50 - Statement on Uganda’s UPR by LBQ Loose Network CREA, the CAL and SRI](#), 1 July 2022

On 11 July, Noah Matthew Kinono, a non-binary gay person, was found lying in a pool of blood in their home in Kampala, the capital. Kinono, 27, had been stabbed several times. [...]

No one has been charged with Kinono's murder, and LGBTIQ activists believe it may have been a hate crime. But police are refusing to investigate it as such. [...]

Last year, a 21-year-old-gay man called Yiga Karim – another one of the 16 people arrested at the Let's Walk Uganda shelter – was [found dead](#) in his bed in mysterious circumstances. Activists are still demanding answers from the police.⁵¹⁶

In September 2022, SMUG International noted that “LGBTQ persons have been assaulted and violated. SMUG has registered one case of severe hate crime attack on a transgender Ugandan, who was beaten by known persons in a hate crime. We have also registered many online and physical attacks and violations”.⁵¹⁷

In November 2022 a baseline assessment conducted by the Uganda-based Network of Key Population Service Organisations (UNESO) with support from UHAI-EASHRI on Sexual Reproductive Health and Rights (SRHR) issues affecting sex workers in Uganda was published.⁵¹⁸ As reported by Erasing 76 Crimes, “The survey findings show that 29% of all sex workers experienced coerced or violent sex. The level of violent sex was reported highest among the transgender sex workers at 37%, LBQ sex workers at 33% and FSWs at 31%. The MSW were the least affected (12%)”.⁵¹⁹

At the end of December 2022, SMUG International posted a review of the year, recounting the following:

This year, especially its last half, was very tumultuous to our community. We witnessed a spate of arrests, detentions without trial and raids, notable among which included;

- On December 3rd, 2022, a resident of the Children Of The Sun Foundation (COSF) shelter was violently attacked by a mob near the COSF shelter. He sustained bodily injuries including loss of teeth and bruises to the head. [...]
- On July 11th, 2022, was a dark day for the community as we woke up to the shock of a member of the community that was murdered in cold blood and up to date the police have apparently not concluded investigations.⁵²⁰

January – August 2023

An update posted in the SMUG International Blog at the beginning of March 2023 listed the following incidents in 2023 thus far:

Kampala

⁵¹⁶ OpenDemocracy, [Ugandan police accused of anti-gay bias in murder investigation](#), 1 August 2022

⁵¹⁷ SMUG International, [Raid at SMUG Premises](#), 24 September 2022

⁵¹⁸ Erasing 76 Crimes, [Trans and LBQ sex workers most hit by sexual violence, Uganda report says](#), 16 January 2023

⁵¹⁹ Erasing 76 Crimes, [Trans and LBQ sex workers most hit by sexual violence, Uganda report says](#), 16 January 2023

⁵²⁰ SMUG International, [SMUG Int'l Year-in- Review](#), 31 December 2022

- On 18th February 2023, a trans-woman living in Kampala was at a friend's party when she was assaulted upon finding out about her gender. They went ahead and cut her genitalia. She's in severe pain and in need of a specialist to attend to the cut genitalia.
- A trans-woman and Trans rights activist in Uganda was attacked near her home in Busaabala by an angry mob. This was a transphobic attack that she managed to escape. She is still hospitalized. [...]
- A transgender woman was assaulted while watching football in Namera near Mpererwe-Gayaza Road on Friday, 24th February by a mob, beaten and undressed by revelers returning from watching football. She was hospitalized for four days resulting from the wounds sustained from the assault. Due to fear of additional questioning, she opted not to report a case since the persecutors are unknown. She is recuperating from the assault. [...]
- A lesbian woman was banished by her family members. She was forced to undergo conversion therapy to cure her of her sexual orientation. She was promised tuition and payment of her hostel fares if she denounces her sexual orientation. The family realized that she is still secretly talking to her partner. She was shocked when the family called her to reveal the sad news that she no longer belongs to the family. [...]

Mbale

- A suspected LGBTQ was murdered in the Eastern City of Mbale on the 8th of February 2023. We could not verify if the murder was directly linked to his sexuality, it's suspected that it was a premeditated murder and the suspect is at large.

Masindi

- A gay man in a higher institution of learning was suspected to be an LGBTIQ community member. He was violently attacked and assaulted. [...]

Jinja

- An MSM community was attacked on the 11th of February and beaten upon being suspected to be an LGBTI member. He managed to escape the mob and got treatment for the wounds sustained. He continues with fears of attack by the homophobic community.⁵²¹

Reuters reported in early March 2023 on the backlash against LGBT Ugandans following the parliament ordered an investigation the previous month into the alleged promotion of homosexuality in schools stating that:

Already, the vitriolic language employed by officials to justify the investigation - as well as recent anti-gay comments by President Yoweri Museveni and the head of Uganda's Anglican Church - have had far-reaching consequences, activists said.

"People have gone back into hiding, people have gone back into the closet ... people are getting arrested. There's a lot of blackmail and extortion by law enforcers," said Frank Mugisha, an LGBT rights activist whose charity was shuttered last year.

Kampala-based human rights advocate Adrian Jjuuko said he was aware of victims who had been detained, beaten and threatened. One was nearly castrated by a mob, he said.⁵²²

⁵²¹ SMUG International, [2023 Uganda LGBTQ UPDATE](#), 1 March 2023

⁵²² Reuters, [LGBT Ugandans face backlash as parliament launches schools investigation](#), 3 March 2023

A March 2023 article in African Arguments on Uganda's anti-gay bill noted that: "There have been attacks and protests on those accused of promoting homosexuality, most recently, the attack on a secondary school teacher in Jinja by parents who accused her of promoting lesbianism. Social media – and particularly TikTok – have played an increasing role in this harassment".⁵²³

The Guardian noted in an article in March 2023 "Attacks [against LGBTQ+ persons] have taken place at private events, parties and football games".⁵²⁴ The article further stated that: "Trans people have been most affected by the violence, reported by Smug. "Being the face of the LGBTQ+ community makes us targets," said John Mukisa*, a trans man who has been transitioning for about six years through self-managed hormone therapy. Over the past two years, Mukisa, 36, has been subjected to arrests, as well as physical and sexual attacks".⁵²⁵

The Guardian reported again in March 2023 that "More than 110 LGBTQ+ people in Uganda reported incidents including arrests, sexual violence, evictions and public undressing to advocacy group Sexual Minorities Uganda (Smug) in February alone. Transgender people were disproportionately affected, said the group".⁵²⁶

Al Jazeera also reported the same month that "'People think that since you have a law that was passed, you already have a law that is enforced," said Adrian Jjuuko, executive director of the Human Rights Awareness and Promotion Forum (HRAPF) in Kampala. Consequently, "people take the law into their own hands". This, he added, is likely to lead to an increase in the number of violent assaults in a country where homophobia is entrenched".⁵²⁷

The same article spoke with Frank Mugisha, a gay rights activist and executive director of Sexual Minorities Uganda (SMUG), who stated that he receives hundreds of requests for help daily: "'People want my intervention," he said. "I get so many WhatsApp messages. 'I want food'; 'I can't work any more'; 'People know I'm LGBTQ and I can't go back'; 'I'm worried'; 'I need housing'; 'People are calling'; 'I'm being blackmailed'; 'I'm being trailed.'... It's overwhelming." ⁵²⁸ It also noted that he had received threats himself for opposing the anti-gay bill:

"There were people who called me to tell me that they will stone me," he said. "There were those who called me to tell me that they will hang my children." [...]

Long before the bill's introduction, Mugisha said he often worried about his safety and that of his loved ones. Before leaving his home and ahead of choosing meeting spots, he deliberates carefully.

The fear is so exhausting that he has become numb to it. "It is like I'm living life in a bulletproof vest," he told Al Jazeera.⁵²⁹

⁵²³ African Arguments, [Unpacking the geopolitics of Uganda's anti-gay bill](#), 10 March 2023

⁵²⁴ The Guardian, [LGBTQ+ groups face crackdowns in Uganda as environment turns hostile](#), 14 March 2023

⁵²⁵ The Guardian, [LGBTQ+ groups face crackdowns in Uganda as environment turns hostile](#), 14 March 2023

⁵²⁶ The Guardian, [Ugandan MPs pass bill imposing death penalty for homosexuality](#), 21 March 2023

⁵²⁷ Al Jazeera, ['Born out of hatred': New Uganda bill terrifies LGBTQ community](#), 31 March 2023

⁵²⁸ Al Jazeera, ['Born out of hatred': New Uganda bill terrifies LGBTQ community](#), 31 March 2023

⁵²⁹ Al Jazeera, ['Born out of hatred': New Uganda bill terrifies LGBTQ community](#), 31 March 2023

Tranz Network Uganda (TNU) reported in March 2023 that “The effects of the passing of the [Anti-Homosexuality Bill] Bill have been witnessed through outings of transgender Persons, evictions, physical violence, unlawful arrests, and hate speech, especially through social media. etc. This has greatly threatened the security and lives of many transgender persons in Uganda”.⁵³⁰

An article in the New York Times in April 2023 reported on Ugandans feeling the country after the passing of the anti-gay bill in late March, noting that:

“The government and the people of Uganda are against our existence,” said Mbajjwe Nimiro Wilson, a 24-year-old who fled with a single backpack days after a hostile crowd, including children, cornered him as he bought groceries near a gay shelter in the capital, Kampala.

“They kept saying, ‘We will hunt you. You gays should be killed. We will slaughter you,’” he said. “There was no option but to leave.” [...]

In interviews, more than a dozen gay Ugandans who had fled to Kenya described how their friends, family and neighbors turned against them over the past year, as renewed anti-gay sentiment swept over the conservative nation. [...]

Those who fled include Oboza James, a 23-year-old transgender woman who for years faced rejection and abuse from her family. But last year, she found refuge and community at a shelter in Nansana, in central Uganda. That lasted until September, when three men and a woman, whom she believes came from her family’s neighborhood in Kampala, cornered her on a street and beat her up.

“They kept saying, ‘You are a disgrace,’” Ms. James remembered during an interview in Nakuru, Kenya. As they kicked and punched her, she said, “I thought I was going to die.”⁵³¹

In April 2023, following the passing of the anti-gay bill, IPS News reported on a letter from mothers of LGBTQ+ individuals in Uganda, noting that: “The women expressed fear that their children were likely to be targets of mob violence, which they noted was a direct consequence of living in a country whose legislators are “recklessly” legalizing homophobia and transphobia with the Anti-Homosexuality law”.⁵³²

Reuters reported in April 2023 on homophobic abuse faced by the LGBTQ community in Uganda following the passing of one of the world's strictest anti-LGBTQ legislations. It stated that:

At a shelter for lesbian women in Uganda's capital Kampala, gone are the days when the residents, having fled abuse and stigma at home, could breathe easy and be themselves.

That came to an end a month ago when parliament passed some of the world's strictest anti-LGBTQ legislation, which would criminalise the "promotion" of homosexuality and impose the death penalty for certain crimes involving gay sex. [...]

Staff at the shelter, a non-descript building in a busy part of town, now instruct residents to be discreet and blend into their surroundings, even if that means changing their behaviour or physical appearance. [...]

⁵³⁰ Tranz Network Uganda, [TNU Transgender Day of Visibility \(TDOV\) 2023 Statement](#), 31 March 2023

⁵³¹ The New York Times, [‘We Will Hunt You’: Ugandans Flee Ahead of Harsh Anti-Gay Law](#), 20 April 2023

⁵³² IPS News, [No Parent Should Ever Be in the Position We Find Ourselves, Say Mothers of LGBTQ+ People in Uganda](#), 21 April 2023

[...] LGBTQ Ugandans say nothing could have prepared them for the past few weeks as the bill's passage sent homophobic abuse into overdrive, unleashing a wave of arrests, evictions, denunciations by family members and mob attacks. [...]

After parliament passed the bill, [one resident]' deleted her Facebook, WhatsApp and Twitter accounts. When a friend told her that people in the neighbourhood were discussing her sexuality, she left home, fearing being sent to prison, where she would be a target of sexual violence. [...]

Other LGBTQ Ugandans said they were taking security precautions like changing the routes they use to travel between home and work and carrying pepper spray.⁵³³

In April 2023 the Human Rights Awareness and Promotion Forum (HRAPF) issued a report outlining arrests, evictions and violence following the passing of Uganda's Anti-Homosexuality Bill in the one month period from 21st March, 2023 to 20th April, 2023 based from cases handled by HRAPF's network of lawyers and community paralegals across the country and thus is not exhaustive.⁵³⁴ The report detailed "14 cases involving acts of assault and physical violence against LGBTQ persons, affecting 16 persons. There was actual physical violence in eight cases and threatened violence in six cases".⁵³⁵ The report further described:

In one case, a man was assaulted once by people in the neighbourhood who regarded him as gay.

There have also been three reported incidents of mob violence during the period, one reported by a man who operates a community drop-in-centre who was cornered by a large group of people on his way home and brutally beaten before they were scared off by a passerby and ran away.

In another incident, two gay men were attacked by a mob shortly after the Muslim community protested against them and other two suspected LGBTQ people, and the two were nearly lynched but managed to escape. In a similar incident, a transgender woman who is a community paralegal and leader in the movement was returning from visiting some people who had been arrested at a nearby station on charges of 'sodomy' when she was set upon by a group of over 5 men and viciously beaten.

In another incident, a transgender woman was beaten brutally by a man who approached her on Grindr and offered to pay her for sex, then led her to a place where he had her beaten up by his friends before leaving her by the side of the road. [...]

In six cases, there were other forms of violence. A lesbian woman and her partner were attacked by a group of men who accosted them as they were leaving their business premises, and promised to find them and rape them in order to 'teach them the right way to behave.'

In one case, a gay man and community leader was forced to flee after repeatedly receiving calls and messages from someone who initially requested a meeting and, when he was unable to secure one, informed the victim that he would find him anyway and shoot him, and proceeded to describe in detail how to get to the client's rented home. A similar thing also happened to an activist, who was first

⁵³³ Reuters, [LGBTQ Ugandans live in fear as new law looms](#), 24 April 2023

⁵³⁴ Human Rights Awareness and Promotion Forum (HRAPF), [Arrests, evictions and violence: Reports of Violations Against LGBT persons for the first month following the passing of Uganda's Anti-Homosexuality Bill 2023](#), 21 April 2023

⁵³⁵ Human Rights Awareness and Promotion Forum (HRAPF), [Arrests, evictions and violence: Reports of Violations Against LGBT persons for the first month following the passing of Uganda's Anti-Homosexuality Bill 2023](#), 21 April 2023

contacted by her abuser through her Twitter account and later on her personal number and started to harass and threaten her.⁵³⁶

With further regards to violence it reported that:

In the most recent case, an athlete who was suspected to be a transgender woman was arrested by a mob, forcefully undressed and then forced to march through the streets naked while the crowd heckled her, threw objects at her, took her photos/ videos and even fondled her. She was held at the police station for two days before she was produced in court, where she was denied bail on grounds that she had no sureties, because all her friends in the area were afraid they would be targeted for appearing to stand with her.⁵³⁷

A follow up HRAPF report covering the period 21st March 2023 to 30th May 2023 noted that “Acts of violence, primarily by non-state actors – but without effective state redress - were the highest during this period, registering a drastic increase. In the first month, HRAPF reported a total of 14 cases of this nature – but in the next one month and 8 days before the Act came into law, the number increased by 30 cases to 47. These are categorised to include 23 cases of threats of violence, 19 cases of actual violence, and 5 cases of other forms of violence including sexual and psychological violence”.⁵³⁸ The same source further detailed among the reported incidents:

In one case, a gay man was outed during a radio talk show where the presenter kept asking his listeners to name and shame the homosexuals in their area, and his name, home address and workplace were discussed on three different occasions within a space of two weeks. Following this exposure, he began to receive threats from his neighbours, with one specifically telling him to watch out because the village would eventually ‘rise up’ against him. Attempts to appeal to the local leaders for help were fruitless as the local council leaders also advised him to simply relocate and leave the village for his own safety. [...]

In a different case, a pastor was threatened with violence both by the local population and the district security personnel for allegedly using his church to spread homosexuality, and he was forced to temporarily leave the area. [...]

These were 20 cases of actual physical violence during this period. [...]

In another case, a transgender woman was attacked by a random stranger on the streets and beaten up for ‘walking and behaving like a woman.’ This is the only incident of such violence that has thus far been addressed by the state as a case was opened at the Central Police Station, the suspect arrested, arraigned and later remanded, and is now standing trial for this. [...]

In another case, a gay man was attacked while leaving his workplace and beaten by two unidentified individuals, who accused him of being gay. This came months after his employer, a bar-owner, had also

⁵³⁶ Human Rights Awareness and Promotion Forum (HRAPF), [*Arrests, evictions and violence: Reports of Violations Against LGBT persons for the first month following the passing of Uganda’s Anti-Homosexuality Bill 2023*](#), 21 April 2023

⁵³⁷ Human Rights Awareness and Promotion Forum (HRAPF), [*Arrests, evictions and violence: Reports of Violations Against LGBT persons for the first month following the passing of Uganda’s Anti-Homosexuality Bill 2023*](#), 21 April 2023

⁵³⁸ Human Rights Awareness and Promotion Forum (HRAPF), [*Increasing violence: cases of violence and violations against real or suspected LGBTIQ persons for the period between passing of the Anti-Homosexuality Bill, 2023 \(21 March 2023\) and its coming into force \(30th May 2023\)*](#), 19 June 2023

been arrested, held for several days and harassed by the police, who were asking for information about ‘the homosexuals’ who frequent and hang out at his bar. [...]

There were five other documented cases in which LGBTIQ persons were subjected to other forms of violence, beyond physical assaults and threats.

There was one case of sexual violence, where a lesbian woman who works with an LGBTIQ organisation reported that she had been forced to move in with her sister at the beginning of the year due to personal financial complications but that since the passing of the Bill, her sister’s husband had started to sexually harass her, demanding sex from her in exchanging for keeping quiet about her sexuality. She reported that these sexual advances became particularly aggressive after the Bill was passed the second time by Parliament, even progressing to physical assaults on three occasions. She was eventually forced to leave the home, rendering her and her two children homeless. She could not report the case due to fear of revealing her sexual orientation.⁵³⁹

The Centre for Strategic and International Studies noted in May 2023 in consideration of the Anti-Homosexuality Bill that “Just since February 2023, human rights groups have registered over 150 violations, including two hate crime fatalities against individuals perceived to be LGBTIQ+ and over 15 incidents of arrests and detention of people suspected to be LGBTIQ+ have been reported in the media. Schools have also not been spared the rising vigilantism. A state minister arbitrarily closed a boarding school educating over 350 children following unsubstantiated reports of homosexuality”.⁵⁴⁰

A statement by US President Joe Biden at the end of May 2023 on the enactment of Uganda’s Anti-Homosexuality Act wrote that: “Since the Anti-Homosexuality Act was introduced, reports of violence and discrimination targeting Ugandans who are or are perceived to be LGBTIQ+ are on the rise”.⁵⁴¹

The same day, a statement by the Equal Rights Coalition on the Anti-Homosexuality Act noted that “The Equal Rights Coalition expresses grave concern about an uptick in violence against Ugandan LGBTI persons and calls on the Ugandan government to protect its citizens, no matter their sexual orientation or gender identity, from violence”.⁵⁴²

The New York Times also reported at the end of May 2023, following the signing of the anti-gay bill, that “The law’s passage has stoked fear among L.G.B.T.Q. people, many of whom have begun fleeing Uganda. Gay rights groups say hundreds of gay people — facing rejection from their families, discrimination at work or mob justice in the streets — have reached out to them in recent weeks seeking help”.⁵⁴³

⁵³⁹ Human Rights Awareness and Promotion Forum (HRAPF), [*Increasing violence: cases of violence and violations against real or suspected LGBTIQ persons for the period between passing of the Anti-Homosexuality Bill, 2023 \(21 March 2023\) and its coming into force \(30th May 2023\)*](#), 19 June 2023

⁵⁴⁰ Centre for Strategic and International Studies, [*Uganda’s Horrific Anti-LGBTIQ+ Bill Returns: The Stakes Are Higher Than Ever*](#), 3 May 2023

⁵⁴¹ The White House, [*Statement from President Joe Biden on the Enactment of Uganda’s Anti-Homosexuality Act*](#), 29 May 2023

⁵⁴² The Equal Rights Coalition, [*Statement by the Equal Rights Coalition on the Anti-Homosexuality Act in Uganda*](#), 29 May 2023

⁵⁴³ The New York Times, [*Ugandan President Signs Anti-Gay Law That Includes Death Penalty as a Punishment*](#), 29 May 2023

A Guardian article in May 2023, written by a Ugandan non-binary photographer and activist, stated that “Mob violence has been escalating. Every day, I receive brutal images of black bodies, naked and bruised. We are being slaughtered in the streets. With nowhere to turn, others have committed suicide. I’m torn, broken and heartbroken”.⁵⁴⁴

At the beginning of June 2023, Edge Media Network reported on the increased numbers of LGBTQ Ugandans fleeing to Kenya, writing that:

[Pretty Peter, a] transgender woman is relatively safe in neighboring Kenya. Her friends feel threatened by the latest anti-gay legislation in Uganda prescribing the death penalty for "aggravated homosexuality."

Frightened Ugandans are searching for a way to get out like Pretty Peter did. Some have stayed indoors since the law was signed on Monday, fearing that they'll be targeted, she said.

"Right now, homophobes have received a validation from the government to attack people," the 26-year-old said, standing in a room decorated with somber portraits from a global project called "Where Love is Illegal."

"My friends have already seen a change of attitude among their neighbors and are working on obtaining papers and transport money to seek refuge in Kenya," she said.⁵⁴⁵

In mid-June 2023, SMUG International noted that “The Anti-Homosexuality Act 2023, Act (No. 6 of 2023) was assented, to by the President of Uganda on the 26th day of May 2023. [...] The law is currently in force. As a result, some authorities and individuals are enforcing this law, including [...] psychosocial/emotional violence, political/institutional violence, physical violence, [...] among other violations. [...] LGBTIQ persons are living in real fear of mob violence, persecution and prosecution”.⁵⁴⁶ The statement further noted that “since the tabling of the Act in Parliament, the LGBTIQ community has registered a sharp increase in violations”, including 30 cases of physical violence, 30 cases of psychological violence, 14 cases of blackmail, and 60 cases of other violations including sexual violation, loss of employment, denial of health services, political violence, and family banishment.⁵⁴⁷

At the end of June 2023, CNN reported on conditions for LGBTQ people in Uganda, noting with reference to the Anti-Homosexuality Law:

In recent weeks, disturbing videos have surfaced showing mounting hostility towards lesbian, gay, bisexual, transgender, and intersex individuals in Uganda since the reintroduction of the Anti-Homosexuality Bill.

In one video, verified by a consortium of civil society groups called the Strategic Response Team (SRT), a transgender woman is marched naked on the streets while a jeering crowd follows, and a lesbian couple endures ridicule from neighbors, among other forms of public shaming.

⁵⁴⁴ The Guardian, [I'm heartbroken at my exile from Uganda. Don't let them erase our queer community](#), 30 May 2023

⁵⁴⁵ Edge Media Network, [As Anti-Gay Sentiment Grows, More LGBTQ+ People Seek to Flee Uganda](#), 3 June 2023

⁵⁴⁶ SMUG International, [Effect of Anti-Homosexual Act 2023 in Uganda](#), 16 June 2023

⁵⁴⁷ SMUG International, [Effect of Anti-Homosexual Act 2023 in Uganda](#), 16 June 2023

At least 300 human rights violations against suspected homosexuals have been reported in Uganda arising from the Anti-Homosexuality Act of 2023, the SRT told CNN. As it investigates them, the SRT says it submitted a list of 50 verified cases to a judge while seeking an injunction against the law.

They include cases of evictions, so-called “corrective” rape, outing, termination from employment, blackmail, threats of violence or physical attacks and incidents of mob justice, according to SRT. [...]

Nash Wash Raphael, a 30-year-old transgender man, says he was attacked on the night Museveni signed the Anti-Homosexuality Act. He was left with a broken ankle and relies on crutches to walk while it heals.

This was not the first time Raphael had faced violence; he says it was the ninth assault since his transition. Raphael describes his life as “hell,” and says he attempted suicide when pictures of him and his partner were leaked and went viral. While they weren’t intimate photos, they still outed him.⁵⁴⁸

An HRAPF report on violence and violations after enactment of the Anti-Homosexuality Bill, covering the period 30th May to 20th June 2023, found that there had been “19 cases involving violence or threats to violence and affecting 20 persons – of these 6 involved actual violence affecting 7 persons and 13 involved threats of violence affecting 13 persons”.⁵⁴⁹ It gave the following details on the cases of actual violence:

The client’s home was attacked in the night by a group of unknown individuals who forced him out, beat him up and burnt some of his properties, accusing him of hosting gay boys in his house and spreading homosexuality. [...]

The client went to the home of his older brother to visit and as soon as he got there, his brother picked a knife and attacked him, stabbing him in the right arm and cutting him on his left hand while accusing him of being a homosexual and embarrassing the family. [...]

The client was at the home of her sister doing laundry when two men attacked her and started beating her up, accusing her and her sister of being homosexuals. She suffered injuries to the face, shoulders, head and arms and had to be rushed to the hospital. [...]

A transgender woman went missing on 12th June 2023. Ransom messages were sent twice to HRAPF lawyers and her work colleagues demanding 250 million shillings. She was later found on the 20th of June at a police station, although the police officers stated that she had just come to them half naked and shaken. She stated that two men claiming to be police officers had picked her up and she managed to escape and turn up at the police station for safety. [...]

A lesbian woman was attacked in her home and beaten by two men she did not know. This happened after she was warned to leave the village in May 2023 for her safety, and formally evicted by her landlord, but she had not yet left because she did not have the resources to afford the move. She suffered several cuts and bruises from the assault.⁵⁵⁰

⁵⁴⁸ CNN, [Uganda passed one of the world’s harshest anti-gay laws. LGBTQ people describe living there as ‘hell’](#), 29 June 2023

⁵⁴⁹ Human Rights Awareness and Promotion Forum (HRAPF), [Increasing Violence and Violations: The First 21 Days of the Antihomosexuality Act, 2023](#), 21 June 2023, p.2

⁵⁵⁰ Human Rights Awareness and Promotion Forum (HRAPF), [Increasing Violence and Violations: The First 21 Days of the Antihomosexuality Act, 2023](#), 21 June 2023, p.2-4

The report further detailed the cases involving threats of violence against LGBTQ people, which it noted as coming from “neighbours, family members, local area leaders and the general community”⁵⁵¹:

The client was threatened with violence by boda boda riders and a woman in her neighbourhood who accused her and her friend of always having gay parties at their home and spreading homosexuality in their district. The incident happened on two separate occasions. [...]

The client was threatened with lynching by the neighbours if she did not move. When the LC chairperson was called in to intervene, he managed to convince the landlord to give them two weeks to relocate but also reiterated that if they failed to move, the community might do something drastic to them. [...]

The client was outed as a lesbian when a friend of her partner wrote letters threatening to beat her and pinned them at her door as well as delivering a copy to her workplace. She was immediately terminated from employment and forced to move after the neighbours started insulting and threatening her. [...]

The client reported being repeatedly taunted by neighbours and threatened by some youth in his neighbourhood with violence because of his sexuality. His family has also threatened to have him arrested if he ever tried to return home. [...]

Videos of the client defending LGBTI persons on Tik Tok reached her neighbours, who had always been suspicious of her sexuality. The neighbours immediately started harassing her and threatening to have her beaten if she did not move because she was influencing their children. [...]

The client received letters from two people who claimed to be a lawyer and a police officer respectively. These individuals threatened to have the client arrested and kept in a government ‘safe house’ and tortured for being a homosexual if he did not pay them millions of shillings. [...]

The client is a lesbian woman who has lived in the same general area for several years with her partner (a transgender man). From the beginning of May 2023, they were forced to host several other LGBTQ friends in crisis who had been evicted from their own homes and, at the beginning of June 2023, the neighbours turned against her, accusing her of bringing even more homosexuals into the area to ‘spoil their children’. Eventually, the verbal insults turned to written threats of violence and the area defence secretary himself went to her house and threatened to mobilise the community to beat them up if they did not leave immediately. He also told the landlady that the local authorities would not help her if the village decided to burn her property because she had insisted on hosting homosexuals, thus forcing her to evict them. [...]

Prior to the passing of the AHA, the client had come out to a boda boda rider in her neighbourhood that she considered a friend while they were having a conversation about homosexuality. Although initially he remained kind to her, he later outed her to the entire boda boda stage, and the other riders started harassing her and threatening to find and rape her if she did not accept her ‘natural role’ and get married to a man. [...]

The client, a transgender woman, reported that members of the local council kept going to her home repeatedly looking for her, and that neighbours were threatening to have her arrested or lynched because she kept bringing men to have sex with her in the house, thus misleading their children. When we inquired into the matter, the area defence secretary went so far as to state that he had stopped the client from accessing water from the community tap, over which he had control, because he could not stand homosexuals. He also specifically stated that if he ever saw her again, he would beat her up. [...]

Following the arrest of two gay men in his area, the client, who is a KP coordinator at a government health facility, was threatened with violence by their colleagues at work and people in the community, who said

⁵⁵¹ Human Rights Awareness and Promotion Forum (HRAPF), [*Increasing Violence and Violations: The First 21 Days of the Antihomosexuality Act, 2023*](#), 21 June 2023, p.4

he was responsible for the actions of the two who had been arrested because he was always the one supporting them and giving them treatment. [...]

The client has been threatened by an individual who has repeatedly threatened to out the client as a homosexual and have her beaten if she did not stop seeing her current partner. [...]

The client has had longstanding conflicts with his neighbour, who has attempted to poison the client's pets (succeeding once), had his animals eat the client's plants and flowers and destroyed property of the client along the boundary line. When the client confronted him about all these issues, the neighbour instead loudly proclaimed that the client is a homosexual and that if he was not careful, he 'would regret' what would happen next. [...]

The client was forced to flee the country and a friend of his leaked videos of him and his partner through WhatsApp, and repeatedly threatened to leak more videos if he was not paid off.⁵⁵²

A further HRAPF report covering all of June 2023 recorded the further four reported cases of threats of violence in the last ten days of June:

A transgender woman who had been reportedly abducted and held for 8 days found upon her return that a social media campaign run by her colleagues and friends for her safe return been seen by the boda boda riders at the stage near her home, who then started taunting her and threatening to teach her a lesson if she did not stop being a homosexual. [...]

A gay met a person on Facebook with whom they became friendly, and he later invited the friend to visit him at his home. However, the two had a disagreement and the friend promptly started announcing to the neighbourhood that the victim was gay, claiming that he had proof of this in his phone. Since then, the neighbours started to harass him, threatening to have the landlord and LC chairperson evict him if he did not leave peacefully. He was later evicted by the property owner. [...]

The victim is a transgender woman who has lived in the same area for several years. However, she was recently approached by the neighbours, who informed her that they would set the house on fire with her in it if she did not leave the neighbourhood. [...]

The victim in this case was approached by two unidentified individuals on her way home. They demanded her phones, asking her if she had other homosexuals in her phone, and demanded money in exchange. Before they were scared away by an approaching motorist, they warned her that they knew her home and her office and would find her.⁵⁵³

The mid-June HRAPF report wrote that "Important to note is that most of the violations are by non-state actors, who use the prevalent homophobic environment to carry out attacks and threats knowing that LGBTQ persons will not have recourse to the police for fear of being arrested".⁵⁵⁴ The July HRAPF report covering all of June compared the number of reported cases of violations against LGBTQ persons in June with the previous month:

⁵⁵² Human Rights Awareness and Promotion Forum (HRAPF), [*Increasing Violence and Violations: The First 21 Days of the Anti-homosexuality Act, 2023*](#), 21 June 2023, p.4-8

⁵⁵³ Human Rights Awareness and Promotion Forum (HRAPF), [*One Month After: Increasing Cases of Violence and Violations Based on Real or Presumed Sexual Orientation and Gender Identity in the First Month of the Enforcement of the Anti-Homosexuality Act, 2023*](#), 14 July 2023, p.9-10

⁵⁵⁴ Human Rights Awareness and Promotion Forum (HRAPF), [*Increasing Violence and Violations: The First 21 Days of the Anti-homosexuality Act, 2023*](#), 21 June 2023, p.13

This comparison shows an increase in the number of cases in the 31 days period when the Act came into force compared to the 31 day period before it did. The number of cases involving violence and violations increased from 37 to 46, an increase of 24.3%. The cases of violence increased from 22 to 23 (4.5% increase), while those of evictions increased from 8 to 19 (137.5% increase) and but the cases of arrest reduced from 6 to 4 (33.3% decrease).

This shows that the trend of violence and evictions continues to rise although arrests are reducing – showing that more non state actors are involving in violence and violations than state actors, after the Act came into force.⁵⁵⁵

One month later, HRAPF released a follow up report marking two months of the Anti-Homosexuality Act in force, covering the period 1st to 31st July 2023. On cases of actual violence against LGBTIQ persons on the basis of their sexual orientation and/or gender identity, it reported that:

There were 11 cases of actual violence reported in July 2023. These were mainly cases of beatings/ assaults against LGBTIQ persons (9 cases) and 2 cases involving other forms of violence, that is, online violence and extortion, and affected a total of 12 persons. The perpetrators were mainly unknown persons (8 cases) and in the other four cases, the perpetrators were a neighbour, a fellow student, a partner and a father respectively. Beatings dominate the category of violence as there were 9 cases involving beatings, and the others were 1 case of cyber harassment and one case of extortion. Again, in almost all these cases, the victims did not want the cases reported to the police for fear of what would happen both from the side of the police and the perpetrators, most of whom were unknown. The majority of the violations happened in the Kampala/Wakiso metropolitan area (9) and one case each in Mbarara and Elegu.⁵⁵⁶

The following details on individual cases were given:

A transgender woman was attacked by three men unknown to her near her home while she was returning at night. She sustained injuries on her head, face, torso and legs. [...]

A transgender woman was going to visit a friend of hers when she was attacked by two men. They beat her severely, causing injuries on her head and face, before running off. [...]

A gay man was attacked at home by three boda boda riders. They beat him up severely, accusing him of spreading homosexuality, and warned him to leave their area if he still wanted to live. [...]

A transgender woman was attacked near her home while walking back home at about 11.00pm. The men who attacked her beat her on the head and back, and she sustained several injuries. [...]

A gay man repeatedly received messages on his phone threatening him and accusing him of spreading homosexuality for about a week before he was attacked by unknown men and beaten on 7th July 2023 while going to his home at night. [...]

Two transgender men were attacked at about 10.00pm as they were going to their home from the hospital. The attack happened on 28th July, barely a month after one of them had been attacked because

⁵⁵⁵ Human Rights Awareness and Promotion Forum (HRAPF), [*One Month After: Increasing Cases of Violence and Violations Based on Real or Presumed Sexual Orientation and Gender Identity in the First Month of the Enforcement of the Anti-Homosexuality Act, 2023*](#), 14 July 2023, p.21

⁵⁵⁶ Human Rights Awareness and Promotion Forum (HRAPF), [*Two Months After: Report on Violence and Violations on the Basis of Real or Presumed Sexual Orientation and/or Gender Identity Two Months After the Anti-Homosexuality Act Came into Force*](#), 9 August 2023, p.3

of their sexuality (they were still on treatment from this attack). The attack also came less than three weeks after doing an interview with on international television about their sexuality and the challenges they were experiencing in the wake of the AHA. [...]

A lesbian woman was attacked in her home at night by three men who accused her of hitting on their girlfriends and trying to make them homosexuals, walking like a man and 'pretending to be a man'. The attack happened in the presence of her 2 preteenage children. [...]

A gay man was assaulted by two of his neighbours, who slapped him, verbally abused him and told him that if he does not move away from the neighbourhood, they would have the police arrest him for being a homosexual. [...]

An activist was repeatedly harassed through his social media accounts by someone who repeatedly demanded money from the client with the threat that he would report him to the police and have him arrested for being a homosexual if he did not comply. After the client had ignored these messages for about three weeks, the person reported to the police that the client was a homosexual who was trying to recruit him and who had been harassing him with requests for sex, which story was immediately put in the press by the police. [...]

The client's partner stole his personal and household property from his home and threatened to out him to the neighbourhood and the police if he demanded for the properties back. [...]

In this case, a gay man was beaten up by his father after he heard rumors that his son was gay. The client was summoned home to talk about something and as soon as he got there, his father took his phone from him, forced him to open it and read his chat with his partner. The father then descended on him, beating him with his fists, a stick, a belt and other objects before turning him out and asking him to never return.

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On cases of threats of violence against LGBTIQ persons on the basis of their sexual orientation and/or gender identity, it reported that "During the second month of the enforcement of the AHA, a total of 10 cases involving threats of violence against 12 persons were recorded. 4 of these threats were from neighbours, 2 from the police and local authorities, 2 by unknown people, 1 by boda boda riders, and 1 by guests at a party. Again, the majority of the cases (4) were reported from the Kampala/ Wakiso Metropolitan areas two from Busia and one each from Abim, Lugazi, Mbale and Tororo".⁵⁵⁸ The report gave the following details:

A transgender man living at a crisis shelter was repeatedly threatened by men in the neighbourhood with sexual violence to 'remind her that she is a woman' because they thought that he was acting as the 'husband' of all the women in the shelter. [...]

A man was outed as gay in his neighbourhood by the ex-partner of his boyfriend who repeatedly came to his home to quarrel with him, demanding that he break up with the partner. The neighbours, who heard some of these quarrels, started to speak loudly in his presence, stating that they would soon 'get rid' of all the homosexuals in their compound. [...]

⁵⁵⁷ Human Rights Awareness and Promotion Forum (HRAPF), [*Two Months After: Report on Violence and Violations on the Basis of Real or Presumed Sexual Orientation and/or Gender Identity Two Months After the Anti-Homosexuality Act Came into Force*](#), 9 August 2023, p.9-12

⁵⁵⁸ Human Rights Awareness and Promotion Forum (HRAPF), [*Two Months After: Report on Violence and Violations on the Basis of Real or Presumed Sexual Orientation and/or Gender Identity Two Months After the Anti-Homosexuality Act Came into Force*](#), 9 August 2023, p.12

The client, a transgender woman, was working at a saloon in their neighbourhood until they were stopped one day on the way to work by a group of boda boda riders who demanded that the homosexuals at the saloon all leave the village or face violence. [...]

The client had a party at his house and invited various people. During the party, one of the guests started screaming at the host, accusing him of inviting homosexuals and threatening that if he did not get rid of all the homosexuals in the house immediately, they would 'work on him' as well. The following day, this same threat was reechoed by the neighbours, forcing him to leave his area. [...]

The client is a peer leader who went to the police to inquire into the issue of arrest of two transgender women. He was accosted by the people he found there, who demanded that the police arrest him too or they beat him up because he had come to support the homosexuals. [...]

The victim, a transgender woman, was friends with two other transgender women who were arrested in the neighbourhood. After the arrest, her neighbours started threatening to have her arrested as well or beaten, insisting that she must be a homosexual as well because the arrested persons were her friends. She ran away when she heard that the police had in fact been informed about her and were actively looking for her. [...]

Two gay men who were friends with a group of 4 persons who had been arrested were also threatened with arrest by neighbours who found out that they were in touch with those arrested. [...]

A man who runs an organisation working with LGBTIQ persons in was repeatedly summoned by police and local authorities and threatened with arrest on suspicion that he was promoting homosexuality in the district. [...]

A lesbian woman and her partner were repeatedly threatened by their neighbours with violence, with the neighbours claiming that the two might abuse their children. In the end, they were forced to move away for fear of attack. [...]

A transgender man was forced to leave his home after three different police officers and two of the LC leaders repeatedly came to his home looking for him without necessarily explaining why, until one of them intimated to a neighbour, who later informed the client, that they were looking for homosexuals.⁵⁵⁹

The German Federal Office for Migration and Refugees (BAMF) documented in its briefing note in mid-July 2023 that, according to a report, "threats of violence and extortion of LGBTIQ people had soared since the [Anti-Homosexuality] law entered into force; this was mostly in the form of psychological and online abuse, including threats to disclose the identity of LGBTIQ people. Those affected are mainly LGBTIQ people engaged in sex work and LGBTIQ-related organisations. In the current situation many of those affected try to hide their sexual identity and orientation or their workplace, according to the report".⁵⁶⁰

⁵⁵⁹ Human Rights Awareness and Promotion Forum (HRAPF), [*Two Months After: Report on Violence and Violations on the Basis of Real or Presumed Sexual Orientation and/or Gender Identity Two Months After the Anti-Homosexuality Act Came into Force*](#), 9 August 2023, p.12-15

⁵⁶⁰ German Federal Office for Migration and Refugees (BAMF), [*Briefing Notes: Group 62 – Information Centre for Asylum and Migration*](#), 17 July 2023, p.12

In July 2023, the UN Human Rights Committee's concluding observations on the second periodic report of Uganda stated that it was "concerned about reports of hate speech, outings and violence against LGBTI persons, including in public discourse".⁵⁶¹

In early August 2023, the African Human Rights Coalition reported on cases of online blackmail against LGBTQI+ people in Uganda, stating that:

We are receiving numerous accounts of BLACKMAIL occurring through social media platforms such as Facebook. Opportunists are taking advantage of the heightened anti-LGBTQI conditions since President Museveni signed the Kill the Gays Bill (AHA 2023) into law.

LGBTQI+ people are being intentionally entrapped by straight people pretending to be gay, lesbian, bisexual or transgender. This is a consequence of the new Anti-Homosexuality Act 2023 of Uganda which is being used by opportunistic criminals who are defrauding the LGBTQI+ community.

The blackmailer gets into a LGBTQI+ private Facebook page under the pretense of being LGBTQI+. The blackmailer goes to great lengths to build trust with an individual, even over a period of time. Then when enough "evidence" is accumulated which can prove the victim to be LGBTI+ through meeting in person, providing personal information or through communication exchanges, the threats and blackmail begins and does not end until the person is broke, beaten or arrested.

We have received direct reporting with evidence of several such cases. [...]

In one case when the victim could no longer pay the blackmailer, the blackmailer reported her to the police and informed members of the community where the young woman lived that she is a lesbian. The neighbors showed up and threatened to beat her and turn in to police to arrest her for being a lesbian. She fled immediately thereafter, believing the intention of neighbors to return and carry out their threat to beat her if she did not leave. She left with her documents and the shirt on her back. She is now forcibly displaced - yet another victim to this insidious atmosphere - all a direct cause of criminalizing human sexuality and gender identity.⁵⁶²

b. Discrimination

i. Access to housing

For information on access to state owned housing, see section [*III. Treatment by State Actors, i. Access to state-owned housing.*](#)

Reporting in January 2020 of the impact of the arrest in November of 127 people at a gay friendly bar, the director of the access to justice programme at the Human Rights Awareness and Promotion Forum (HRAPF) in Kampala, Uganda noted that 67 went on to be charged with the offence of common nuisance and that:

⁵⁶¹ UN Human Rights Committee, [*Concluding observations on the second periodic report of Uganda \(advance unedited version\)*](#), 26 July 2023

⁵⁶² African Human Rights Coalition, [*Ugandan Lesbians Are Being Targeted For Blackmail - AHRC Warning To Ugandan LGBTQI+ Community*](#), 2 August 2023

Over the following weeks, bail applications for the 67 were heard, and accepted, but for a few individuals at a time. Although all were eventually released, significant harm was done. People were denied legal representation. Some lost their jobs while in jail. Families rejected those who had been in the closet, and were now outed. The reactions of some parents at the court were really awful. I was the lead lawyer for the defendants and the parents seemed to believe that we were responsible for 'recruiting' their children into homosexuality; that we were spoiling society. [...]

Although they now are out on bail, the children of such parents have sought refuge in shelters.⁵⁶³

The Human Rights Awareness and Promotion Forum (HRAPF) published a report on human rights violations based on sexual orientation and gender identity in 2020 based on contributions from six other organisations.⁵⁶⁴ The report was based on “only cases reported to HRAPF and its partner organisations that either host regional legal aid centres or legal aid desks, and those handled by HRAPF trained paralegals and reported to HRAPF” and “based on properly documented cases of human rights violations based on real or presumed SOGIE”.⁵⁶⁵ The report noted that “There were a total of 151 human rights violations based on sexual orientation and gender identity and expression by non-state actors recorded in 2020”.⁵⁶⁶ It described with regards to evictions:

There were 58 violations all arising from evictions and acts of segregation against LGBT persons in the areas where they reside. Upon the discovery of their SOGIE, LGBT persons time and again face exclusion and rejection from their families, friends, and neighbours. [...]

Of the 58 evictions, 33 involved LGBT persons being forced to move from their areas of residence due to discrimination and threats. In one case, a transgender woman had a mob of neighbours form outside her residence, shouting and demanding that she leave the village immediately as they would not tolerate a homosexual,⁶⁹ forcing the victim to seek relocation from her residence. [...]

There were 16 incidents where LGBT persons were thrown out of their homes by their family members based on sexual orientation and gender identity or expression. In one case, a lesbian woman was evicted from her family home by the parents after an exgirlfriend outed her to her parents.⁷³ [...]

In another case, a young gay man that is still of school-going age and was at the time in Senior 5 was evicted from his parents' home upon them discovering his sexual orientation.⁷⁷ [...]

There are 9 cases in which the landlords of LGBT persons evicted them based on their SOGIE.⁸⁰ [...]

In a large number of evictions by family and landlords, the community were a key factor as they demanded that the victims be evicted, and in some cases the general public led the drive with threats of mob actions, forcing families and landlords to evict them for safety of lives and property. As such, the

⁵⁶³ Open Democracy, [*I've defended hundreds of LGBTI people arrested in Uganda. Our laws must change – but we need public acceptance too*](#), 23 January 2020

⁵⁶⁴ Health and Rights Initiative; HOPE Mbale; Human Rights and Economic Empowerment Development (HUREED); Freedom and Roam Uganda; Mbarara Rise Foundation and Tranz Network Uganda

⁵⁶⁵ Human Rights Awareness and Promotion Forum (HRAPF), [*The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity*](#), June 2021, Preface p.4

⁵⁶⁶ Human Rights Awareness and Promotion Forum (HRAPF), [*The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity*](#), June 2021, 5.2 Number of abuses of human rights based on sexual orientation and gender identity by non state actors, p.31

violations in this regard often overlapped, where community and landlords or community and families were jointly involved in the eviction, although such incidents were still counted as a single incident.⁵⁶⁷

69 HRAFP/T/05/05/20 [...]

73 HRAFP/L/05/10/20. [...]

77 HRAFP/G/06/02/20 [...]

80 HRAFP/G/03/05/20, HRAFP/T/19/06/20, HRAFP/T/03/07/20, HRAFP/G/05/07/20, HRAFP/B/12/07/20, HRAFP/T/14/01/20, HRAFP/L/18/01/20, HRAFP/T/13/07/20, HRAFP/T/02/11/20

The same report further noted that “There was one verified violation of the right to property by non-state actors during this period. In this case, a gay man went on a field trip and allowed a friend to stay at his residence. The friend brought a few people into the house whom the landlord discovered were gay and evicted the gay man with immediate effect, and called the victim’s brother to inform him he was gay as well, effectively outing him to the family. He was forced to stay with a friend and denied access to his property, all of which was taken by the brother”.⁵⁶⁸

In 2020 the UK organization ReportOut published research led by Drew Dalton, senior Lecturer in Sociology at the University of Sunderland, in partnership with seven local organisations, based on 76 survey responses on the situation of Sexual Orientation, Gender Identity, Expression and Sexual Characteristics (SOGIESC) in Uganda.⁵⁶⁹ The report found that “Within everyday life, SOGIESC people face discrimination in a range of settings which cut across a range of institutions. Three key areas where these were highlighted, included: school/university staff (55.3%), when looking for a job (63.2%) and when looking for accommodation to rent or buy (51.3%). Due to the financial precarity of many of the SOGIESC respondents, facing prejudice and discrimination in education, job seeking and finding accommodation compounds poverty further, and leads to homelessness and fragmented opportunities to seek financial stability. Worryingly, a quarter of respondents when seeking support from NGOs, had suffered from discrimination (26.3%)”.⁵⁷⁰

In October 2020 Erasing 76 Crimes reported that Sexual Minorities Uganda (SMUG), was coordinating five safe houses through the Uganda Minority Shelters Consortium which were housing 62 inhabitants.⁵⁷¹ The source described that “In Uganda today, hundreds of LGBTQ persons have no place to call home. Many are kicked out of their homes by homophobic and transphobic families, are forced to flee conservative communities/families, or are evicted due to stigma, violence and discrimination”.⁵⁷²

⁵⁶⁷ Human Rights Awareness and Promotion Forum (HRAFP), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, 5.2 Number of abuses of human rights based on sexual orientation and gender identity by non state actors, 5.2.1 Abuses of the right to equality and freedom from discrimination p.31

⁵⁶⁸ Human Rights Awareness and Promotion Forum (HRAFP), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, 5.2.4 Abuses of the right to property p.35

⁵⁶⁹ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020

⁵⁷⁰ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020, 9. Key Findings: prejudice and discrimination p.32

⁵⁷¹ Erasing 76 Crimes, [Five homeless shelters welcome LGBTQ Ugandans](#), 23 October 2020

⁵⁷² Erasing 76 Crimes, [Five homeless shelters welcome LGBTQ Ugandans](#), 23 October 2020

An October 2020 article in African Arguments on discrimination faced by and legal support available for the LGBTQ+ community in Uganda wrote that: “This March, when Sammy’s landlady told him he was being evicted from his house in Kampala, the reason seemed straightforward: he was behind on rent. But when he approached her to see if he could pay what he owed in instalments, she told him the real reason. Rumours were circulating that Sammy* was gay and his landlady wanted no part in what she called his “weird lifestyle”. [...] For many members of the LGBTQ+ community, situations like this are common. Queer Ugandans frequently face discrimination or much worse.”⁵⁷³

HRAPF reported that during 2021:

There were three cases of evictions by the community of suspected LGBT persons. In one case, transgender woman was threatened several times with eviction by her landlord and later actually evicted for behaving like a woman;⁹⁷ transgender woman was evicted from their family home by her father after he heard that she routinely spent time with a man and was therefore probably gay;⁹⁸ and a lesbian woman who was turned away from the family home for allegedly practising homosexuality.⁹⁹⁵⁷⁴

97 HRAPF/VR/001/2021.

98 HRAPF/VR/006/2021.

99 HRAPF/VR/009/2021

Al Jazeera noted in June 2021 that “stay-at-home orders during the pandemic have disproportionately affected LGBTQI Ugandans who face ostracisation by wider society and are often rejected by their families, leading some to seek refuge at shelters provided by non-profit organisations”.⁵⁷⁵

The November 2021 UN Human Rights Council Working Group on the Universal Periodic Review summary of stakeholder information noted that “Several stakeholders were concerned about persistent discrimination against LGBTQ+ persons, including access to housing, education, health care and employment, and increased homophobic rhetoric from government officials”.⁵⁷⁶

The U.S. Department of State annual human rights report covering 2022 noted that “Human rights activists reported that LGBTQI+ persons suffered stigma and faced discrimination in access to healthcare, employment, housing, and other social services. Human rights activists reported that

⁵⁷³ African Arguments, [“Someone willing to help people like me”: Uganda’s LGBTQ paralegals](#), 29 October 2020

⁵⁷⁴ HRAPF, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, 4.4.1. *Violations of human dignity and cruel and inhuman treatment based on sexual orientation and gender identity b) Unlawful Evictions* p.22

⁵⁷⁵ Al Jazeera, [Uganda: Fueling anti-LGBTQI sentiment to stay in power](#), 19 June 2021

⁵⁷⁶ UN Human Rights Council Working Group on the Universal Periodic Review, [Summary of Stakeholders’ submissions on Uganda*](#), 9 November 2021, paragraph 22

families disowned LGBTQI+ persons and expelled them from households, which left many homeless and led others to conceal their sexual orientation”.⁵⁷⁷

Erasing 76 Crimes described in March 2022 that human rights activists launched a campaign to end religious inspired homophobia.⁵⁷⁸ Vincent Kyabayinze, executive director of East African Visual Artists (EAVA) stated that “although LGBT persons experience unique challenges, transgender women face even more violence from the public and are often beaten, arrested, and evicted from homes”.⁵⁷⁹

CIVICUS interviewed Opio Sam Leticia, founder and Executive Director of Queer Youth in June 2022 who stated that “People are still being denied their right to housing in some places because of their sexual orientation and gender identity”.⁵⁸⁰ Furthermore, “We have had several cases of LGBTQI+ activists who have been evicted by their landlords as a result of their community advocacy work”.⁵⁸¹

At the end of December 2022, SMUG International posted a review of the year, highlighting that “There have been increased cases of evictions of community members from places of residences based on their sexual orientation and thus rendering many homeless. This has seen an increase in the cases of depression and anxiety among other mental issues”.⁵⁸²

An update posted in the SMUG International Blog at the beginning of March 2023 noted that “Three transgender persons were arrested and detained for three days at Nansana Police Station for allegations of being LGBTQ. [...] They were subsequently released after three days without any preferred charge upon the intervention of a legal aid service provider. Their landlords however evicted them arising from the incident. They are currently homeless and residing with friends”.⁵⁸³

A March 2023 article in African Arguments on Uganda’s draft anti-gay bill noted that: “Landlords who rent property to homosexuals face a year in jail”.⁵⁸⁴

Reuters reported in early March 2023 on the backlash against LGBT Ugandans, following the parliament ordering of an investigation the previous month into the alleged promotion of homosexuality in schools. It wrote that: “Days after [the investigation was ordered], a video appeared online identifying Kampala resident Eric Ndawula as gay. Ndawula, 26, said his landlord showed him the video, which was posted by

⁵⁷⁷ US Department of State, [2022 Country Report on Human Rights Practices: Uganda](#), 20 March 2023, *Section 6. Discrimination and Societal Abuses, Reproductive Rights, Discrimination, Acts of violence, criminalization, and other abuses based on sexual orientation, gender identity or expression, or sex characteristics*

⁵⁷⁸ Erasing 76 Crimes, [Ugandan activists launch campaign against religion-fueled homophobia](#), 29 March 2022

⁵⁷⁹ Erasing 76 Crimes, [Ugandan activists launch campaign against religion-fueled homophobia](#), 29 March 2022

⁵⁸⁰ CIVICUS, [UGANDA: ‘Hate speech against LGBTQI+ people comes from religious, traditional and political leaders’](#), 20 June 2022

⁵⁸¹ CIVICUS, [UGANDA: ‘Hate speech against LGBTQI+ people comes from religious, traditional and political leaders’](#), 20 June 2022

⁵⁸² SMUG International, [SMUG Int’l Year-in- Review](#), 31 December 2022

⁵⁸³ SMUG International, [2023 Uganda LGBTQ UPDATE](#), 1 March 2023

⁵⁸⁴ African Arguments, [Unpacking the geopolitics of Uganda’s anti-gay bill](#), 10 March 2023

someone whose name he did not recognise. The landlord then issued him a notice of eviction, saying the building could not accommodate a gay person".⁵⁸⁵

In March 2023 Human Rights Watch considered that "The continued criminalization of same sex conduct and crackdowns on sexual minorities in Uganda has had far reaching impacts, Human Rights Watch said. Within five months of the passing of the 2013 Anti-Homosexuality Act LGBT people faced a notable increase in arbitrary arrests, police abuse and extortion, loss of employment, evictions and homelessness, and scores fled the country".⁵⁸⁶ The Guardian reported in March 2023 that "More than 110 LGBTQ+ people in Uganda reported incidents including [...] evictions [...] to advocacy group Sexual Minorities Uganda (Smug) in February alone. Transgender people were disproportionately affected, said the group".⁵⁸⁷

Edge Media Network reported in March 2023 that:

A prominent leader of Uganda's LGBTQ community said Thursday he was worried about becoming "homeless," describing anguished calls by others like him who are concerned for their safety after the passing of a harsh new anti-gay bill.

"I am worried about being evicted," said Frank Mugisha, head of the banned LGBTQ support group Sexual Minorities Uganda. "I am worried about being evicted from the place where I live, because I don't own property. I could become homeless." [...]

He said he was getting calls from members of his community who are worried about where to seek medical services and even where to rent.⁵⁸⁸

Rella Women's Foundation published an article in April 2023 on the impact of the Ugandan anti-homosexuality bill on housing for LBQ persons stating that:

Housing discrimination is a significant problem for the LBQ community which has been made worse by the bill that suggests harsh punishment to landlords or even organizations that offer shelter to the homeless LBQ persons.

Even before the bill discrimination has had been eminent but at least LBQ persons knew that they would run to shelters for solace, but now shelters have been made illegal. The bill further threatens the right to privacy since it allows people to question or even invade any suspicious spaces therefore causing security threats to the community.

Many landlords and property owners refuse to rent or sell homes to LBQ individuals, citing religious or personal beliefs. This discrimination is now exacerbated by the new bill, which creates an environment of fear and hostility towards the LBQ community. As a result, many LBQ individuals are forced to live in unsafe or overcrowded housing, or to become homeless.

The Anti-Homosexuality Bill has a significant impact on access to housing for LBQ persons in Uganda. The law makes it illegal to promote or engage in homosexuality, and it also makes it illegal to provide housing to LBQ persons. This means that many LBQ persons are unable to find safe and secure housing.

⁵⁸⁵ Reuters, [LGBT Ugandans face backlash as parliament launches schools investigation](#), 3 March 2023

⁵⁸⁶ Human Rights Watch, [Uganda: New Anti-Gay Bill Further Threatens Rights](#), 9 March 2023

⁵⁸⁷ The Guardian, [Ugandan MPs pass bill imposing death penalty for homosexuality](#), 21 March 2023

⁵⁸⁸ Edge Media Network, [Uganda LGBTQ+ Leader Says Gay Bill Threatens Homelessness](#), 23 March 2023

The law also allows for the eviction of LBQ persons from their homes if they are suspected of being homosexual. This leads to many LBQ persons being forced out of their homes and becoming homeless. The lack of access to safe and secure housing has had a significant impact on the mental and physical well-being of LBQ persons in Uganda. [...]

The new bill also has a chilling effect on LBQ individuals seeking help from government agencies or non-profit organizations that provide housing assistance. Many fear that their sexual orientation or gender identity will be discovered, which may lead to discrimination and harassment. This fear further increases the likelihood of homelessness among the LBQ community. [...]

LBQ persons are also ostracized by their families and communities due to their sexuality. This leads to many LBQ persons being disowned by their families and losing their support systems. The lack of family support has had a significant impact on the mental health and well-being of LBQ persons in Uganda.

Lack of access to basic needs/resources as recently, many LBQ women have lost their jobs, fell out with family and friends while the ones in school face expulsions because of their sexual orientation. Now with the enactment of the AHB it becomes more difficult for the LBQ to even access resources, they can't go to government or even private facilities because the law deems it illegal to offer services to the LBQ community. [...]

LBQ persons are also targeted by vigilante groups who seek to rid their communities of homosexuality. This leads to many LBQ persons being forced to flee their homes and seek refuge in other countries.⁵⁸⁹

In April 2023 the Human Rights Awareness and Promotion Forum (HRAPF) issued a report outlining arrests, evictions and violence following the passing of Uganda's Anti-Homosexuality Bill in the one month period from 21st March to 20th April 2023 based on cases handled by HRAPF's network of lawyers and community paralegals across the country and thus is not exhaustive.⁵⁹⁰ The report detailed with regards to evictions that:

Evictions from rented premises were the most common form of violence during this period, with 15 incidents recorded, affecting 49 persons. The evictions seem to be fueled by the fear of prosecution in case the AHB becomes law, and the general environment of fear and politicization caused by the Bill. [...] Landlords were directly responsible for the majority of the evictions – nine out of 15, involving 9 individuals and one organisation. In six of these cases, the reason given by the landlord for the eviction is that they are afraid of being arrested when the Bill becomes law, so they essentially see themselves as taking protective action.

In one case, an LGBTQ organisation that had resided at the same address for almost five years was evicted by the landlady, who sent a screenshot of clauses 9 and 11(2)(d) of the Bill to the organisation's executive director and asserted that they did not wish to be arrested, nor to risk the villagers burning down their property. Similar sentiments were recorded in the five other cases. [...] ⁵⁹¹

⁵⁸⁹ Rella Women's Foundation, [The impact of the Ugandan Anti-homosexuality bill 2023 on housing for LBQ persons](#), 11 April 2023

⁵⁹⁰ Human Rights Awareness and Promotion Forum (HRAPF), [Arrests, evictions and violence: Reports of Violations Against LGBT persons for the first month following the passing of Uganda's Anti-Homosexuality Bill 2023](#), 21 April 2023

⁵⁹¹ Human Rights Awareness and Promotion Forum (HRAPF), [Arrests, evictions and violence: Reports of Violations Against LGBT persons for the first month following the passing of Uganda's Anti-Homosexuality Bill 2023](#), 21 April 2023

Describing evictions by the community the same source detailed:

In one case the eviction was done by neighbours/the community. In this case, a gay man hosted his partner for Easter celebrations. Unfortunately, two of the neighbours' children came in to play with him as they often do and found him kissing his partner, upon which they run out screaming for their parents to come and see 'abasiyazi'. The two were forced to sit in varying stages of undress in the compound for several minutes while the neighbours called the police. They were however able to escape when the person watching them got distracted, but they received a formal notice from their landlord not to return. These and many other similar incidents continue to haunt the everyday lives of LGBTQ people, with very little support available to enable them make such transitions as and when they are required to do so. It is worth noting that while one could simply hold one's ground and refuse to leave a village, especially where the eviction is mediated by state authorities, the fact is that by the time it gets to that point, one has already been outed and has very little choice but to leave anyway, for their own safety. These violations are a violation of the freedom of movement, freedom from discrimination and in many cases, the dignity and privacy of the victims.⁵⁹²

A follow up HRAPF report covering the period 21st March 2023 to 30th May 2023 noted that "There were 28 incidents of evictions recorded affecting 66 persons".⁵⁹³ It further reported that "Landlords were directly responsible for the majority of the evictions – 20, involving 23 individuals and one organisation. In the majority of these cases, the landlords cited the Anti Homosexuality Bill as the reason, while in many cases the landlords did not feel the need to provide reasons, or simply insisted that they did not wish to be associated with homosexuals or with homosexual money".⁵⁹⁴ Furthermore, "In seven other cases, the landlords evicted their tenants simply because they got information from the neighbouring tenants, that they were LGBTIQ persons".⁵⁹⁵

A statement by US President Joe Biden at the end of May 2023 on the enactment of Uganda's Anti-Homosexuality Act wrote that: "Since the Anti-Homosexuality Act was introduced, reports of violence and discrimination targeting Ugandans who are or are perceived to be LGBTIQ+ are on the rise. [...] Some have been evicted from their homes".⁵⁹⁶

⁵⁹² Human Rights Awareness and Promotion Forum (HRAPF), [*Arrests, evictions and violence: Reports of Violations Against LGBT persons for the first month following the passing of Uganda's Anti-Homosexuality Bill 2023*](#), 21 April 2023

⁵⁹³ Human Rights Awareness and Promotion Forum (HRAPF), [*Increasing violence: cases of violence and violations against real or suspected LGBTIQ persons for the period between passing of the Anti-Homosexuality Bill, 2023 \(21 March 2023\) and its coming into force \(30th May 2023\)*](#), 19 June 2023

⁵⁹⁴ Human Rights Awareness and Promotion Forum (HRAPF), [*Increasing violence: cases of violence and violations against real or suspected LGBTIQ persons for the period between passing of the Anti-Homosexuality Bill, 2023 \(21 March 2023\) and its coming into force \(30th May 2023\)*](#), 19 June 2023

⁵⁹⁵ Human Rights Awareness and Promotion Forum (HRAPF), [*Increasing violence: cases of violence and violations against real or suspected LGBTIQ persons for the period between passing of the Anti-Homosexuality Bill, 2023 \(21 March 2023\) and its coming into force \(30th May 2023\)*](#), 19 June 2023

⁵⁹⁶ The White House, [*Statement from President Joe Biden on the Enactment of Uganda's Anti-Homosexuality Act*](#), 29 May 2023

At the beginning of June 2023, human rights activist Frank Mugisha wrote a commentary for the Ugandan Observer on his petition to the Constitutional Court that seeks to have the law overturned, writing that “The situation is a lot worse with the transgender community. Housing and tenancy evictions have increased by folds and the few people willing to house those that identify as queer have shot the prices beyond manageable on top of the economic reality of being jobless as result of the law that makes it criminal to employ a queer person”.⁵⁹⁷

In mid-June 2023, SMUG International noted that “The Anti-Homosexuality Act 2023, Act (No. 6 of 2023) was assented, to by the President of Uganda on the 26th day of May 2023. [...] The law is currently in force. As a result, some authorities and individuals are enforcing this law, including landlords issuing eviction notices of suspected LGBTIQ persons”.⁵⁹⁸ The statement further noted that “since the tabling of the Act in Parliament, the LGBTIQ community has registered a sharp increase in violations”, including 38 cases of forced evictions.⁵⁹⁹

An HRAPF report on violence and violations after enactment of the Anti-Homosexuality Bill, covering the period 30th May to 30th June 2023, found that there had been “19 cases of evictions from rented property affecting 20 individuals”.⁶⁰⁰ It documented that evictions were implemented by landlords, neighbours, parents, clan elders, and local council officials and authorities,⁶⁰¹ and gave the following details on the cases:

The client was arrested and detained at Katwe Police Station on charges of having carnal knowledge against the order of nature in April 2023 and remanded to prison. On 8th June 2023, he was granted bail, although during the bail hearing, he was outed to his parents because of the nature of charges. When he tried to return to his home, he found that he had been evicted and his property put in storage while he was in custody because the landlord had found out that he was gay, and he could not go to his parents’ home, having been outed to them as well. [...]

The clients, two gay men who share housing and rental expenses, were given one week’s notice by their landlord to vacate the house because he had heard from the other tenants that the clients were a homosexual couple. The client was asked by the landlord to leave his rental home within a week on the 16th of June 2023. The landlord explained that he had heard rumours that the client was gay, and that he did not want to risk going to jail by continuing to harbor him. [...]

The client was previously arrested and charged with homosexuality (in 2022 when this was not a criminal offence) and arraigned, and has been standing trial for this since then. He received criminal summons in May 2023 to appear in court for a hearing on the same matter. However, at the beginning of June 2023,

⁵⁹⁷ The [Ugandan] Observer, [Why I petitioned court against the Anti-Homosexuality Act](#), 6 June 2023

⁵⁹⁸ SMUG International, [Effect of Anti-Homosexual Act 2023 in Uganda](#), 16 June 2023

⁵⁹⁹ SMUG International, [Effect of Anti-Homosexual Act 2023 in Uganda](#), 16 June 2023

⁶⁰⁰ Human Rights Awareness and Promotion Forum (HRAPF), [One Month After: Increasing Cases of Violence and Violations Based on Real or Presumed Sexual Orientation and Gender Identity in the First Month of the Enforcement of the Anti-Homosexuality Act, 2023](#), 14 July 2023, p.2

⁶⁰¹ Human Rights Awareness and Promotion Forum (HRAPF), [One Month After: Increasing Cases of Violence and Violations Based on Real or Presumed Sexual Orientation and Gender Identity in the First Month of the Enforcement of the Anti-Homosexuality Act, 2023](#), 14 July 2023, p.10-19

he received a letter from the LC [local council] chairperson asking that he leave their village because of reports that he was a homosexual and a recruiter. [...]

The client was released from prison at the end of May 2023, where he had been serving a two-month sentence for a nuisance offence. Once he was released, he tried to go back to his parents' home but the complainant in his case went to the home and explained to the parents that the client was a homosexual, and that he had initially reported him for homosexuality although the case had been reduced to a smaller offence in court. The parents accordingly evicted the client from their home on 2nd June 2023, rendering him homeless. [...]

The client was forced to leave her rented accommodation because her landlord discovered that she was a transgender woman/ homosexual when police officers who had arrested and held her briefly in December 2022 on suspicion of being queer came to her house to remind her that, now that the law had been signed, they would be coming back for her. [...]

The client a leader of an LGBTQ organisation started to receive threatening messages from unknown persons, who would leave notes stuck to his gate with various threats of harm if he continued to promote homosexuality. In June 2023, the landlord demanded that he leave the premises to avoid trouble with the law and the general community. [...]

The client has been asked to leave his rented accommodation after he was outed as LGBTQ in his neighbourhood. This happened after he hosted a transgender friend to his home for a day, after which the neighbour started asking him if people like the friend who visited him were the reason why he had no wife. The landlord informed him the very next day that he was expected to leave the premises by end of this week (25th June 2023). [...]

The client was forced to leave the village where they previously stayed after the LC chairperson was informed by the landlord that the client was probably a homosexual because of his character and the fact that he never married or had any girlfriends visiting, which had made the neighbours curious. The council held a meeting and agreed that he should leave the village immediately or face arrest for homosexuality. [...]

The client was evicted from his home area following a disagreement with a neighbour relating to his sexuality. The two had a verbal altercation after which the neighbour physically assaulted him, causing the client to report the matter to the police and have him arrested. The matter was resolved through mediation but after this incident, the neighbour reported to the landlord and LC leadership that the client was a homosexual, and demanded that he be evicted, which both the chairperson and landlord agreed with. [...]

A man was subjected to subtle violence designed to force him to leave his rented accommodation without actually evicting him. The client's neighbour, who also happens to be his landlord's brother, started to suspect that the client was gay in February 2023, and confronted the client, who denied it. However, in March 2023, the client's power was disconnected by the landlord, who then refused to reconnect the power despite repeated requests from the client. The client's water supply was then cut off in May 2023 and in June 2023, the landlord informed him that he was increasing the rent by 50%. When he checked with his other neighbours, he found that their rent had not been increased at all, and they all had a steady supply of water and electricity. This case was reported on the vide case code. [...]

The client had an argument with his partner which was heard by the neighbours. They immediately called the landlord to inform him that the client and his partner were homosexuals, and less than two hours after that the landlord showed up with an eviction notice, demanding that the client leave his house with immediate effect. Efforts to mediate the matter were fruitless, with the landlord offering to give the client only one week to leave the premises. [...]

The client received a notice from the LC chairperson stating that the council had had a meeting and agreed unanimously that she leave the village immediately because of her homosexuality. Efforts were made to mediate the matter by speaking to the chairperson but he simply insisted that if she was not gone within the week, the council could not offer her any protection against mob violence. [...]

The client was evicted from the rented accommodation when the landlord heard rumours from the neighbours that he was really a woman who dresses and behaves like a man, and therefore a homosexual, and not a man as the landlord had initially thought. The landlord threw him out with immediate effect, forcing him to leave without his properties and stay with a friend. [...]

In this case, a transgender woman was forced to leave her rented accommodation after the neighbours witnessed her kissing her boyfriend at the entrance to their house one night after an outing. The neighbours complained to the landlord and insisted that they would move out the rented premises if she was not kicked out, and the landlord responded by demanding that she move out immediately. [...]

The client had a heated verbal exchange with his partner in the course of which the neighbours were able to surmise that the two were lovers. They immediately informed the landlord, who called the client and demanded that he leaves the house within a week to avoid being arrested. [...]

The client was evicted from her village by her clan elders. This happened less than a week after she was released from prison where she had been held on charges of prostitution, although the arrest itself was accompanied by rumours that she is a lesbian. These rumours had been heard by her family, and the clan held a meeting while she was in custody resulting in her eviction from the village and ousting from the family unit. [...]

The client is an intersex woman whose arrest for 'unnatural offences' was widely publicised in the media. After she was released on police bond, she went back home, only to be informed by her landlord that she had to leave the house immediately, and by the LC Chairperson to leave the village altogether. [...]

The victim in this case is a transgender woman who was arrested in 2021 for homosexuality and the matter publicised all over the news. Recently, a video of her resurfaced and her neighbours showed it to her landlord, who reported her to the police. She was summoned to explain herself and, although she was not charged, both the landlord and the LC chairperson, who were present, insisted that she leave their village immediately.⁶⁰²

The report also gave the following details on cases of violence and threatened violence involving evictions:

A lesbian woman was attacked in her home and beaten by two men she did not know. This happened after she was warned to leave the village in May 2023 for her safety, and formally evicted by her landlord, but she had not yet left because she did not have the resources to afford the move. She suffered several cuts and bruises from the assault. [...]

The client was threatened with lynching by the neighbours if she did not move. When the LC chairperson was called in to intervene, he managed to convince the landlord to give them two weeks to relocate but also reiterated that if they failed to move, the community might do something drastic to them. [...]

The client was outed as a lesbian when a friend of her partner wrote letters threatening to beat her and pinned them at her door as well as delivering a copy to her workplace. She was immediately terminated from employment and forced to move after the neighbours started insulting and threatening her. [...]

⁶⁰²Human Rights Awareness and Promotion Forum (HRAPF), [*One Month After: Increasing Cases of Violence and Violations Based on Real or Presumed Sexual Orientation and Gender Identity in the First Month of the Enforcement of the Anti-Homosexuality Act, 2023*](#), 14 July 2023, p.10-19

The client reported being repeatedly taunted by neighbours and threatened by some youth in his neighbourhood with violence because of his sexuality. His family has also threatened to have him arrested if he ever tried to return home. [...]

Videos of the client defending LGBTI persons on Tik Tok reached her neighbours, who had always been suspicious of her sexuality. The neighbours immediately started harassing her and threatening to have her beaten if she did not move because she was influencing their children. [...]

The client is a lesbian woman who has lived in the same general area for several years with her partner (a transgender man). From the beginning of May 2023, they were forced to host several other LGBTQ friends in crisis who had been evicted from their own homes and, at the beginning of June 2023, the neighbours turned against her, accusing her of bringing even more homosexuals into the area to 'spoil their children'. Eventually, the verbal insults turned to written threats of violence and the area defence secretary himself went to her house and threatened to mobilise the community to beat them up if they did not leave immediately. He also told the landlady that the local authorities would not help her if the village decided to burn her property because she had insisted on hosting homosexuals, thus forcing her to evict them. [...]

A gay met a person on Facebook with whom they became friendly, and he later invited the friend to visit him at his home. However, the two had a disagreement and the friend promptly started announcing to the neighbourhood that the victim was gay, claiming that he had proof of this in his phone. Since then, the neighbours started to harass him, threatening to have the landlord and LC chairperson evict him if he did not leave peacefully. He was later evicted by the property owner. [...]

The victim is a transgender woman who has lived in the same area for several years. However, she was recently approached by the neighbours, who informed her that they would set the house on fire with her in it if she did not leave the neighbourhood.⁶⁰³

One month later, HRAPF released a follow up report marking two months of the Anti-Homosexuality Act in force, covering the period 1st to 31st July 2023. On evictions, it reported that:

Between 1st July 2023 and 31st July 2023, HRAPF recorded a total of 26 cases in which evictions of 33 individuals were verified as having been caused by the real or presumed sexuality of the individuals in question. The main perpetrators were landlords, who evicted persons in 20 cases, of which two involved neighbors insisting on the evictions, followed by local council officials (2), then relatives (2), property manager in combination with Local Council I chairman (1) and the host under pressure from boda boda riders (1). The majority of the cases (22) happened in the Kampala/ Wakiso metropolitan area, and one case each in Kabarole, Kasese and Mbarara City in Western Uganda and one case in Iganga in Eastern Uganda.⁶⁰⁴

At the beginning of August 2023, The Global Press Journal published an in-depth article on violations, particularly housing-related, against LGBTQ Ugandans under the Anti-Homosexuality Law. It wrote that:

⁶⁰³ Human Rights Awareness and Promotion Forum (HRAPF), [*One Month After: Increasing Cases of Violence and Violations Based on Real or Presumed Sexual Orientation and Gender Identity in the First Month of the Enforcement of the Anti-Homosexuality Act, 2023*](#), 14 July 2023, p.4-10

⁶⁰⁴ Human Rights Awareness and Promotion Forum (HRAPF), [*Two Months After: Report on Violence and Violations on the Basis of Real or Presumed Sexual Orientation and/or Gender Identity Two Months After the Anti-Homosexuality Act Came into Force*](#), 9 August 2023, p.3

Just two days after the Ugandan Parliament passed the Anti-Homosexuality Act in March, Sam received a call. Her landlord asked her to leave the house she had been renting for almost two years in Kyebando-Kanyanya village, about 4 miles from Kampala.

When Sam, a lesbian who prefers to be identified by one name for fear of stigmatization, asked why she was being evicted, her landlord asked to meet her the following day in the presence of the local chairman (a village leader). She declined, asking for a one-on-one meeting. At the meeting, Sam's landlord told her that her son, a human rights lawyer, warned her the new law would punish landlords who rent rooms to "homosexuals."

"I don't want to be arrested on accusations of promoting homosexuality because you are my tenant," Sam says the landlord told her.

The landlord told her she — and the community — knew she was in a sexual relationship with another woman. At the time, Sam's partner had not been living in the country for months, but with the probability of the president signing the Anti-Homosexuality Act into law, the witch hunt was already on to identify those who should be reported.

Sam didn't deny or confirm her sexual identity to the landlord but immediately vacated the premises.

President Yoweri Museveni's recent signing of the Anti-Homosexuality Act into law threatens to make the lives of community members who identify as LGBTQ (lesbian, gay, bisexual, transgender or queer) even more difficult, as landlords will face consequences for renting property to them. [...]

Sam believes the bill has ruined the relationship between landlords — many of whom were previously tolerant of members of the LGBTQ community — and tenants.

A statement issued by Anita Among, speaker of Uganda's Parliament, after the presidential signing of the bill, reads, "I now encourage the duty bearers under the law to execute the mandate bestowed upon them in the Anti-Homosexuality Act. The people of Uganda have spoken, and it is your duty to now enforce the law in a fair, steadfast and firm manner."

The law is explicit on the risks to those thought to be housing members of the community. The main section dealing with tenancy is titled "Brothels," but it could easily be construed as anyone renting property to someone from the community. Clause B of section 12 reads, "A person being the owner or occupier of premises or having or acting or assisting in the management or control of the premises, induces or knowingly causes any man or woman to resort to or be upon such premises for the purpose of being unlawfully and carnally known by any man or woman of the same sex whether such carnal knowledge is intended to be with any particular man or woman, commits an offence and is liable, on conviction, to imprisonment for one year."

But John Musila, member of Parliament for the Bubulo East constituency, says, "Those claiming to be evicted are artificial homosexuals promoting homosexuality for monetary gains. No landlord will come to look through your door to see who you are sleeping with. Then how can they be punished for housing people they have not caught in the act of sex?"

The lawmaker, who voted for the Anti-Homosexuality Act, adds, "The law is very clear. It doesn't discriminate or punish someone for being gay or a lesbian because we know that in our African communities, we have always had these people." Speaking about a 75-year-old bisexual woman in his village, whom the community knows about and who has never been attacked, he says, "The law only punishes those who are caught in the homosexual act: a man having sex with a man, an individual raping a minor, a woman having sex with a woman. It also punishes those who promote it."

Musila also says that the HRAPF reports on evictions and violence against the community are a ploy to get donor funding and "not an actual reflection of events where homosexuals were caught having sex, therefore breaking the law."

Musila's statements reflect the confusing language of the Anti-Homosexuality Act, which lists one of its primary principles as "prohibiting any form of sexual relations between persons of the same sex and the promotion or recognition of sexual relations between persons of the same sex."

Those being evicted could be suffering an unintended consequence of the law. Eron Kiiza, a human rights lawyer, says landlords are required by the law to terminate the tenancy of those they discover "engaged in homosexuality." Not knowing that their tenant is a member of the LGBTQ community is a legal defense, but one that is difficult for landlords to prove. If members of the community are found living in a certain premise, the landlord could still be subjected to criminal proceedings which are traumatizing and can lead to stigmatization of the landlord even if they eventually get acquitted. Kiiza also adds that prior to the law, there were already landlords who were hostile to the community due to religious or cultural reasons. The new law not only empowers them to evict LGBTQ individuals but also obligates them to do so as soon as they discover their sexuality. [...]

Sandra Ntebi, who identifies as a trans man, says that in his community, no one was bothered by his sexuality until the bill came about.

Ntebi says, "Everyone knew me as 'omusiyazi,'" a Luganda word that loosely translates to "being gay."

"I could move to Mulungu fish market freely with my wife, where we run a bar and also have friends, including many of our LGBTQ friends. We would have drinks and eat fish in the market, and no one cared about us until the [Anti-Homosexuality Act] came," he says.

Ntebi, also referred to as Uncle Sandra at the market, believes he was evicted from the bar because of his sexuality, even though a disagreement between him and his landlord over other matters may have contributed.

Ramathan Kaggwa, who identifies as gay, is among those who have been evicted, though in his case, the methods to get him to move were more subtle. He lived in a home in Gayaza, Wakiso district, 13 miles from Kampala, with 14 other members of the LGBTQ community.

Kaggwa, who is a pastor, says when the bill was passed, posters of his church and his face started circulating on social media, accusing his church of promoting and recruiting young people into homosexuality.

"Then my landlord forwarded one of the posters to me via WhatsApp and a text asking if it was true what the poster claimed," Kaggwa says. He denied the claims, but the damage was already done.

The next day, water was cut off. Kaggwa says he complained to his landlord for six days — to no avail. Unable to use the toilets, bathrooms or kitchen, amid rising accusations from the local community that the shelter was "full of homosexuals," Kaggwa and his housemates chose to vacate the premises, fearing for their safety.

Eric Ndawula, the executive director of the Lifeline Youth Empowerment Center, a nonprofit that promotes equality, was given 10 days to vacate a house he rented because a video circulated where he was talking about his sexual orientation as a gay man. He says he now considers himself an internally displaced person. "Staying at home is your best security given the situation now," he says.

Pius Kennedy Kigundu, a youth pastor and an office administrator at the Africa Queer Network, an advocacy group, says his landlord gave him seven days to vacate his premises soon after the president signed the bill. He had been living with his partner for two years and says that previously no one was concerned about his sexual orientation, "but they are now suspecting that I am gay." [...]

[Stephen] Kabuye's [the executive director of Coloured Voice Uganda, an NGO that serves the LGBTQ community] landlord evicted him in March, and he has now settled in a rural place far from Kampala. He feels safer here than in the city, he says, where he believes people have been influenced by misinformation about the LGBTQ community. His landlord told him he doesn't want to go to prison

because of him, so he was left with no alternative but to leave. Kabuye believes there will be rampant evictions since landlords have been empowered by the law.

Justine Balya, acting director of the Access to Justice Programme at the Human Rights Awareness and Promotion Forum, says, “Homophobia is an easy excuse to accept because the discussion in Parliament, in the streets, and from religious leaders is playing with people’s fears. They are telling people that every queer person you see is a potential rapist and is looking at your children. ‘Run away from them!’” With the harsh penalties in the law for those thought to be aiding the community, evictions can be expected to continue — even in the case of those who in the past would have turned a blind eye. [...]

John Grace, coordinator at the Uganda Minority Shelters Consortium, a local nongovernmental organization that provides safe housing for LGBTQ persons, says applications for assistance have doubled as a result of evictions and they are unable to admit all of them. “Even people who didn’t know about the shelters now know where to find help,” he says.

Grace says evictions didn’t start with the bill — there were already raids on LGBTQ shelters — but the law has worsened the situation. The last widely reported raids on LGBTQ shelters were in 2019, but Grace believes that many others go unreported as those who run the shelters fear being accused of promoting homosexuality.

“The bill has now empowered society to respond on their own,” he says. [...]

Grace says there are currently 25 LGBTQ shelters in Uganda with 150 people on average housed in all the shelters at any given time, as they are designed to be transitional. They are segregated by location and categories of occupants. But the transition rates are slow because many residents have lost jobs and been rejected by families. With nowhere else to go, they remain in overcrowded shelters. The numbers are higher when taking into account informal shelters. Most of those interviewed for this article lived in shared premises with other members of the community. [...]

After her February eviction, Aggie Dennett Harmon, a pastor and executive director at Talented Youth Community Fellowship Uganda, a nonprofit that nurtures talented transgender youth, had to find a new place to live. She left out some information about the organization and said they are a group of youth looking to rent — but did not mention they are all transgender. The group of about 50 lives in a gated home and rarely allows any guests.

“It’s like another lockdown,” Harmon says, in reference to restrictions during the coronavirus pandemic.

Mother Stephanie is the foster mother of three queer children whom she was separated from after she lost her job in a supermarket and was later evicted. She is a trans woman who found haven in the same shelter as Harmon, but she says it is now like a prison. “We worry about getting out of the gate and people recognizing us,” she says. “If we need something, we only go out at night. We can’t enjoy our rights like other people.”

Mother Stephanie’s foster children are over the age of 18 and belong to the LGBTQ community. She fosters them to teach them “how to survive in this hostile environment.” Most of them have also been rejected by their birth families.

“The shelter has taken away the worries of rent, what to eat, as I have no job, but there is constant fear that we will be raided and forced to do unbelievable examinations in my private parts,” she says. “When I go out at night, I change my dressing and take off the wigs.” [...]

For many affected, the evictions are multilayered. Their families have already disowned them. Some have been kicked out of academic institutions or lost jobs because of their presumed sexual orientation. Then, they find themselves in shelters, the shelters get raided, and they are treated inhumanely by the police who are meant to protect them, they say. [...]

In the beginning, Mother Stephanie found some freedom in the shelter. [...]

But the bill, she adds, has now turned it into a place of fear.

“I don’t intend to stay at the shelter any longer because the signing of the bill has caused us more harm, unrest and more fear, whereby we can no longer hide in shelters anymore because we are now more hunted than before.”⁶⁰⁵

ii. Access to work

For information on access to state employment, see section [III. Treatment by State Actors, iii. Access to state employment \(e.g. civil service\)](#).

The U.S. Department of State annual human rights report covering 2020 noted in a section on discrimination with respect to employment and occupation that “LGBTI persons faced social and legal discrimination” although it didn’t indicate whether this was state or non-state employment.⁶⁰⁶

Reporting in January 2020 of the impact of the arrest in November of 127 people at a gay friendly bar, the director of the access to justice programme at the Human Rights Awareness and Promotion Forum (HRAPF) in Kampala, Uganda noted that 67 went on to be charged with the offence of common nuisance and that “Over the following weeks, bail applications for the 67 were heard, and accepted, but for a few individuals at a time. Although all were eventually released, significant harm was done. People were denied legal representation. Some lost their jobs while in jail. Families rejected those who had been in the closet, and were now outed”.⁶⁰⁷

In 2020 the UK organization ReportOut published research led by Drew Dalton, senior Lecturer in Sociology at the University of Sunderland, in partnership with seven local organisations, based on 76 survey responses on the situation of Sexual Orientation, Gender Identity, Expression and Sexual Characteristics (SOGIESC) in Uganda.⁶⁰⁸ The report found that “Within everyday life, SOGIESC people face discrimination in a range of settings which cut across a range of institutions. Three key areas where these were highlighted, included: school/university staff (55.3%), when looking for a job (63.2%) and when looking for accommodation to rent or buy (51.3%).”⁶⁰⁹

The report further found that “prejudice and discrimination toward SOGIESC Ugandans is rife within the nation state and this significantly impacts upon their education, employment prospects and access to housing, compounding their financial precarity further” noting that:

⁶⁰⁵ Global Press Journal, [‘More Hunted Than Before’: LGBTQ Ugandans Live in Fear Under Anti-Homosexuality Law](#), 1 August 2023

⁶⁰⁶ US Department of State, [2020 Country Reports on Human Rights Practices: Uganda](#), 30 March 2021, Section 7. Worker Rights, D. Discrimination with respect to employment and occupation

⁶⁰⁷ Open Democracy, [I’ve defended hundreds of LGBTI people arrested in Uganda. Our laws must change – but we need public acceptance too](#), 23 January 2020

⁶⁰⁸ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020

⁶⁰⁹ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020, 9. Key Findings: prejudice and discrimination p.32

The job market is tough in Uganda for many and SOGIESC people have an especially difficult time. When asked, how difficult is it to access the job market in Uganda? (Scale: 1 very easy and 10 very difficult) 72.3% of respondents gave a score of 8 or higher (51.3% said 10).

Of the SOGIESC Ugandans not working, they self-identified the main ways in which they supported themselves financially (top three most common responses, in order, from qualitative survey comments):

When asked whether respondents SOGIESC identity has meant that they have missed out on employment prospects, the figures are concerning: 65.8% agreed that their SOGIESC identity has meant that they have missed out on employment prospects.⁶¹⁰

The U.S. Department of State annual human rights report covering 2021 noted that “LGBTQI+ persons faced social and legal discrimination in hiring and employment” although it didn’t indicate whether this was state or non-state employment.⁶¹¹

HRAPF reported that in 2021 “a lesbian woman reported being continuously pestered for sex by her boss, who eventually attempted to rape her, assaulting and causing her actual physical injury in the process, before having her fired for ‘teaching lesbianism’ to the other females at the workplace. In another case, a lesbian woman was threatened by her ex-girlfriend, who was disgruntled after their break up, with exposure if she did not send her money. When the victim refused to do this, the ex-girlfriend sent nude photos and videos of the two of them involved in sexual acts to the victim’s work colleagues, a few friends and her teenage son”.⁶¹²

The November 2021 UN Human Rights Council Working Group on the Universal Periodic Review summary of stakeholder information noted that “Several stakeholders were concerned about persistent discrimination against LGBTQI+ persons, including access to housing, education, health care and employment, and increased homophobic rhetoric from government officials”.⁶¹³

In November 2021, the Uganda LBQ Loose Network, CREA, and the Sexual Rights Initiative submitted a report ahead of the Universal Periodic Review of Uganda’s 40th session stating that “Another challenge that LBQ women have faced over the years is sexual harassment in the work place” and further noted:

Sexual harassment is rife in the field of professional sports, but remains underreported and undocumented. Several cases have been reported of LBQ women and transgender men in professional sports suffering persistent and aggressive sexual advances from coaches, managers of sports academies and teams, etc. Including LBQ women and transgender men being blackmailed into unwanted sexual

⁶¹⁰ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020, 4. Overview of the research findings p.10 and 8. Key findings: financial precarity p.29

⁶¹¹ US Department of State, [2021 Country Report on Human Rights Practices: Uganda](#), 12 April 2022, Section 7. Worker Rights, D. Discrimination with respect to employment and occupation

⁶¹² HRAPF, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, 4.4.1. Violations of human dignity and cruel and inhuman treatment based on sexual orientation and gender identity, a) Acts or threats of violence p.21

⁶¹³ UN Human Rights Council Working Group on the Universal Periodic Review, [Summary of Stakeholders’ submissions on Uganda*](#), 9 November 2021, paragraph 22

relationships by their colleagues or superiors in the sports fraternity, who threaten to expose their sexuality if they decline their advances.⁶¹⁴

The U.S. Department of State annual human rights report covering 2022 noted that:

The law prohibits discrimination based on race, sex, color, ethnic origin, religion, political opinion, national origin or citizenship, social origin, refugee or stateless status, disability, age, language, and HIV or communicable disease status. Sexual orientation and gender identity are not protected categories under the law.

The government did not effectively enforce the law. Penalties were not commensurate with those for similar abuses and were rarely applied. LGBTQI+ persons faced social and legal discrimination in hiring and employment.⁶¹⁵

CIVICUS interviewed Opio Sam Leticia, founder and Executive Director of Queer Youth in June 2022 who stated that “Discrimination in workplaces is still rampant: many people who openly identify as LGBTQI+ find it challenging to get employed. The unemployment rate in the LGBTQI+ community is high because there are not enough job opportunities. In addition, some LGBTQI+ people do not have the skills needed for the job market due to their higher school dropout rates. Parents play a significant role in this because when they discover their kids’ sexual orientation they often deny them access to education and even throw them out of their homes”.⁶¹⁶

In March 2023 Human Rights Watch considered that “The continued criminalization of same sex conduct and crackdowns on sexual minorities in Uganda has had far reaching impacts, Human Rights Watch said. Within five months of the passing of the 2013 Anti-Homosexuality Act LGBT people faced a notable increase in arbitrary arrests, police abuse and extortion, loss of employment, evictions and homelessness, and scores fled the country”.⁶¹⁷

The Guardian reported in an article in March 2023 on the challenges faced by transgender people in Uganda, stating that:

Trans people can legally change their names and IDs, but the procedure for doing so is not specified, and leaves a lot to the discretion of the National Identification and Registration Authority. [...]

Mukisa, a former nurse, managed to change his national ID to reflect his preferred gender. He tries to help other trans people to navigate the process, but says it was much easier to do a few years ago. Mukisa adds, however, that he has been unable to change his academic certificates from his old name due to pushback from national exam bodies and professional nursing associations, which he says has stunted his professional and educational career.

⁶¹⁴ The Uganda LBQ Loose Network, CREA, and the Sexual Rights Initiative, [Universal Periodic Review of Uganda 40th Session, January - February 2022: Joint Stakeholder Submission](#), 30 November 2021, p.9 para 27

⁶¹⁵ US Department of State, [2022 Country Report on Human Rights Practices: Uganda](#), 20 March 2023, Section 7. Workers Rights, D. Discrimination with respect to employment and occupation

⁶¹⁶ CIVICUS, [UGANDA: ‘Hate speech against LGBTQI+ people comes from religious, traditional and political leaders’](#), 20 June 2022

⁶¹⁷ Human Rights Watch, [Uganda: New Anti-Gay Bill Further Threatens Rights](#), 9 March 2023

“I can’t compete in the mainstream economic world,” said Mukisa, who is unemployed. Most trans people he knows have to become self-employed or work with the few, mainly poorly funded LGBTQ+ organisations.⁶¹⁸

Rella Women’s Foundation published an article in June 2023 on the economic impact of the Ugandan anti-homosexuality bill for LBQ persons stating that:

One of the ways in which the AHB [anti-homosexuality bill] has impacted the LBQ community economically is by limiting their access to employment. Many employers in Uganda and other parts of the world discriminate against LBQ individuals, refusing to hire them or even firing them if they are discovered to be LBQ. The AHB would further entrench this discrimination, making it even more difficult for LBQ individuals to find work and earn a living.

Economically the community has been affected greatly because masculine LBQ persons cannot go anywhere without being noticed which leads to harassment from the homophobic people wherever they go running their errands or minding their business. This has been the extent that followed “them” to their residents and workplaces. This has caused insecurity among the community members as they have been threatened and promised to be harmed so thus making where they work unsafe and lives unsafe. [...]

Economic Exclusion: The AHB also has a significant impact on the economic inclusion of LGBTQ+ individuals in Uganda. Many queer youths have had to leave school or drop out of university because they could not afford to pay the extra fees demanded by their schools or because they were denied scholarships or other financial support. Additionally, many lost their jobs or were denied employment opportunities because of their sexual orientation or gender identity.⁶¹⁹

An article by Pink News in May 2023 after the Ugandan parliament passed its Anti-Homosexuality Bill for a second time reported “Frank Mugisha, executive director of Sexual Minorities Uganda, says changes made to the bill “mean nothing at all” – and he’s now expecting violence against LGBTQ+ people to skyrocket. [...] Since the bill was first introduced, Mugisha has seen it all – queer people have contacted him saying their employers have threatened to fire them if the anti-homosexuality bill becomes law”.⁶²⁰

A statement by US President Joe Biden at the end of May 2023 on the enactment of Uganda’s Anti-Homosexuality Act noted that “Since the Anti-Homosexuality Act was introduced, reports of violence and discrimination targeting Ugandans who are or are perceived to be LGBTQ+ are on the rise. [...] Some have been [...] fired from their jobs”.⁶²¹

The New York Times also reported at the end of May 2023, following the signing of the anti-gay bill, that “The law’s passage has stoked fear among L.G.B.T.Q. people, many of whom have begun fleeing Uganda.

⁶¹⁸ The Guardian, [LGBTQ+ groups face crackdowns in Uganda as environment turns hostile](#), 14 March 2023

⁶¹⁹ Rella Women’s Foundation, [Economic Impact of the Anti-Homosexaul Bill \(AHB\) to the LBQ Community](#), 13 April 2023

⁶²⁰ Pink News, [Uganda risks ‘LGBTQ+ genocide’ with Anti-Homosexuality Bill, activist says: ‘There’s a lot of fear’](#), 3 May 2023

⁶²¹ The White House, [Statement from President Joe Biden on the Enactment of Uganda’s Anti-Homosexuality Act](#), 29 May 2023

Gay rights groups say hundreds of gay people — facing rejection from their families, discrimination at work or mob justice in the streets — have reached out to them in recent weeks seeking help”.⁶²²

In mid-June 2023, SMUG International noted that “The Anti-Homosexuality Act 2023, Act (No. 6 of 2023) was assented, to by the President of Uganda on the 26th day of May 2023. [...] The law is currently in force. As a result, some authorities and individuals are enforcing this law, including [...] loss of employment”.⁶²³

Outright International posted a commentary on the provisions of the Anti-Homosexuality Act and implications for development projects in early July 2023, stating with reference to working at a construction job on an internationally financed infrastructure project that:

Any person you meet at the job site, the foreman, co-workers and administrators, all have a mandatory duty to report you to the police if they suspect you might commit “homosexuality” or be an advocate or supporter of LGBT people (Secs. 11(2)(a) & 14). There are no legal protections against employment discrimination based on sexual orientation or gender identity” [...]

Large development agencies generally hire law-abiding people and instruct them to adhere to local criminal laws. Under Ugandan law – the AHA, specifically – these staff people commit a crime, punishable by up to twenty years, if they do not report to the police anyone that can be reasonably suspected of committing homosexuality, which may include anyone who self-identifies as LGBT. In addition, emailing materials that discuss LGBT people in a supportive manner may violate prohibitions on encouragement (Sec. 11(2)(a)) and communication (Sec. 11(2)(b)).⁶²⁴

An HRAFP report on violence and violations after enactment of the Anti-Homosexuality Bill, covering the period 30th May to 30th June 2023, noted the following case on 12th June 2023 of a client who was “outed as a lesbian when a friend of her partner wrote letters threatening to beat her and pinned them at her door as well as delivering a copy to her workplace. She was immediately terminated from employment and forced to move after the neighbours started insulting and threatening her”.⁶²⁵

VI. Treatment of LGBTQI+ Organizations and Human Rights Defenders

This section should be read in conjunction with section [II. Legal framework, iii. Other relevant legislation affecting LGBTQI+ persons.](#)

⁶²² The New York Times, [Ugandan President Signs Anti-Gay Law That Includes Death Penalty as a Punishment](#), 29 May 2023

⁶²³ SMUG International, [Effect of Anti-Homosexual Act 2023 in Uganda](#), 16 June 2023

⁶²⁴ Outright International, [Six Ways to Get Arrested Through the Work of an Internationally Financed Development Project in Uganda](#), 6 July 2023

⁶²⁵ Human Rights Awareness and Promotion Forum (HRAFP), [One Month After: Increasing Cases of Violence and Violations Based on Real or Presumed Sexual Orientation and Gender Identity in the First Month of the Enforcement of the Anti-Homosexuality Act, 2023](#), 14 July 2023, p.5

a. Government recognition of LGBTQI+ NGOs

This section should be read against section [*b. State treatment of LGBTQI+ activists or those supporting their case or those perceived as such.*](#)

Kuchu Times reported in March 2020 on a key stakeholder meeting with the Uganda Key Population Consortium (UKPC) and Sexual Minorities Uganda (SMUG) on the health needs of key populations in Uganda noting that “Several challenges were listed as hindrances that are limiting the delivery of HIV/AIDS services to key populations. These include implementation of the regressive NGO act which halts some activities held by KP led organizations, refusal of registration of certain CSOs and halting gatherings, specifically within the LGBT+ community, under the guise of being unlawful”.⁶²⁶

The 2022 Bertelsmann Stiftung Report on Uganda covering the period 1st February 2019 to 31st January 2021 noted that:

A large variety of NGOs exists. In most cases, they can work freely and cooperate with foreign partners. At the local level, however, NGOs tend to shy away from political topics for fear of provoking the government. The government has passed various laws and regulations intended to curtail the activities of NGOs. NGOs promoting the rights of LGBTI communities are at risk of being banned for allegedly failing to comply with these obligations.⁶²⁷

The HRAFP report for 2021 described the following context for civil society in Uganda:

The operating environment for Civil Society Organisations in Uganda has remained uncertain, with the state taking deliberate steps since the enactment of the NonGovernmental Organisations Act, 2016 with its onerous licensing requirements for NGOs, targeting leaders of NGOs for baseless arrests,⁶ suspending without prior notice the activities of several NGOs,⁷ random raids on the premises of LGBT organisations by police and local authorities, etc.⁸ The year 2021 saw the state taking bolder moves to curtail the activities of NGOs, particularly those working on issues of governance and election monitoring, including the rather surprising suspension of the European donor fund, the Democratic Governance Facility (DGF) on 2 January 2021, ahead of the 14 January elections,⁹ forcing a degree of self-censorship among several NGOs. One of these organisations, Chapter Four, successfully challenged the indefinite suspension by the NGO Board in court.¹⁰

The legal framework on prevention of money laundering and terrorist financing has continued to provide a useful avenue through which the state controls the activities of CSOs, with more recent efforts being focused towards controlling NGO financing through a circular from the Ministry of Internal Affairs requiring that all financing to NGOs from development partners be first approved by government.⁶²⁸

⁶²⁶ Kuchu Times, [*UKPC continues to push for equality in Uganda's health sector*](#), 3 March 2020

⁶²⁷ Bertelsmann Stiftung, [*BTI 2022 Country Report Uganda*](#), 23 February 2022, *I. Political Transformation*, 2. *Political Participation*, p.11

⁶²⁸ HRAFP, *The Uganda Report of human rights violations based on sexual orientation and gender identity 2021*, June 2022, 2.3 *Developments on the executive front b) The continued shrinking of the civic space for advocacy and*

6 'Uganda's top human rights lawyer Nicholas Opiyo was jailed ahead of elections.' RFI 23 December 2020. <https://www.rfi.fr/en/africa/20201223-uganda-s-top-human-rights-lawyer-nicholas-opiyo-jailed-ahead-of-elections-bobi-wine-yoweri-museveni>. (accessed 20 July 2022) 7 Human Rights Watch, 'Uganda: Harassment of Civil Society Groups', 27 August 2021, <https://www.hrw.org/news/2021/08/27/uganda-harassment-civil-society-groups>, (accessed 20 July 2022). 8 N 1 above; HRAFP/VR/070/2021; HRAFP/VR/004/2021. 9 Freedom House, 'Uganda: Suspension of Democratic Governance Facility Highlights Growing Concerns', <https://freedomhouse.org/article/uganda-suspension-democratic-governance-facility-highlights-growing-concerns>, accessed 20 July 2022. 10 Human Rights Watch, 'Court Ends Suspension of NGO in Uganda', 24 May 2022, <https://www.hrw.org/news/2022/05/24/court-ends-suspension-ngo-uganda>, accessed 20 July 2022.

A joint submission in July 2021 for the Universal Periodic Review of Uganda by the Sexual Minorities Cluster, jointly convened by Human Rights Awareness and Promotion Forum (HRAFP) and Sexual Minorities Uganda (SMUG) stated that:

The Anti-Money Laundering Act, 2013, and the Financial Intelligence Authority created thereunder have also become a tool of oppression, with targeted attacks on Civil Society Organisations and human rights activists engaged in the protection and promotion of human rights and good governance. This is in stark contrast with Uganda's commitments to ensure that civil society organisations and human rights defenders operate in a safe environment and all allegations of intimidation, harassment and violence are fully investigated. Despite Uganda's commitments, the operating environment for civil society organisations merely continued to deteriorate, especially in the run up to the 2021 general elections.⁶²⁹

Edge Media Network published an article in August 2022 on the suspension of Sexual Minorities Uganda (SMUG), stating that:

Ugandan authorities have suspended the work of a prominent LGBTQ rights group, calling it an illegal entity. Sexual Minorities Uganda has been the East African nation's most prominent support group for lesbian, gay, bisexual, transgender and queer people since 2004. Its leader, Frank Mugisha, said Saturday that authorities who oversee non-governmental organizations advised him to suspend activities, saying his group lacked needed documentation. "This means that the life-saving work we do is on hold. We can't protect and support vulnerable LGBT people," he said. "The background, of course, is homophobia and transphobia." The NGO Bureau said in a statement that the group needed to stop work "with immediate effect" because it's neither a company nor an NGO. The case against Sexual Minorities Uganda stems from the group's name itself. The registrar of companies declined to register that name, saying it was unsuitable. A judge agreed, and the group's appeal to a higher court is awaiting judgement, Mugisha said. He said that because of the hostility to his group over the years, he decided to run it as "an association"

promotion of the human rights of LGBT persons p.6

⁶²⁹ Human Rights Awareness and Promotion Forum (HRAFP) and Sexual Minorities Uganda (SMUG) et al., [*Universal Periodic Review of Uganda: Joint Submission by Civil Society Organisations Working with Lesbians, Gay, Bisexual, Transgenders and Intersex Persons - to: the Office of the High Commissioner for Human Rights*](#), 15 July 2021, p.4

instead of an NGO.⁶³⁰

According to the Global Action for Trans Equality reporting in a September 2022 report “Over the years, there has been massive growth of LGBTI organizing, with over 100 registered LGBTI organizations, both urban and grassroots, staffed by LGBTI persons. These have led a lot of advocacy on various issues including aspects of HIV, legal and policy reform, and inclusion, among others. Strategic litigation has been employed to counter opposition and despite the hostilities, there has been some progress and notable victories in court, including the annulment of the Anti-Homosexuality Act”.⁶³¹

The U.S. Department of State annual human rights report covering 2022 noted that:

The government restricted LGBTQI+ organizations’ ability to legally register and operate. Authorities used provisions of the Companies Act to restrict or deny the registration of LGBTQI+ advocacy organizations due to allegations that the proposed names of the organizations were undesirable and their activities unlawful. On August 3, officials in the NGO Bureau instructed SMUG to halt operations because it was neither incorporated at the Uganda Registration Services Bureau nor registered with the NGO Bureau, both of which are a requirement for all nonprofit organizations. The suspension of SMUG remained in effect at year’s end. Numerous other LGBTQI+ organizations reported that the NGO Bureau declined their registration applications, even after they had secured incorporation at the Uganda Registration Services Bureau, and threatened to halt their operations.⁶³²

Amnesty International described that on 3 August 2022 “the National Bureau for Non-Governmental Organizations (NGO Bureau), an official body, ordered the closure of Sexual Minorities Uganda (SMUG), an umbrella organization that operates to protect LGBTI people’s rights. The authorities claimed that SMUG had not registered with the NGO Bureau in line with the NGO Act 2016”.⁶³³ The same source noted that “The move against SMUG took place amid the continued shrinking of civic space and increased attacks against the LGBTI community” citing the May 2022 arrests of SMUG members “for ‘promoting homosexuality’ when they went to Ntinda Police Station in Kampala to report malicious damage to property at SMUG’s office”.⁶³⁴

In August 2022 Article 19 reported that it condemned the “attack on the rights of Uganda’s LGBTQI+ communities following the forced closure of Sexual Minorities Uganda (SMUG) on 3 August by order of the National Bureau for Non-Governmental Organisations Bureau (the NGO Bureau)”.⁶³⁵ It described that the NGO Bureau had alleged that SMUG was not registered with the Bureau according to sections 29 (1), 31(1) and 31 (2) of the NGO Act 2016, that there was no reliable record of the location of the

⁶³⁰ Edge Media Network, [Authorities in Uganda Suspend Prominent LGBTQ Rights Group](#), 8 August 2022

⁶³¹ Global Action for Trans Equality, [The anti-gender movement in Uganda: A critical analysis of its impact on trans and gender diverse persons](#), 26 September 2022

⁶³² US Department of State, [2022 Country Report on Human Rights Practices: Uganda](#), 20 March 2023, *Section 6. Discrimination and Societal Abuses, Reproductive Rights, Discrimination, Acts of violence, criminalization, and other abuses based on sexual orientation, gender identity or expression, or sex characteristics*

⁶³³ Amnesty International, [Report 2022/23; The State of the World's Human Rights; Uganda 2022](#), 27 March 2023

⁶³⁴ Amnesty International, [Report 2022/23; The State of the World's Human Rights; Uganda 2022](#), 27 March 2023

⁶³⁵ Article 19, [Uganda: Protect the rights of LGBTQI+ communities](#), 11 August 2022

organisation which SMUG representatives were reportedly reluctant to disclose.⁶³⁶ SMUG's Executive Director, Frank Mugisha, described it as a "clear witch-hunt rooted in systematic homophobia that is fuelled by anti-gay and anti-gender movements".⁶³⁷

Freedom House noted in its annual report on political rights and civil liberties covering 2022 that "In 2022, the government continued to close NGOs for failing to comply with legal requirements, including those working on human rights issues like rights for LGBT+ people".⁶³⁸

In January 2023, the Daily Monitor published an article reporting on the Deputy Speaker calling for a probe on homosexuality in schools in Uganda, noting also the statement of Sarah Opendi, the Tororo District MP, stating that:

Ms Sarah Opendi, the Tororo District Woman MP, said: "It is extremely unfortunate that a Godly country like Uganda can sit back and see various NGOs (non-governmental organisation) promoting an act that is against the order of nature. We have had NGOs like the Sexual Minorities Uganda. Their activities, offices were known. The NGO board suspended the activities of this NGO but we have another one calling themselves a consortium of these NGOs dealing with the same activity." [...]

She added: "The Ministry of Gender has been following up on these matters. There is a matter in court regarding the Sexual Minorities Uganda [but] even courts are being threatened. The case cannot progress."⁶³⁹

In February 2023 Erasing 76 Crimes noted that MP Sarah Opendi had called for investigations into Key Populations Consortium Uganda Limited.⁶⁴⁰ The reported cited her as stating "These NGOs are being used to reach the grassroots to promote health but in the guise of promoting something else," which the source indicated was suggestive of "a sinister attempt at persuading Ugandans to drop their hostility to homosexuality".⁶⁴¹

Tranz Network Uganda (TNU) reported in February 2023 that "Civil Society Organizations (CSOs) in Uganda, particularly LGBTIQ+ rights organizations, continuously face challenges that include intimidation from government, media restrictions and interference of work by government agencies".⁶⁴²

Erasing 76 Crimes reported in June 2023 that following the enactment of the Anti-Homosexuality Law "HRAPF (the Human Rights Awareness and Promotion Forum) announced that it will pause its efforts to persuade local governments to pass regulations guaranteeing equal access to HIV services for all people,

⁶³⁶ Article 19, [Uganda: Protect the rights of LGBTIQ+ communities](#), 11 August 2022

⁶³⁷ Article 19, [Uganda: Protect the rights of LGBTIQ+ communities](#), 11 August 2022

⁶³⁸ Freedom House, [Freedom in the World 2023 - Uganda](#), 2023

⁶³⁹ The Daily Monitor, [Deputy Speaker calls for probe on homosexuality in schools](#), 25 January 2023

⁶⁴⁰ Erasing 76 Crimes, [Homophobic Ugandan official takes aim at efforts to fight HIV in the LGBTQ community](#), 2 February 2023

⁶⁴¹ Erasing 76 Crimes, [Homophobic Ugandan official takes aim at efforts to fight HIV in the LGBTQ community](#), 2 February 2023

⁶⁴² Tranz Network Uganda, [Transgender Health Program](#), 7 February 2023

including LGBTI persons. In general, activities involving LGBTI issues will be indefinitely suspended,’ HRAPF announced. HRAPF will continue its constitutional challenges against the law. Its lawyers will continue to represent LGBTI clients, since the law states that the confidentiality of attorney-client privilege still applies”.⁶⁴³

In March 2023 Human Rights Watch described the actions of Uganda’s National Bureau for Nongovernmental Organization, noting that:

A January 2023 draft report by the bureau identified 26 nongovernmental organizations, including SMUG, that it accused of “promoting homosexuality” and luring schoolchildren into homosexuality through “forced recruitment.” The report recommends barring any groups identified as “promoting LGBTIQ activities” from operating, and suggests that individual activists should be publicly profiled, to prevent them from any further civil society engagement.

On January 25, the parliamentary deputy speaker, Thomas Tayebwa, urged the Internal Affairs Ministry to investigate the activities of the Human Rights Awareness and Promotion Forum (HRAPF), an LGBT and sex-worker-rights group. Tayebwa alleged that HRAPF facilitated the passing of a Kasese district bylaw that recognizes the need to protect key populations including gender and sexual minorities from HIV and tuberculosis, in keeping with Uganda’s own health policies to combat HIV/AIDS.”⁶⁴⁴

The International Service for Human Rights (ISHR) reported in June 2023 on the criminalisation through the new anti-homosexuality law of human rights defenders in Uganda promoting and supporting the rights of LGBTQ people, stating that:

Critically, the bill criminalises human rights defenders promoting and supporting the rights of LGBTQ people as it prohibits ‘aid[ing], abet[ting], counsel[ling] or procur[ing] [of] another person to engage in acts of homosexuality’. It also assesses that ‘any legal entities such as media and non-governmental organisations that “knowingly” promote homosexuality will incur a fine and a potential suspension’. This bill imposes severe restrictions on LGBTQ organisations in Uganda and aims at criminalising and shutting down defenders’ work. ‘Uganda’s actions to enact a bill criminalising people for being who they are and preventing defenders from doing their jobs allows for the systematic violation of many fundamental human rights and prevents defenders from adequately promoting and protecting human rights’, said ISHR’s Tess McEvoy.⁶⁴⁵

In mid-June 2023, SMUG International noted that:

The politicians are fueling political clout towards the implementation of the Anti-Homosexuality Act, against the West and government funding. LGBTIQ persons are living in real fear of mob violence, persecution and prosecution. As a result, the current operational environment is unfavorable for LGBTIQ advocacy and related activities. [...]

⁶⁴³ Erasing 76 Crimes, [Ugandan anti-gay law empties out HIV clinics, cuts legal aid](#), 15 June 2023

⁶⁴⁴ Human Rights Watch, [Uganda: New Anti-Gay Bill Further Threatens Rights](#), 9 March 2023

⁶⁴⁵ International Service for Human Rights (ISHR), [Uganda must repeal harshest anti-LGBTQ law criminalising the defence of LGBTQ communities](#), 9 June 2023

The civil and operational space for the LGBTIQ community continues to close. In addition to the attacks my homophobic individuals and groups, government agencies such as the National Bureau for NGOs are also targeting to close down all organizations that are registered by LGBTIQ individuals and those that directly serve the LGBTIQ community. The effects of the Anti-homosexuality Act 2023 have affected service delivery to the LGBTIQ community.⁶⁴⁶

Outright International posted a commentary on the provisions of the Anti-Homosexuality Act and implications for development projects in early July 2023, stating that: “Not only is it a crime to operate a non-governmental organization (NGO) that advocates for the “normalization of homosexuality” (Sec. 11(2)), but the Attorney General has explicitly stated that the law is “intended to protect the traditional family by protecting the culture of the people of Uganda against the acts of same sex rights activists. [...] In the past year, the authorities have arrested LGBTI leaders, shut down the largest LGBT group and withdrawn the mandate for the U.N. Office of the High Commissioner for Human Rights office in Kampala”.⁶⁴⁷

b. State treatment of LGBTQI+ activists or those supporting their case or those perceived as such

This section should be read in conjunction with section [II. Legal framework, b. Implementation i. Arrests.](#)

The 2022 Bertelsmann Stiftung Report on Uganda covering the period 1st February 2019 to 31st January 2021 noted that:

A large variety of NGOs exists. In most cases, they can work freely and cooperate with foreign partners. At the local level, however, NGOs tend to shy away from political topics for fear of provoking the government. The government has passed various laws and regulations intended to curtail the activities of NGOs. NGOs promoting the rights of LGBTI communities are at risk of being banned for allegedly failing to comply with these obligations..⁶⁴⁸

The U.S. Department of State annual human rights report covering 2020 noted that “Authorities harassed and blocked activities run by organizations that advocated for the human rights of LGBTI person”.⁶⁴⁹ The same source further described “On July 19, local government authorities in Kyenjojo Town disrupted a meeting of LGBTI persons organized by the Western Uganda Faith-based Organizations Network, accusing it of breaching COVID-19 rules”.⁶⁵⁰

⁶⁴⁶ SMUG International, [Effect of Anti-Homosexual Act 2023 in Uganda](#), 16 June 2023

⁶⁴⁷ Outright International, [Six Ways to Get Arrested Through the Work of an Internationally Financed Development Project in Uganda](#), 6 July 2023

⁶⁴⁸ Bertelsmann Stiftung, [BTI 2022 Country Report Uganda](#), 23 February 2022, I. Political Transformation, 1 Stateness p.7-8

⁶⁴⁹ US Department of State, [2020 Country Reports on Human Rights Practices: Uganda](#), 30 March 2021, Section 2. Respect for Civil Liberties, Including: B. Freedoms of peaceful assembly and association

⁶⁵⁰ US Department of State, [2020 Country Reports on Human Rights Practices: Uganda](#), 30 March 2021, Section 6. Discrimination, Societal Abuses, and Trafficking in Persons, Women

The HRAFP annual report for 2020 noted that “the state mounted a series of targeted attacks against CSOs, including freezing bank accounts of organisations working on issues of human rights and good governance, and in one case, arresting the Executive Director of Chapter Four, a human rights organisation known for their work with LGBT people, on allegations of money laundering”.⁶⁵¹

An October 2020 article in African Arguments on discrimination faced by and legal support available for the LGBTQ+ community in Uganda noted that “‘Most lawyers here don’t like taking cases that involve LGBTQ people. This makes it hard for [queer people] to get justice,’ says Alum [legal associate for the Human Rights Awareness and Promotion Forum (HRAFP)]. ‘There are few LGBTQ lawyers like me but the good thing is that work is made light because I work with community paralegals who also help us to connect and extend our support to LGBTQ clients who might not know where to seek for help in times of trouble’”.⁶⁵²

In December 2020 it was reported that human rights lawyer Nicholas Opiyo, who leads Chapter Four was released on bail having been held for a week on a money laundering charge, and had been denied access to a court that could hear his request for bail.⁶⁵³ The charge was linked to a donation from the New York-based American Jewish World Service (AJWS), which works “to advance sexual health and rights for women, girls and LGBTQI+ people” which the police described as “proceeds of crime”.⁶⁵⁴

A December 2020 report by Defend Defenders on the freedom of movements for human rights defenders (HRDs) living in exile in Uganda based on 53 interviews with HRDs and 6 key informants working on related issues noted that:

Of the four sexual minority HRDs, one had been denied permission to travel within Uganda and all four mentioned protection and safety concerns, with one detailing an attack on them and their business by the local community and police.⁵⁹ These concerns have been highlighted in previous research⁶⁰ and were echoed by the key informants who noted the hostility within the law, policy and public opinion towards the sexual minorities community, with homophobia and even mob action being commonplace.⁶⁵⁵

59 It is of note that the Ugandan Penal Code criminalises same-sex relations in section 145: “Any person who— (a) has carnal knowledge of any person against the order of nature... commits an offence and is liable to imprisonment for life.” Uganda: The Penal Code Act (Cap. 120), 1950 [Uganda], 15 June 1950, available at: <https://www.refworld.org/docid/59ca2bf44.html>, accessed 19 August 2020.

In addition, LGBTI+ status is not considered as a ground to seek asylum in Uganda, under the Refugees Act (2006).

⁶⁵¹ Human Rights Awareness and Promotion Forum (HRAFP), [*The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity*](#), June 2021, 2. THE SOCIAL, LEGAL AND POLITICAL DEVELOPMENTS THAT IMPACTED ON THE RIGHTS OF LGBT PERSONS DURING 2020 p.19

⁶⁵² African Arguments, [*“Someone willing to help people like me”: Uganda’s LGBTQ paralegals*](#), 29 October 2020

⁶⁵³ Erasing 76 Crimes, [*Uganda: Rights lawyer freed on bail after week in prison*](#), 30 December 2020

⁶⁵⁴ Erasing 76 Crimes, [*Uganda: Rights lawyer freed on bail after week in prison*](#), 30 December 2020

⁶⁵⁵ Defend Defenders, [*Open the Doors! Towards complete freedom of movement for human rights defenders in exile in Uganda*](#), December 2020, *Movement within Uganda*, p.25

60 DefendDefenders, “To Them We Are Not Even Human: Marginalised Human Rights Defenders in Uganda, Kenya, and Tanzania,” December 2018, <https://defenddefenders.org/to-them-were-not-even-human-marginalised-human-rights-defenders-in-uganda-kenya-and-tanzania/>, accessed 30 April 2020, pp. 60.

The U.S. Department of State annual human rights report covering 2021 noted that “Although the law does not restrict freedoms of expression or peaceful assembly for those speaking out in support of the human rights of LGBTQI+ persons, the government severely restricted such rights”.⁶⁵⁶

The 2021 HRAFP annual report noted that:

In 2021, the right to freedom of association was violated for three organisations, in all three cases by police officers and local authorities unlawfully invading the premises of these LGBT organisations and disrupting their activities, arresting or attempting to arrest members they found at these organisations and often causing enough disruption that the organisations were forced to relocate their premises.

In the first case, police authorities raided a shelter operated by HFYUL on the allegations that a social function going on at the premises at the time was a gay wedding, and later the organisation was forced to close down the shelter temporarily after the police officers recorded and circulated videos alleging that the shelter was used to recruit people into homosexuality and marry them after.⁷⁸ The second case involved an invasion of the premises of Rella Women’s Foundation’s shelter by police officers after the shelter residents had reported a case of threatening violence, which the police authorities ignored but then proceeded to invade the shelter to allegedly conduct a search on some of the members whose gender was ‘unclear’. The organisation was forced to temporarily close and then relocate that shelter for the safety of the occupants.⁷⁹

The final case happened when police officers from Kira Police Station undertook an unauthorised search of the premises of an LBQ organisation, going through their private property and destroying some of it all without a search warrant. When confronted, the officers insisted that they had heard of ‘strange’ goings-on at the premises and were searching for proof.⁸⁰⁶⁵⁷

78 HRAFP/VR/O54/2021.

79 HRAFP/VR/004/2021.

80 HRAFP.VR/070/2021.

The Uganda Human Rights Commission’s February 2021 submission to the Committee on the Elimination of Discrimination Against Women noted that “Women HRDs in particular faced gender-specific threats and violence and in most instances targeted their reputation, sexuality and their role in the cultural settings”.⁶⁵⁸

⁶⁵⁶ US Department of State, [2021 Country Report on Human Rights Practices: Uganda](#), 12 April 2022, Section 6. *Discrimination and Societal Abuses, Reproductive Rights*

⁶⁵⁷ HRAFP, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, 4.3.5. *Violation of the right to freedom of conscience, expression, movement, religion, assembly, and association p.18*

⁶⁵⁸ Uganda Human Rights Commission, [IMPLEMENTATION OF CEDAW COMMITMENTS BY UGANDA FOR 80TH PRE-SESSION WORKING GROUP; UHRC’S PERSPECTIVE](#), 10 February 2021

In March 2021 the Committee on the Elimination of Discrimination Against Women (CEDAW) published its list of issues and questions in relation to the combined eighth and ninth periodic reports of Uganda noted with respect to women human rights defenders the targeting of their sexuality:

Please advise on specific legislative measures in place to protect the rights of women human rights defenders who face consistent harassment, discrimination, risk and gender-specific threats and violence, and whose reputation and sexuality are targeted. Please also advise on responses to complaints received regarding these discriminatory practices.⁶⁵⁹

Reflective of the broader context for NGOs in Uganda, in August 2021 Amnesty International issued a statement urging for the end of repression of civil society “Uganda’s NGO Bureau, the country’s regulatory authority for non-governmental organizations (NGOs), should immediately rescind the decision to suspend 54 organizations that they have classified as NGOs, which comes in the context of intensifying intimidation and harassment of civil society organizations. The suspension is intended to restrict the rights to freedom of expression and association and stop the activities of independent civil society organizations that are perceived as critical of the authorities”.⁶⁶⁰ The same source considered that the suspension of the organisations was arbitrary and that “Many of the organizations affected work in critical areas such as legal practices to help poor or marginalized people”.

In August 2021 Chapter Four, a civil rights charity working to defend human rights and civil liberties in Uganda, was closed down.⁶⁶¹ Erasing 76 Crimes explained that it was led by human rights lawyer Nicholas Opiyo who “defended LGBT community in Uganda’s Constitutional court, which saw the annulment of the infamous Anti-Homosexuality Act of 2014”.⁶⁶²

In November 2021, the Uganda LBQ Loose Network, CREA, and the Sexual Rights Initiative submitted a report ahead of the Universal Periodic Review of Uganda’s 40th session stating that “Between March 2020 and June 2021, the only 2 LBQ crisis shelters in the country reported four encounters with police authorities seeking to search their premises for allegedly promoting ‘lesbianism’”.⁶⁶³

The March 2022 Concluding Observations of the Committee indicated that with respect to women human rights defenders (emphasis added):

The Committee takes note of the information provided by the State party that the rights to freedom of opinion, expression, association and peaceful assembly are guaranteed under the Constitution. It is concerned, however, that the work of women human rights defenders and women journalists continues

⁶⁵⁹ CEDAW, [List of issues and questions in relation to the combined eighth and ninth periodic reports of Uganda*](#), 10 March 2021, para 7

⁶⁶⁰ Amnesty International, Uganda: [End repression of civil society: Joint statement on Uganda’s NGO Bureau suspension of 54 NGOs in the country](#), 27 August 2021

⁶⁶¹ Lawyers for Lawyers, [Chapter Four closed by Ugandan authorities](#), 30 August 2021

⁶⁶² Erasing 76 Crimes, [Ugandan court to rule on shutdown of LGBT ally organisation Chapter Four](#), 8 February 2022

⁶⁶³ The Uganda LBQ Loose Network, CREA, and the Sexual Rights Initiative, [Universal Periodic Review of Uganda 40th Session, January - February 2022: Joint Stakeholder Submission](#), 30 November 2021, p.4

to be restricted and that they are often victims of arrest, physical, including sexual, assault, threats, intimidation, harassment and the freezing of assets. In that regard, it notes with concern that **women human rights defenders advocating for the rights of lesbian, bisexual and transgender women and intersex persons are at particular risk**, due to the ripple effects of the Anti Homosexuality Act of 2014, although it was struck down by the Constitutional Court.⁶⁶⁴

Human Rights Watch noted that in May 2022, the Ugandan High Court overturned the suspension of Chapter Four, describing the decision as “welcomed but also a reminder of the urgent need to end unjustified and arbitrary restrictions on civil society groups in Uganda”.⁶⁶⁵

CIVICUS noted that “On 19th May 2022, authorities arrested two of SMUG's employees while they reported the attacks on the SMUG office. They were charged with ‘promotion of homosexuality and recruitment of people into homosexuality’, and were held in custody for four days. Police officers have since launched investigations into three more SMUG employees, including Frank Mugisha, for ‘recruitment to homosexuality.’ SMUG discovered in June 2022 that the NGO bureau had been surveilling their office through a directive by the police”.⁶⁶⁶

Amnesty International noted that “They were released on police bond on 23 May, re-arrested on 7 June and presented at court on 8 June, where they were granted free bail. They were repeatedly summoned to court before their hearing was set for January 2023”.⁶⁶⁷

Reporting on the same incident SMUG reported in June 2022 that SMUG leaders and volunteers had been threatened with “arrest and malicious allegations of ‘recruitment of children into homosexuality’ across the country”.⁶⁶⁸

The same day, SMUG International posted a blog piece, giving updates on “active community cases at police/prison” and stating that, in Makindye Court, “SMUG supported a case of prosecution of an LGBT activist. Support with bail and legal advice”.⁶⁶⁹

A July 2022 statement by Sexual Rights Initiative, the Uganda LBQ Loose Network, CREA, and the Coalition of African Lesbians (CAL) on Uganda’s Universal Periodic Review noted that: “[...] under the guise of enforcing Standard Operating Procedures against COVID-19, the government orchestrated a

⁶⁶⁴ CEDAW, [Concluding observations on the combined eighth and ninth periodic reports of Uganda*](#), 1 March 2022 para 33

⁶⁶⁵ Human Rights Watch, [Court Ends Suspension of NGO in Uganda](#), 24 March 2022

⁶⁶⁶ CIVICUS, [LGBTIQ+ Organisation Suspended As Protests Rise Over Inflation](#), 31 October 2022

⁶⁶⁷ Amnesty International, [Report 2022/23; The State of the World's Human Rights; Uganda 2022](#), 27 March 2023

⁶⁶⁸ SMUG, Statement on Malicious Allegations, Arrest and Harassment Towards Sexual Minorities Uganda, 9 June 2022

⁶⁶⁹ SMUG International, [UPDATES; SEXUAL MINORITIES UGANDA – SMUG](#), 9 June 2022

clamp down on civil society, activists, and LGBTQ persons. Arresting them on claims of violating lockdown regulations”.⁶⁷⁰

As explained by the International Service for Human Rights (ISHR) in July 2022 Uganda accepted none of recommendations received by the Universal Periodic Review related to the protection of human rights defenders or the rights of LBGTIQ+ persons. In response, ISHR and Women Human Rights Defenders Network Uganda issued a statement noting that “in Uganda women defenders are facing particular challenges due to their gender, and because of the nature of their work. Women defenders identifying as or working with the LGBTI community are at particular risk, as are those working to promote and protect the rights of sex workers”.⁶⁷¹

The April 2022 Report of the Working Group on the Universal Periodic Review on Uganda cited Austria as noted that “Austria was concerned at the excessive use of force by security forces, the growing restrictions on freedom of speech and association and the criminalization of human rights defenders and lesbian, gay, bisexual, transgender and intersex activists”.⁶⁷² Furthermore, Ireland “remained concerned at the situation of human rights defenders and lesbian, gay, bisexual, transgender and intersex persons”.⁶⁷³

In September 2022, SMUG International reported on a raid at the SMUG Uganda premises, noting that:

SMUG premises were raided on Tuesday 20th September 2022 by persons/individuals who claimed to have come from the office of the Uganda Ministry of Gender, Labour and Social development. The persons did not identify themselves, and assessed the premises forcefully.

The individuals were accompanied by a local council (area local leader). We have reported this incident to the police and await a police report.

Some anti gay groups have gone on social media and claimed to have been part of the raid on SMUG.⁶⁷⁴

At the end of December 2022, SMUG International posted a review of the year, recounting the following:

- An LGBTQI-friendly bar in Munyonyo, a Kampala suburb, was raided on the 22nd of November by the police a. Furthermore, the police in Ruti Police station raided one of the shelters in Mbarara. The police confiscated property including files among other things. Members belonging to the shelter were scrutinized and grilled by the police for long hours and later asked for a bribe to have them released on bond.

⁶⁷⁰ Sexual Rights Initiative, the Uganda LBQ Loose Network, CREA, and the Coalition of African Lesbians (CAL), [HRC50 - Statement on Uganda's UPR by LBQ Loose Network CREA, the CAL and SRI](#), 1 July 2022

⁶⁷¹ International Service for Human Rights and Women Human Rights Defenders Network Uganda, [Statement at 50th session of the United Nations Human Rights Council](#), July 2022 (accessed 30 June 2023)

⁶⁷² UN Human Rights Council, [Report of the Working Group on the Universal Periodic Review* Fiftieth session 13 June–8 July 2022](#), 4 April 2022, paragraph 80

⁶⁷³ UN Human Rights Council, [Report of the Working Group on the Universal Periodic Review* Fiftieth session 13 June–8 July 2022](#), 4 April 2022, paragraph 122

⁶⁷⁴ SMUG International, [Raid at SMUG Premises](#), 24 September 2022

- On October 10th, 2022, the Pride Independence Worship Concert that was organized by Adonai Inclusive Christian Ministries was raided by police officers at Grand Global Hotel. The event was fully paid for, but they were denied entry into the premises because of their sexual orientation and gender identity. TFAM, an LGBTQ-inclusive Christian Church had its members arrested yet they went to report a burglary on their premises.
- There were also attacks and blackmail levied on SMUG that somehow made their way even to mainstream media. The result of this was our suspension by the Non-Governmental Organizations Board. Our staff were arrested, and some returned sick, among a series of other heinous acts and omissions taken by those in authority, including a riad [sic] by unknown people on our premises.⁶⁷⁵

The International Centre for Not-For-Profit Law noted that in January 2023:

In January 2023, the National Bureau for NGOs released a report on NGOs, which were suspected to be involved in the promotion of LGBTQ+ activities in Uganda. The NGO Bureau noted that it had received complaints against 26 NGOs suspected to be involved in promoting LGBTQ+ activities in the country and had investigated and concluded four cases, with 22 still undergoing investigations. The NGO Bureau concluded that four NGOs operated illegally as they were unregistered and had contravened Section 31(1) of the NGO Act, 2016 by operating without a valid permit issued by the NGO Bureau. The report recommended the strengthening of the regulatory framework governing NGOs, including the Companies Act, 2012, which should be amended to enjoin all companies limited by guarantee to register with the NGO Bureau before commencing operations and to impose sanctions for those NGOs that violate the provision.⁶⁷⁶

In January 2023 the Ministry of Internal Affairs' National Bureau for NGOs status report on NGOs suspected to be involved in the promotion of lesbian, gay, bisexual, transgender, intersex and queer activities in the country was leaked.⁶⁷⁷

Erasing 76 Crimes reported in February 2023 that "the Ugandan government has announced plans to investigate 22 non-governmental organizations that work to improve the health of LGBTIQ Ugandans and to defend their human rights, which homophobic officials consider 'promotion of LGBTIQ activities'".⁶⁷⁸ Melanie Nathan, executive director of the African Human Rights Coalition stated that "The NGO Bureau has made a hit list and is threatening to 'comprehensively criminalize' activities that promote homosexuality in the country and lay down stringent requirements for registration of civil society organizations".⁶⁷⁹

⁶⁷⁵ SMUG International, [SMUG Int'l Year-in- Review](#), 31 December 2022

⁶⁷⁶ International Centre for Not-For-Profit Law, [Uganda](#), last updated 10 June 2023, *Legal Analysis*

⁶⁷⁷ Ministry of Internal Affairs: National Bureau for NGOs, [Status report on NGOs suspected to be involved in the promotion of lesbian, gay, bisexual, transgender, intersex and queer \(LGBTIQ\) activities in the country](#), January 2023; The Monitor, [Leaked report shows intent to criminalise gay activities](#), 12 February 2023

⁶⁷⁸ Erasing 76 Crimes, [Uganda is working to stamp out groups promoting human rights for LGBTIQ people](#), 14 February 2023

⁶⁷⁹ Erasing 76 Crimes, [Uganda is working to stamp out groups promoting human rights for LGBTIQ people](#), 14 February 2023

OpenDemocracy reported in March 2023 on the NGO Bureau accused of targeting LGBTIQ groups, stating that:

A report leaked in January revealed that last year the regulator, known as the NGO Bureau, had investigated four rights organisations that it “suspected to be involved in the promotion of LGBT activities in the country”. The report listed 22 other organisations that are still under investigation. [...]

Rights defenders have branded the bureau’s investigations as an anti-gay “witch hunt” and claim they are part of efforts by the agency to “get more funding” and “avoid” austerity measures. [...]

Regardless of its motivations, activists are worried that the bureau has endangered them and the people they serve or advocate for. “They have created a hit list,” said SMUG’s Mugisha. “Now that the document has been made public, the organisations and individuals named in there have become prone to attacks and extortion.”

Mutesi from the Ubuntu Law and Justice Centre says that since the report leaked, local police who claim to be investigating the organisation on behalf of the bureau have harassed her staff and attempted to extort money from them.

Betty Balisalamu, the executive director of Women With A Mission, one of the human rights NGOs listed as being under investigation in the report, told openDemocracy that following the report’s leak, she asked her staff to work from home for a week after receiving information that people were planning to burn down the organisation’s offices. “It is like a viral scandal, and everyone now judges you the way they like,” she said.⁶⁸⁰

An update posted in the SMUG International Blog at the beginning of March 2023 listed the following incidents in 2023 thus far:

Kampala [...]

- Threats and blackmail to Children Of the Sun Foundation (COSF)

The organization was threatened by the area’s local authority regarding its operation and its category of beneficiaries.

- Threat to raid AB shelter.

The AB shelter, hosting LGBTQ and albino persons received threats of being raided. The threat was issued by the LC defense. [...]

Kasese

- Twilight LGBTQ organization in the Kasese district was singled out as an LGBTQ recruiting center. The organization was alleged to be behind an LGBTI by-law in the district. On 25th January, the organization was raided by Police, and members present at the office were questioned about their operation. The organization is under tight surveillance by the district officials and police for the LGBTI agenda in the district.

Jinja [...]

An LGBTI organization was raided Friday 24th

- An activist was raided by police at his house on the 27th of February 2023. There were LGBTQ community members at his residence whom he has been hosting since they were evicted from their shelter months ago. The police demanded to question the shelter residence, but before

⁶⁸⁰ OpenDemocracy, [Ugandan charity regulator accused of targeting LGBTIQ groups to avoid austerity](#), 1 March 2023

they could open the gate and question the resident, rain interrupted the occasion and the community members were able to escape. No arrest was made. The residents are evacuated to safety.⁶⁸¹

Following the Anti-Homosexuality Bill 2023 being signed into law at the end of March 2023, the UN Human Rights chief Volker Türk stated that the legislation “exposes journalists, medical workers and human rights defenders to lengthy prison terms simply for doing their work”.⁶⁸²

Human Rights Watch noted in March 2023 that “LGBT organisations in Uganda are already under siege. Senior officials in Uganda and some church leaders have fueled a moral panic by falsely accusing LGBT groups of recruiting children in schools. Four groups, including Sexual Minorities Uganda (Smug), have been banned, and another 22 are under investigation by the authorities. Desperately needed social and health services have been disrupted as a result”.⁶⁸³

In April 2023 Erasing 76 Crimes published a blog by Melanie Nathan, executive director of the African Human Rights Commission, which noted that the Jinja court had “denied bail to 6 young peer educators working for healthcare organizations, falsely accused, under made-up charges of ‘forming part of a criminal sexual network’.”⁶⁸⁴ The same source further noted that “The men were arrested in Kiira and Jinja City pursuant to what the Ugandan government publicly promised would be a crackdown on organizations providing services to LGBTI people”.⁶⁸⁵ Moreover “The call to target, attack, raid, shut down and arrest personnel is evidenced by an internal document which African Human Rights obtained, naming organizations under false accusations. The Ministry of Internal Affairs, National Bureau for NGOs set up a list to target these groups, based on this false persecutory report of the Ministry”.⁶⁸⁶

A HRAPF report covering the period 21st March 2023 and 30th May 2023 noted that:

In two cases, the offices of LGBTIQ support organisations were attacked by a mob with a view to causing harm or otherwise forcing the closure of these organisations. In one case, they failed to access the premises and resorted to damaging the gate and the lights, heckling and verbally harassing everyone they saw inside and threatening them. In the second case, the unruly crowd was able to break into the office and they destroyed computing equipment, furniture and data.

The organisation also lost property that was stolen during the raid. In another case, the residents of a crisis shelter in Kampala, which primarily hosts LBQ women and transgender men, were threatened repeatedly by the staff of a garbage collection company.

These persons would pass through the area once every week and during their rounds, they would stop outside the fence, which they could see over from the back of their garbage truck, and shout insults at the people they saw inside the fence. In one particularly nasty incident, they promised to set the shelter on

⁶⁸¹ SMUG International, [2023 Uganda LGBTQ UPDATE](#), 1 March 2023

⁶⁸² UN News, [Uganda: Türk urges President not to sign shocking anti-homosexuality bill](#), 22 March 2023

⁶⁸³ Human Rights Watch, [It is vital for South Africa to oppose Uganda’s dangerous anti-gay bill](#), 31 March 2023

⁶⁸⁴ Erasing 76 Crimes, [Six Peer Educators Arrested in Ugandan Gay Hunts Denied Bail](#), 17 April 2023

⁶⁸⁵ Erasing 76 Crimes, [Six Peer Educators Arrested in Ugandan Gay Hunts Denied Bail](#), 17 April 2023

⁶⁸⁶ Erasing 76 Crimes, [Six Peer Educators Arrested in Ugandan Gay Hunts Denied Bail](#), 17 April 2023

fire when the President signs the Act into law, or to bring men to the shelter to teach them all a lesson that ‘they were women who must be with men’.⁶⁸⁷

At the end of June 2023, CNN reported on conditions for LGBTQ people in Uganda, noting with reference to the Anti-Homosexuality Law:

Even though [Joan Amek, co-founder of Rella Women’s Foundation] created a safe space and shelter for lesbian, bisexual, and queer women through her organization, she says, she herself faces eviction from her rented apartment by the end of July. She believes it is because of her sexuality and prominence in queer activism, even though her landlord didn’t explicitly say so but her suspicions rose after a neighbor tipped her off. [...]

Amek has grown accustomed to the dangers of her work, after she says her organization’s offices were raided by police three times, forcing them to move to a new shelter for vulnerable queer women.

It is the cost of continuing to operate in a conservative Ugandan society where homophobic messaging emanates everywhere from churches and mosques to the highest political offices, Amek said.⁶⁸⁸

At the beginning of July 2023, CIVICUS released a new report on civic space limitations on LGBTQi+ rights in Africa. On Uganda, it noted that:

In Uganda in August 2022, the National Bureau for Non-Governmental Organisations (NGO Bureau), the government body that regulates NGOs in Uganda, suspended the operations of Sexual Minorities Uganda (SMUG) for failing to register with the NGO Bureau. The suspension was based on the NGO Bureau’s denial of a 2012 application to register SMUG because they found the name of the organisation to be ‘undesirable and un-registrable’. [...]

Before the suspension of SMUG in Uganda in August 2022, the police and other authorities repeatedly harassed its staff members. In May 2022 for instance, the authorities arrested two of SMUG’s employees when they reported the attacks on the SMUG office. They were charged with ‘promotion of homosexuality and recruitment of people into homosexuality’, and were held in custody for four days. Police officers then launched investigations into three more SMUG employees for ‘recruitment to homosexuality’. SMUG also discovered in June 2022 that the NGO Bureau had subjected their office to surveillance under a police directive.⁶⁸⁹

VII. Availability of State Protection

a. Investigation and prosecution of crimes against LGBTQi+ individuals

2020

⁶⁸⁷ Human Rights Awareness and Promotion Forum (HRAPF), [*Increasing violence: cases of violence and violations against real or suspected LGBTQ persons for the period between passing of the Anti-Homosexuality Bill, 2023 \(21 March 2023\) and its coming into force \(30th May 2023\)*](#), 19 June 2023

⁶⁸⁸ CNN, [*Uganda passed one of the world’s harshest anti-gay laws. LGBTQ people describe living there as ‘hell’*](#), 29 June 2023

⁶⁸⁹ CIVICUS, [*Challenging Barriers: Investigating Civic Space Limitations on LGBTQi+ Rights in Africa*](#), 4 July 2023, p.11, 15

The Human Rights Awareness and Promotion Forum (HRAPF) published a report on human rights violations based on sexual orientation and gender identity in 2020 based on contributions from six other organisations.⁶⁹⁰ The report was based on “only cases reported to HRAPF and its partner organisations that either host regional legal aid centres or legal aid desks, and those handled by HRAPF trained paralegals and reported to HRAPF” and “based on properly documented cases of human rights violations based on real or presumed SOGIE”.⁶⁹¹

Among the key findings the report noted that “There were a few instances of protection of the rights of LGBT persons, with the police protecting a gay man from violence by members of the general population in one case, and the judiciary upholding the rights of LGBT persons through providing redress to 20 youths who had been denied access to their lawyers by prison authorities on the pretext of COVID-19”.⁶⁹² The same source further reported that:

the Uganda Police Force has continued to make deliberate efforts to engage their officers on the protection of the rights of sexual and gender minorities. In 2020, the Uganda Police Force’s Directorate of Human Rights and Legal Affairs partnered with HRAPF and the Uganda Human Rights Commission to conduct one training reaching out to 35 Regional Human Rights Officers in the UPF on the matter. The training was meant to equip human rights officers in the force with sufficient knowledge to engage with officers in their various regions on issues of human rights concern to LGBT persons and the general community.⁶⁹³

However, the same source also noted that:

Any interaction with the criminal justice system for LGBT persons is always fraught with the possibility of gross human rights violations, and the COVID-19 pandemic made this possibility even more palpable. A case in point is the case of the raid at COSF shelter, where the prison authorities at Kitulya Mini Max prison took advantage of the COVID-19 directives to deny the arrested persons access to their lawyers and then tortured, beat and burnt one of them while they were in their custody.⁹⁸⁶⁹⁴

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⁶⁹⁰ Health and Rights Initiative; HOPE Mbale; Human Rights and Economic Empowerment Development (HUREED); Freedom and Roam Uganda; Mbarara Rise Foundation and Tranz Network Uganda

⁶⁹¹ Human Rights Awareness and Promotion Forum (HRAPF), [*The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity*](#), June 2021, *Preface* p.4

⁶⁹² Human Rights Awareness and Promotion Forum (HRAPF), [*The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity*](#), June 2021, *Key findings* p.9

⁶⁹³ Human Rights Awareness and Promotion Forum (HRAPF), [*The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity*](#), June 2021, 3. PROTECTION OF PERSONS AT RISK DUE TO THEIR REAL OR PRESUMED SEXUAL ORIENTATION OR GENDER IDENTITY IN 2020 p.20

⁶⁹⁴ Human Rights Awareness and Promotion Forum (HRAPF), [*The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity*](#), June 2021, 6.3 Trends in nature of rights violations p.37

In August 2020, Pink News published an article on officials in Uganda facing charges of torture and inhuman and degrading treatment in connection with the arrest of twenty men from an LGBT+ shelter. It stated that:

In March harrowing footage emerged of a “bogus” coronavirus raid on the Children of the Sun Foundation LGBT+ shelter in Kampala. The men were seen being whipped, chained, interrogated and publicly humiliated by a municipal mayor.

While some were released on health grounds, the majority spent almost 50 days in jail, during which time they were denied HIV medicine, legal counsel, and the ability to apply for bail.

The case attracted the attention of international human rights activists, and after sustained pressure the men were finally freed with all charges dropped and an order to be compensated US\$1,341 each by the Ugandan government.

A criminal case is now underway thanks to the Human Rights Awareness and Promotion Forum (HRAPF), which initiated private proceedings after local police refused to take it on. [...]

According to *76 Crimes* the Chief Magistrates Court of Wakiso has now issued a summons to the town councilman who headed the raid and beatings, Hajj Abdul Kiyimba, as well as prison officer Philimon Woniala.

“We believe that because the [prisoners] were perceived as LGBT+, the accused chairman and prisons officer and others who may torture, believe they can get away with such acts with impunity,” said Melanie Nathan, executive director of the African Human Rights Coalition.

“It is time to set an example – that even though LGBT+ people are criminalised under the penal codes of Uganda, there is no exception or excuse to torture any individual under any circumstances.”

She reiterated the unwarranted nature of the arrests, stating that while the men weren’t technically arrested for being gay, “if they were not perceived as such, they would not have been targets for arrest at all.”

She continued: “All said and done if ever there is a case exposing the exploitation of criminalisation of gay people, [this] is that case.”

The civil case against Kiyimba, Woniala and the state will be heard on September 23.⁶⁹⁵

Reuters also published an article on the Ugandan officials summoned before court, stating that:

A town mayor and senior prison official in Uganda have been summoned to appear before a criminal court over allegations of torture, inhuman and degrading treatment against a group of LGBT+ youth, the victims’ lawyers said on Friday.

The court’s move is seen as a positive step for sexual minorities in the east African nation, where gay sex carries a life sentence and homophobia and the persecution of LGBT+ people is widespread, yet rarely punished.

Witnesses and the victims say Hajji Abdul Kiyimba, chairman of Kyengera town council, beat members of the group and bound them with ropes before marching them barefoot to a nearby police station as onlookers jeered and threatened them. [...]

Philemon Woniala, deputy officer in charge at Kitalya Prison, located outside Kampala, is accused of violent acts against members of the group, their lawyers said. [...]

⁶⁹⁵ Pink News, [Ugandan officials charged with inhuman treatment and torture after whipping and flogging 20 queer men](#), 20 August 2020

The case dates back to March when Ugandan police raided a shelter on the outskirts of Kampala, charging 20 LGBT+ youth with disobeying rules on social distancing and risking the spread of COVID-19.

The arrests sparked widespread criticism from LGBT+ rights groups who said authorities in Uganda were using the restrictions to target sexual minorities.

“It sends a clear message that courts are willing to stand up for victims of torture, even where the police is reluctant to act,” said Adrian Jjuuko, executive director of Human Rights Awareness and Prevention Forum (HRAPF), a legal charity representing the victims.

“The summons also send a clear message that torture is no longer something that you do ... You torture someone, you answer to criminal charges yourself.”

The group - 13 gay men, two bisexual men and four transgender women - were imprisoned for over 50 days at Kitalya prison where they were taunted, flogged and denied access to food and medication, said their lawyers.

The LGBT+ group were released after prosecutors withdrew charges.

They have already won a civil case against the attorney general and commissioner general of prisons for denying them access to lawyers and were awarded five million Ugandan shillings (\$1,365) each in damages.

The summons, stating the complaint of “acts of torture, cruel, inhuman and degrading treatment or punishment” orders Kiyimba and Woniala to appear in court on the Aug 26. The two men are also facing a civil lawsuit to be heard on Sept 23.⁶⁹⁶

2021

The Human Rights Awareness and Promotion Forum (HRAPF) published a report on human rights violations based on sexual orientation and gender identity in 2021 based on contributions from six other organisations.⁶⁹⁷ The report was based on “cases handled through the HRAPF legal aid network: the main legal aid clinic, the three regional legal aid centres, the two legal aid desks and the network of community paralegals, and contains only cases that have been independently verified through reference to case files, documentary evidence and interviews with the victims, lawyers and/ or paralegals that handled the cases”.⁶⁹⁸

Among the key findings the report noted that “There were 43 incidents of protection of the rights of persons who were at risk due to their sexual orientation and/or gender identity arising from two cases. 42 of these were by a magistrate in one case who dismissed a case against 42 LGBT persons for want of prosecution without any delays, and one incident was by local council officials who protected an LGBT person from violence by another person”.⁶⁹⁹ However the same source also noted that “there have been cases where the police have arrested LGBT persons in cases where they were the victims of crime

⁶⁹⁶ Reuters, [Ugandan officials summoned before court over torture of LGBT+ youth](#), 21 August 2020

⁶⁹⁷ Health and Rights Initiative; HOPE Mbale; Human Rights and Economic Empowerment Development (HUREED); Freedom and Roam Uganda; Mbarara Rise Foundation and Tranz Network Uganda

⁶⁹⁸ HRAPF, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, Preface p.4

⁶⁹⁹ HRAPF, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, Key Findings p xiii

merely because the perpetrators of said crime informed the police about the sexual orientation of the victims” citing the following such incidents:

In one case, a gay man in Jinja city was assaulted by a mob, who beat him severely and caused him several injuries. He was rescued by a passerby who took him to the police station and while there, he tried to report the matter of assault, only for the police to completely ignore the matter after the two people who had led the mob showed up at the station, accused him of being a homosexual who was trying to ask for a sexual relationship from one of them. He was charged with cyber harassment and detained for 5 days before being produced before court, although the case was later dismissed for want of prosecution.⁵³ [...] Cases such as this in which LGBT people are denied protection of the law once the police authorities discover their sexuality continue to abound, with another glaring example happening at an LBQ women’s shelter where police authorities refused to register a case of threatening violence against the shelter occupants, stating that their issues were ‘complicated’, and that they needed to first explain themselves to the Local Council Chairperson before the police could help them. The matter was only registered after HRAPF lawyers intervened, and even then, it was never investigated and the shelter was relocated for the safety of the occupants.⁶³⁷⁰⁰

53 HRAPF/VR/015/2021. [...]

63 HRAPF/VR/004/2021.

Al Jazeera noted in June 2021 that “Daily violations often go unreported and worse, unpunished, because the political and social system refuses to recognise the humanity of sexual and gender minorities”.⁷⁰¹

In November 2021, the Uganda LBQ Loose Network, CREA, and the Sexual Rights Initiative submitted a report ahead of the Universal Periodic Review of Uganda’s 40th session stating that:

14. [...] the law is determinedly discriminatory, with deliberate efforts made by the legislature to exclude LGBTIQ persons. For instance, during the parliamentary debate prior to enacting the Equal Opportunities Commission Act, an amendment of the Bill was proposed to include section 15(6)(d). It specifically barred the Equal Opportunities Commission, a body that was being established to redress imbalances created by culture and tradition, from investigating any matters considered immoral or unacceptable by the majority of the social and cultural groupings in Uganda. A provision that was suggested specifically to prevent “homosexuals and the like” from using the EOC as an avenue for accessing justice.¹² [...]

31. [...] several LGBT people have been denied access to accommodations by property owners, even when they could afford it. [...] It is impossible to get effective redress for such violations because of the lacuna in the Constitution that gives such discrimination the superficial appearance of being legally acceptable because there is no provision that bars discrimination on the basis of sexual orientation or gender identity.⁷⁰²

⁷⁰⁰ HRAPF, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, 4.3.2. Violation of the right to liberty, a) Freedom from arbitrary arrest p.14; and 4.3.3. Violation of the right to equality and freedom from discrimination p.16

⁷⁰¹ Al Jazeera, [Uganda: Fueling anti-LGBTQI sentiment to stay in power](#), 19 June 2021

⁷⁰² The Uganda LBQ Loose Network, CREA, and the Sexual Rights Initiative, [Universal Periodic Review of Uganda 40th Session, January - February 2022: Joint Stakeholder Submission](#), 30 November 2021, p.4-5, 10

12 S Tamale 'Giving with one hand, Taking away with the other: The Uganda Equal Opportunities Commission Act, 2007' in Human Rights Awareness and Promotion Forum (HRAPF) *Still Nowhere to Run: Exposing the deception of minority rights under the Equal Opportunities Commission of Uganda* (2010) 19-22. See also Parliament of Uganda 'Hansard, December 12 2016'.

2022

The U.S. Department of State annual human rights report covering 2022 noted that "Human rights activists reported instances of nonstate actor violence against LGBTQI+ persons and noted that authorities did not adequately investigate the cases. On September 10, human rights activists reported that a mob raped and beat a transgender woman after an acquaintance lured her out of her house. Human rights activists reported that police registered the case but did not report findings of their investigations by year's end".⁷⁰³

According to the Global Action for Trans Equality reporting in a September 2022 report "the police and judiciary have also been trained on LGBTI awareness and inclusion".⁷⁰⁴

SMUG reported that "On Thursday 19th May 2022, two colleagues of SMUG went to police to report a case of malicious damage to property at Ntinda Police Station in Kampala. Instead of their case being recorded and investigated, they were both placed under arrest, coerced to make statements, and detained overnight on assault charges against the perpetrator of the cases they had gone to report; a one Elisha Joshua Mukisa".⁷⁰⁵

The July 2022 statement by Sexual Rights Initiative, the Uganda LBQ Loose Network, CREA, and the Coalition of African Lesbians (CAL) on Uganda's Universal Periodic Review stated that "COVID-19 has exacerbated heightened economic, sexual and gender-based violence against LBQ women, but without access to stimulus packages, redress or remedies".⁷⁰⁶ The statement further noted that: "LBQ women continue to face sexual harassment in the world of work. Harassment is rife, undocumented and unreported. LBQ women struggle to report sexual harassment due to sexual orientation not being a protected ground of discrimination and not read into protections on the basis of sex and gender."⁷⁰⁷

⁷⁰³ US Department of State, [2022 Country Report on Human Rights Practices: Uganda](#), 20 March 2023, Section 6. *Discrimination and Societal Abuses, Reproductive Rights, Discrimination, Acts of violence, criminalization, and other abuses based on sexual orientation, gender identity or expression, or sex characteristics*

⁷⁰⁴ Global Action for Trans Equality, [The anti-gender movement in Uganda: A critical analysis of its impact on trans and gender diverse persons](#), 26 September 2022

⁷⁰⁵ SMUG, Statement on Malicious Allegations, Arrest and Harassment Towards Sexual Minorities Uganda, 9 June 2022

⁷⁰⁶ Sexual Rights Initiative, the Uganda LBQ Loose Network, CREA, and the Coalition of African Lesbians (CAL), [HRC50 - Statement on Uganda's UPR by LBQ Loose Network CREA, the CAL and SRI](#), 1 July 2022

⁷⁰⁷ Sexual Rights Initiative, the Uganda LBQ Loose Network, CREA, and the Coalition of African Lesbians (CAL), [HRC50 - Statement on Uganda's UPR by LBQ Loose Network CREA, the CAL and SRI](#), 1 July 2022

In August 2022, OpenDemocracy reported on accusations of the Ugandan police showing bias in their investigation of the murder of a gay man on 11 July 2022, stating:

Ugandan police have been accused of homophobic bias and “extortion” following the brutal murder last month of a gay person who had previously been arrested and victimised by the same police force.

On 11 July, Noah Matthew Kinono, a non-binary gay person, was found lying in a pool of blood in their home in Kampala, the capital. Kinono, 27, had been stabbed several times. [...]

No one has been charged with Kinono’s murder, and LGBTIQ activists believe it may have been a hate crime. But police are refusing to investigate it as such.

Instead, cops have arrested and released six people, most of whom are LGBTIQ themselves. They were held for a fortnight without charge, during which time their legal adviser Shawn Mugisha alleges that police outed them to their families.

Mugisha, a community paralegal and co-founder of the Ubuntu Law and Justice Centre, said: “I don’t think police will arrive at the truth by themselves unless they’re put under pressure.” [...]

Mugisha added: “The suspects were in detention for over two weeks and this prolonged detention has been mostly because these people are gay...

“And then there’s been extortion... Each one who has been released has paid at least \$105 to the police for bond. One paid \$155.” Payment for police bond is not required in Uganda. [...]

Distrust of the police among the queer community is not new – or unfounded.

Activists have long expressed concern about the slow action and lack of results from police after the murder of LGBTIQ people.

Last year, a 21-year-old-gay man called Yiga Karim – another one of the 16 people arrested at the Let’s Walk Uganda shelter – was found dead in his bed in mysterious circumstances. Activists are still demanding answers from the police.

Days after the burial of Matthew Kinono, the offices of LGBTIQ organisation Visual Echoes for Human Rights Advocacy (VEHRA) were broken into and trashed, with valuables stolen. The group’s premises in Makindye, a suburb of Kampala, are about 200 metres from Kinono’s home, where they were found dead. Steven Muleme, executive director of VEHRA, told openDemocracy that he only reported the robbery to police “for purposes of records”. Days after the break-in, he received an anonymous phone call from someone claiming to be behind the robbery, who threatened to blackmail and kill him.

But Muleme said he does not trust the police enough to tell them the truth about the work his organisation does, his sexuality and its relevance to the incident. “It would only continue to put me at risk,” he said. ‘I can’t trust the police, especially the Ugandan police.’⁷⁰⁸

In its December 2022 Concluding observations, the UN Committee on Torture did not report specifically on the situation for the LBGTQI+ community, but noted with regards to government data on gender-based violence that (emphasis added):

While noting steps taken by the State party to address domestic violence and other forms of sexual and gender-based violence and the initiative to increase the self-sufficiency of women and girls, the Committee deplores that incidents of gender-based violence are still being reported, with incidents of domestic violence the most common in 2021 according to the annual crime report published by the

⁷⁰⁸ OpenDemocracy, [Ugandan police accused of anti-gay bias in murder investigation](#), 1 August 2022

Uganda Police Force, and **an absence of available statistical data on numbers of complaints, investigations, prosecutions and convictions in cases of gender-based violence** (arts. 2, 4, 12 and 16).⁷⁰⁹

At the end of December 2022, SMUG International posted a review of the year, noting that “On July 11th, 2022, was a dark day for the community as we woke up to the shock of a member of the community that was murdered in cold blood and up to date the police have apparently not concluded investigations”.⁷¹⁰

January – May 2023

In response to the Anti-Homosexuality Act of 2023 Human Rights Watch reported “The authorities have also failed to investigate a string of break-ins into the offices of nongovernmental organizations, including those providing services to LGBTI people”.⁷¹¹

In 2023 GATE issued a report on the Impact of Anti-Gender Opposition on the Trans and gender diverse (TGD) and LGBTQI Movements based on responses to an open survey.⁷¹² With regards to Uganda, the report noted that three valid response were received from respondents “affiliated with unregistered collectives that work with TGD communities”, noting that:

Respondents report that some AG [anti-gender] actors in Uganda are in government (MPs and ministers), that AG actors have coordinated communication with each other, and that the government rarely investigates alleged crimes committed by these actors. [...]

According to respondents, TGD activists have experienced verbal attacks in Uganda in the past year. Certain minority collectives have closed, and others were denied registration. Respondents report receiving threats to close their organization with accusations of promoting homosexuality. 1 Respondent states,

“The ministry of foreign affairs responsible for the registration of our organization has been selective when it comes to registering LGBT organizations. This has drastically affected the work done by LGBT organizations.”

These incidents were not reported to authorities, since respondents did not believe that these incidents would be investigated, due to a lack of political will. These attacks were coordinated between different AG actors. Some attacks have been reported to police but were never investigated due to a lack of proper legislation, and a lack of political will.

Respondents also report that they experience physical attacks. 1 Respondent indicates that

“Some of our members were physically attacked and assaulted after being found with their partner.”

1 Respondent reported the case to the authorities, while another did not. The reported case was opened by authorities, but was never fully investigated.⁷¹³

⁷⁰⁹ UNCAT, [Concluding observations on the second periodic report of Uganda*](#), 6 December 2022 para 27

⁷¹⁰ SMUG International, [SMUG Int'l Year-in- Review](#), 31 December 2022

⁷¹¹ Human Rights Watch, [Uganda's President Signs Repressive Anti-LGBT Law](#), 30 May 2023

⁷¹² GATE, [Impact of Anti-Gender Opposition on TGD and LGBTQI Movements](#): Global Report, 2023

⁷¹³ GATE, [Impact of Anti-Gender Opposition on TGD and LGBTQI Movements](#): Global Report, 2023, *Uganda*, p.37

b. Fear of reporting to authorities

The Human Rights Awareness and Promotion Forum (HRAPF) published a report on human rights violations based on sexual orientation and gender identity in 2020 based on contributions from six other organisations.⁷¹⁴ The report was based on “only cases reported to HRAPF and its partner organisations that either host regional legal aid centres or legal aid desks, and those handled by HRAPF trained paralegals and reported to HRAPF” and “based on properly documented cases of human rights violations based on real or presumed SOGIE”.⁷¹⁵ The same source further noted that “In some of the cases discussed in this section, LGBT persons received some form of redress, usually following a mediation in which perpetrators [sic] of the abuses provided monetary compensation and/ or apologies to the victims. However, in many cases, the victims were simply reluctant to pursue the matters further for fear of reprisal, further loss and/ or violation. On the whole, therefore, the abuses largely went without redress by the state and as such, the state is complicit in these abuses, having failed in its obligation to provide a remedy for acts of violence and violations of human dignity”.⁷¹⁶

The report cited the following incident:

In one case, a transgender woman was assaulted and severely beaten by her uncle, who claimed that she was a homosexual. She was admitted to the hospital but she chose not to pursue the case of assault, preferring to relocate to a safer place where her family would not be able to assault her.⁸⁷ This incident is indicative of LGBT persons' desire not to pursue the perpetrators of violence against them in order to avoid further conflict as well as due to the stigma and discrimination they would face if they were to approach the police.⁷¹⁷

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Uganda Key Populations Consortium issued a report on the human rights violations in 2020 against sex workers during Covid-19 related lockdowns based on interviews with 83 sex workers, noting that “Rape remained a common problem experienced among the sex workers especially during this time of the country lock down. The violence perpetrators included both the police and men from the general population. Rape victims often felt powerless to report their abusers, in part to avoid stigmatization, as

⁷¹⁴ Health and Rights Initiative; HOPE Mbale; Human Rights and Economic Empowerment Development (HUREED); Freedom and Roam Uganda; Mbarara Rise Foundation and Tranz Network Uganda

⁷¹⁵ Human Rights Awareness and Promotion Forum (HRAPF), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, Preface p.4

⁷¹⁶ Human Rights Awareness and Promotion Forum (HRAPF), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, 5. CASES OF HUMAN RIGHTS ABUSES BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY DURING 2020 BY NON STATE ACTORS, 5.1 Introduction

⁷¹⁷ Human Rights Awareness and Promotion Forum (HRAPF), [The Uganda Report of Human Rights Violations Based on Sexual Orientation and Gender Identity](#), June 2021, 5.2.2 Violation of the right to freedom from inhuman and degrading treatment, b) Violence p.33

sex workers are always blamed for causing the rape by dressing indecently as some authorities also claim that sex workers cannot be raped because sex is something they want and do”.⁷¹⁸

In 2020 the UK organization ReportOut published research led by Drew Dalton, senior Lecturer in Sociology at the University of Sunderland, in partnership with seven local organisations, based on 76 survey responses on the situation of Sexual Orientation, Gender Identity, Expression and Sexual Characteristics (SOGIESC) in Uganda.⁷¹⁹ The report found that:

A significant number of respondents had been arrested for ‘offences’ related to their identity (42.1%) with cases of police brutality reported by over a third of respondents (38.2%) who faced physical or verbal assaults once arrested. In instances of being a victim of violence, over half of the respondents (52.6%) did not report the crime to the police (with only 14.5% reporting it). The three key reasons why SOGIESC respondents did not report crimes and hate against them to the police, were as follows:

1. they did not think that the police could/would do anything;
2. they felt shame, embarrassment and didn’t want anyone to worry;
3. they had a fear of homo/bi/transphobic reactions from the police.⁷²⁰

Following the passing of a sexual offences bill, the OHCHR reported in May 2021 that “stigma, discrimination and violence against people based on their sexual orientation and gender identity are already widespread in the country, and often committed with impunity given that victims are frequently too afraid to report any attack against them”.⁷²¹ Human Rights Watch similarly noted that “The criminalization of consensual same-sex acts means that LGBT survivors of sexual violence are unlikely to seek access to or obtain justice. In the wake of the passage of the Anti-Homosexuality Act, gay and transgender victims of violence told Human Rights Watch and Amnesty International that they were hesitant to follow up on a police complaint against their assailants out of fear that they themselves could be arrested”.⁷²²

The 2021 HPRFA annual report noted “the case of a gay man whose property were stolen by a young man who visited him at home and, when he reported the theft to the police station and the young man was arrested, he simply informed police that the victim was a homosexual who attempted to sodomise him. The police authorities promptly dropped the theft charges and summoned the victim to explain his sexuality, which scared him into simply dropping the claim for his stolen property”.⁷²³

⁷¹⁸ Uganda Key Populations Consortium, [REPORT ON HUMAN RIGHTS VIOLATIONS EXPERIENCED BY SEX WORKERS DURING THE TOTAL COUNTRY LOCKDOWN DUE TO COVID 19 PANDEMIC- 2020](#), undated (accessed 10 July 2023), p.

⁷¹⁹ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020

⁷²⁰ ReportOUT, [Out in Uganda, The Lived Experiences of SOGIESC Ugandans 2019-2020](#), 2020, 9. Key Findings: prejudice and discrimination p.32

⁷²¹ OHCHR, [Press briefing notes on Uganda](#), 7 May 2021

⁷²² Human Rights Watch, [Uganda: Reject Sexual Offenses Bill](#), 6 May 2021

⁷²³ HRAFP, [The Uganda Report of human rights violations based on sexual orientation and gender identity 2021](#), June 2022, 4.3.2. Violation of the right to liberty, a) Freedom from arbitrary arrest p.14; and 4.3.3. Violation of the right to equality and freedom from discrimination p.16

In November 2021, the Uganda LBQ Loose Network, CREA, and the Sexual Rights Initiative submitted a report ahead of the Universal Periodic Review of Uganda's 40th session stating that:

24. Many LBQ women have been subjected to sexual violence within their own homes, physical violence in forms of beatings for “embarrassing the family”⁷²⁴ and even forced marriages in a bid to “rehabilitate” them. There is no redress for this violence as LBQ women live in constant fear of further victimization because of their gender identity or sexual orientation should they choose to come out and challenge such actions. [...]

28. Queer women often find it impossible to report such harassment [e.g. in the workplace] as they are constantly scared of/threatened with being outed, exposing them further violence and other negative consequences.⁷²⁴

24 See for instance <https://www.rollingstone.com/politics/politics-features/asylum-lgbt-border-africa-uganda-mexico-juarez-trump-898702/> accessed 17th June 2021.

The 2021 HER Internet research report on digital security for queer women and female sex workers in Uganda found that, with regards to technology-related violence and online abuse, “General mistrust of the police is one of the reasons many victims might not seek any assistance from them. Respondents make reference to the fact that police would be either hesitant or unable to handle such cases. Existing bias from the police and other justice law and order sector players towards LGBTQ persons was also shared as a barrier to the victims to reporting”.⁷²⁵ The report went on further to explain:

Why wouldn't you report to the police?

Based on the responses from the question above, a high number of respondents would never opt for reporting to police because;

- They are homophobic and reporting could mean outing oneself. This has been a major challenge for the general LGBTQ movement and FSW [female sex workers] because of the continued criminalization of their existence
- They will be unable to recognize the nature of damage. Technology assisted violence is relatively new in Uganda especially in relation to civilians and there is a perception that the police and JLOS actors are not able to recognise and respond to it effectively.
- They believe that police is incompetent: Like the respondents, many Ugandans' experience with police where offences of such nature are reported first has mostly been positive so there is a general perception that police might not be competent enough to handle such technology related cases.
- They are the biggest orchestrators of victim blaming: Victim blaming is one of the major reasons why victims/ survivors are forced into situations where they cannot report. It stigmatises them into believing that what happened to them was their fault.
- They are corrupt and are usually more about the money than the solution -The latest UBOS report has shown that police still continue to be the most corrupt institution.²⁵ There is a

⁷²⁴ The Uganda LBQ Loose Network, CREA, and the Sexual Rights Initiative, [*Universal Periodic Review of Uganda 40th Session, January - February 2022: Joint Stakeholder Submission*](#), 30 November 2021, p.8-9

⁷²⁵ HER Internet, [*Research Report on the trends and impact of technology assisted violence among Lesbian, Bisexual, Queer \(LBQ\) Womxn and Female Sex workers \(FSW\) in Uganda*](#), 2021, p.11

general mistrust of the operations of the police and this stems from different peoples' experiences with them especially when one is a victim.

- Impunity – in dealing with offline violence which in turn creates fear and anxiety about how this will spill over into how they handle cases of TAV.⁷²⁶

25 <https://www.monitor.co.ug/uganda/news/national/police-most-corrupt-says-igg-ubos-report--3304740>

The March 2022 Concluding Observations of the Committee indicated its deep concern over gender-based violence against women and recommended that Uganda (emphasis added):

Intensify efforts to raise awareness among both women and men, including through educational and media campaigns, with the active participation of women's organizations and women human rights defenders, of the criminal nature of gender-based violence against women, in order to challenge its social acceptance **and to destigmatize and protect women from reprisals so as to encourage them to report incidents of gender-based violence against women, and of the specific risk of gender-based violence posed to women and girls facing intersecting forms of discrimination, such as lesbian, bisexual, and transgender women and girls**, intersex persons, migrant, refugee and asylum-seeking women and girls, women and girls with disabilities and women and girls with albinism.⁷²⁷

The July 2022 statement by Sexual Rights Initiative, the Uganda LBQ Loose Network, CREA, and the Coalition of African Lesbians (CAL) on Uganda's Universal Periodic Review stating that "LBQ women continue to face sexual harassment in the world of work. Harassment is rife, undocumented and unreported. [...] Additionally, the risk of being outed which has serious material and social consequences, poses a barrier to reporting."⁷²⁸

In August 2022, OpenDemocracy reported:

On 11 July, Noah Matthew Kinono, a non-binary gay person, was found lying in a pool of blood in their home in Kampala, the capital. Kinono, 27, had been stabbed several times. [...]

Days after the burial of Matthew Kinono, the offices of LGBTIQ organisation Visual Echoes for Human Rights Advocacy (VEHRA) were broken into and trashed, with valuables stolen. The group's premises in Makindye, a suburb of Kampala, are about 200 metres from Kinono's home, where they were found dead. Steven Muleme, executive director of VEHRA, told openDemocracy that he only reported the robbery to police "for purposes of records". Days after the break-in, he received an anonymous phone call from someone claiming to be behind the robbery, who threatened to blackmail and kill him.

⁷²⁶ HER Internet, [Research Report on the trends and impact of technology assisted violence among Lesbian, Bisexual, Queer \(LBQ\) Womxn and Female Sex workers \(FSW\) in Uganda](#), 2021, p.31

⁷²⁷ CEDAW, [Concluding observations on the combined eighth and ninth periodic reports of Uganda*](#), 1 March 2022 para 26(a)

⁷²⁸ Sexual Rights Initiative, the Uganda LBQ Loose Network, CREA, and the Coalition of African Lesbians (CAL), [HRC50 - Statement on Uganda's UPR by LBQ Loose Network CREA, the CAL and SRI](#), 1 July 2022

But Muleme said he does not trust the police enough to tell them the truth about the work his organisation does, his sexuality and its relevance to the incident. “It would only continue to put me at risk,” he said. ‘I can’t trust the police, especially the Ugandan police.’⁷²⁹

An October 2022 report from Afro Barometer summarised findings from its most recent survey of face to face interviews with 2,400 adult Ugandans between 7 and 25 January 2022. The report looked into Ugandans’ encounters with and perceptions of the police, finding that:

- About one in five citizens (19%) say they requested police assistance during the previous year. [...]
 - Among citizens who asked for help from the police, 53% say it was difficult to get the assistance they needed, and 71% say they had to pay a bribe. [...]
- Three-fourths (75%) of citizens say “most” or “all” police are corrupt – by far the worst rating among key government institutions the survey asked about.
- Only four in 10 Ugandans say they trust the police “somewhat” (16%) or “a lot” (25%). The share of citizens who say they don’t trust the police “at all” has almost quadrupled since 2005.⁷³⁰

An update posted in the SMUG International Blog at the beginning of March 2023 noted that “A transgender woman was assaulted while watching football in Namera near Mpererwe-Gayaza Road on Friday, 24th February by a mob, beaten and undressed by revelers returning from watching football. She was hospitalized for four days resulting from the wounds sustained from the assault. Due to fear of additional questioning, she opted not to report a case since the persecutors are unknown. She is recuperating from the assault”.⁷³¹

An HRAFP report on violence and violations after enactment of the Anti-Homosexuality Bill, covering the period 30th May to 20th June 2023, reported that most of the 19 cases involving violence/threatened violence against LGBTQ people “were not reported to the police for fear of arrest harm as soon as the victims’ sexual orientation and/or gender identity were revealed”.⁷³² The report further noted that:

[...] most of the violations are by non-state actors, who use the prevalent homophobic environment to carry out attacks and threats knowing that LGBTQ persons will not have recourse to the police for fear of being arrested. Indeed, most of the cases were not reported to the police for fear of arrest under the Act. The law is therefore promoting an environment of lawlessness to the detriment of real or suspected LGBTQ persons in Uganda, without any recourse to the law for remedies.⁷³³

⁷²⁹ OpenDemocracy, [Ugandan police accused of anti-gay bias in murder investigation](#), 1 August 2022

⁷³⁰ Afrobarometer, [Dispatch No. 564 - A few bad apples or a rotten orchard? Ugandans cite brutality and corruption among police failings](#), 24 October 2022, p.2

⁷³¹ SMUG International, [2023 Uganda LGBTQ UPDATE](#), 1 March 2023

⁷³² Human Rights Awareness and Promotion Forum (HRAFP), [Increasing Violence and Violations: The First 21 Days of the Antihomosexuality Act, 2023](#), 21 June 2023, p.2

⁷³³ Human Rights Awareness and Promotion Forum (HRAFP), [Increasing Violence and Violations: The First 21 Days of the Antihomosexuality Act, 2023](#), 21 June 2023, p.13

In August 2023, HRAPF released a follow up report marking two months of the Anti-Homosexuality Act in force, covering the period 1st to 31st July 2023. It reported that:

The trend of victims fearing to report cases to the police for fear of being arrested by the police and retaliation by the perpetrators also continues – an effect of the Anti-Homosexuality Act. The trends also suggest that violence and violations get worse every month that passes when the law is in force. [...] Perpetrators continue to be overwhelmingly non state actors, an intended effect of the reporting obligations imposed on private citizens under section 14 of the Anti-Homosexuality Act. It explains why the cases of evictions continue to rise and dominate. The law is essentially implemented by non-state actors, and the state does nothing to protect LGBTIQ persons.⁷³⁴

⁷³⁴ Human Rights Awareness and Promotion Forum (HRAPF), [*Two Months After: Report on Violence and Violations on the Basis of Real or Presumed Sexual Orientation and/or Gender Identity Two Months After the Anti-Homosexuality Act Came into Force*](#), 9 August 2023, p.18