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Uganda's President Signs Repressive Anti-LGBT Law

New Law Violates Fundamental Rights



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Ugandan Members of Parliament stand as they participate during the passing of the anti-Homosexuality bill, at a sitting inside the Parliament Buildings in Kampala, Uganda, May 2, 2023. © 2023 Abubaker Lubowa/Reuters

Uganda's President Yoweri Museveni has [signed a bill](#) criminalizing same sex conduct, including potentially the death penalty for those convicted of "aggravated homosexuality," into law.

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.

Uganda's penal code already punishes same-sex conduct with life imprisonment – a criminal offense that is rarely prosecuted – but the new law creates new crimes such as the vaguely worded "promotion of homosexuality" and introduces the death penalty for several acts considered as "aggravated homosexuality." It also increases the prison sentence for attempted same-sex conduct to 10 years.

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. Anyone advocating for the rights of LGBT people, including representatives of human rights organizations or those providing financial support to organizations that do so, could face up to 20 years' imprisonment for the "promotion of homosexuality."

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. Over the years, Ugandan police have

carried out mass arrests at [LGBT pride events](#), at [LGBT-friendly bars](#), and at [homeless shelters](#) on spurious grounds, and forced some detainees to undergo anal examinations, a form of cruel, degrading, and inhuman treatment that can, in some instances, constitute torture.

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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. On August 3, 2022, the government [banned Sexual Minorities Uganda \(SMUG\)](#), a prominent LGBT rights organization, from operating for not having officially registered with it.

Museveni's signing of the anti-homosexuality bill is a serious blow to multiple fundamental rights, including the rights to freedom of expression and association, privacy, equality, and nondiscrimination. The Ugandan government is obligated to guarantee these rights for all people, including sexual minorities. It should take steps to create an environment that prevents violence and discrimination against LGBT people, in Uganda and the region.