

# SDDirect briefing on the LGBTIQ+ rights crisis in Uganda: Reports from the ground (14 July 2023)

## 1. Background

In late May 2023, the President of Uganda, Yoweri Museveni, approved the enactment of extreme and repressive anti-LGBTIQ+ legislation (the [Anti-Homosexuality Act, 2023.pdf - parliament.go.ug](#)) that includes punishments that range from fines or years in prison to the death penalty. The Act provides for life imprisonment for those engaging in same sex relations. Other provisions include:

- Up to a decade in prison for persons who attempt to have same-sex relations.
- Seven-year sentences for housing LGBTIQ+ people
- Possible twenty-year sentences for promoting homosexuality, including advocacy.
- The death penalty for persons convicted of 'aggravated homosexuality' (defined in part as acts of same-sex relations with children, vulnerable adults, or disabled people) and for engaging in same-sex relations while HIV+.

This draconian legislation has been greeted with horror by the LGBTIQ+ community and human rights defenders around the world, and it has been widely condemned by international governments, multilateral organisations and civil society organisations. However, there has so far been limited focus and news coverage on the unfolding consequences for Ugandan citizens whose lives, livelihoods and basic rights have been put at risk.

There are worrying signs that politicians in other African countries (such as Kenya and Ghana) are emboldened by the Ugandan example to fuel populist campaigns for similarly repressive measures, with support from well-funded coalitions of Christian fundamentalists and 'culture warriors' in the West – and possibly from anti-LGBTIQ+ forces in Russia and elsewhere.

## 2. Initial evidence of impact in Uganda

Recent reports from human rights defenders and the LGBTIQ+ community inside Uganda have shone a stark light on the immediate and devastating impact of the *Anti-Homosexuality Act of 2023*, including:

## Homophobic abuse, gender-based violence (GBV) and media-assisted harms

- Members of the LGBTIQ+ community and their allies are facing dangerous backlash, persecution and threats of violence from members of the public.
- This upsurge in violence and scapegoating (linked to the new Act) comes against a background of a longstanding culture of violence against LGBTIQ+ people in general, and lesbian, bisexual and queer (LBQ) women in particular.
- A recent UK government/What Works report on ***Ending Violence against LGBTIQ+ People*** produced by Social Development Direct, Dec 2022, highlighted evidence that almost all LBQ women surveyed in Uganda had experienced mental health issues, typically linked to lifelong experiences of violence and related challenges, including childhood neglect and abuse, and intimate partner violence (see: <https://ww2preventvawg.org/evidence-hub/ending-violence-against-lgbtqi-people-report>).
- There are confusions and mixed understandings about the *Anti-Homosexuality Act* among the public at large. Some people appear to believe that clauses and offences listed in the Act (such as the offence of 'aggravated homosexuality' which is punishable by the death penalty) legitimise mob violence against, and even killing of, 'known' or alleged homosexuals.
- Some Ugandans believed wrongly that this legislation had already come into force when initially passed by Parliament in March 2023.
- Incidents of vigilante and mob violence against LGBTIQ+ people have been increasing since March, especially in the densely populated urban slums and informal settlements.
- In various shanty towns in Ugandan cities (including Kampala, Arua, Mbarara and Mbale) numerous violent vigilante attacks have been reported on people identified or suspected as members of the LGBTIQ+ community, including acts of humiliation such as:
  - Public flogging
  - Parading LGBTIQ+ people publicly in the nude
  - Spying on LGBTIQ+ people and peeping into their homes and residences
  - Evictions of targeted people from rented accommodation and houses, rendering them homeless.
- Gangs of men have been seen chasing people they allege to be LGBTIQ+, tying victims to trees, dousing them in water and engaging in mass whippings.
- Lesbians and trans people have been especially targeted for ritual public humiliation, extreme 'conversion therapy' practices, beatings and 'corrective' rape.
- Human rights defenders have had reports of grotesque cases in which neighbourhood gangs have rounded up suspected LGBTIQ+ people, then using death threats to force victims to have sex in public (sometimes filming them and

generating evidence that can be used in prosecutions under the terms of the *Anti-Homosexuality Act*).

- Violence, arrests and persecution are inflicted on people that perpetrators perceived as 'looking or sounding gay,' based on the way people dress, walk, or talk.
- Sometimes people are targeted because they have dreadlocks, body piercings, or tattoos.
- Many LGBTIQ+ people are still 'in the closet,' living in constant fear of blackmail and public exposure. They are increasingly suspicious of anyone they do not know well, and they are being forced to go further underground with restricted movement and limited opportunities to associate and access assistance.
- Blackmail of LGBTIQ+ people is a growing risk, as is the danger of surveillance, phone-tapping and being stalked (many people are afraid of making direct telephone calls).
- Mainstream Ugandan media outlets (including TV and FM radio stations) and social media (particularly TikTok) are providing a platform and airtime for homophobic and harmful campaigns.
- Some of this negative media coverage aims vindictively to identify and publicly expose members of the LGBTIQ+ community, putting them at high risk of harm and gender-based violence.

### **Legal implications, risks and lack of emergency response**

- Reports suggest that as of mid-June 2023, close to 70 LGBTIQ+ community members and activists had been detained by security operatives and need urgent legal aid (especially in area of Jinja, Busia, Wakiso and Kampala).
- The *Anti-Homosexuality Act's* definitions and framing of offences is seen by human rights defenders as promoting the generalised criminalisation of same-sex affection or intimacy between consenting adults, including not only sex acts but also hugging, kissing or other expressions of love and affection.
- Human Rights Watch reports that the *Anti-Homosexuality Act* additionally discriminates against persons with disabilities (contrary to Uganda's Constitution) by making the offence of 'aggravated homosexuality' if the so-called victim has a disability, effectively denying persons with disabilities the right of consent to sexual relations.
- The sponsors of the Act in Parliament have loudly boasted that 'consent is no defence' against prosecution, guilty verdicts and severe penalties.
- Some convictions under the Act would entail not only prison sentences but also registration of those convicted as 'sex offenders.'
- The problematic language and framing of the Act promote public perceptions of LGBTIQ+ people as paedophiles and sex abusers.

- Some community members, especially LBT women, fear being denied parental rights and having their children being forcibly taken away by neighbours (who allege that they are not good parents and are likely to 'corrupt the morals of the children').
- According to human rights defenders, under the Act Ugandan citizens, CSOs, service providers and funding channels that extend solidarity and humanitarian support to the LGBTIQ+ community are liable to prosecution and penalties (and social service providers may have their licenses to operate revoked).
- Media organisations that cover LGBTIQ+ issues in a sympathetic light, as well as related human rights advocacy, may be subject to prosecution.
- Teachers that provide sex education that includes any LGBTIQ+-related perspective could be accused of 'grooming' children and young people, which may result in prosecution and prison time.
- Human rights defenders confirm that the Act is being interpreted as requiring citizens to report LGBTIQ+ people to the authorities, including their own children and family members.
- There is a severe lack of funding and resources in Uganda for emergency assistance to community members whose lives are at risk.
- Some LGBTIQ+ rights organisations and key activists have had their bank accounts frozen by the authorities.
- Human rights defenders face a difficult trade-off between their own personal safety and security and helping others. Many are making courageous choices to defend the LGBTIQ+ community and to oppose the Act and the wave of hate it has unleashed.

### **Economic impact, livelihoods, shelter and basic needs**

- Many LGBTIQ+ community members have lost their jobs in both the informal and formal sector.
- Others still in employment live in fear of discrimination and attacks.
- Evictions of LGBTIQ+ people and allied organisations are growing (including evictions of young people by parents from their own homes).
- There is a severe lack of shelters, refuge and accommodation – most shelters catering to LGBTIQ+ people have been closed down.
- Many homeless LGBTIQ+ people are living in the streets or are staying with friends or with concerned citizens who offered emergency refuge in their homes. However, such humanitarian benefactors themselves risk raids or attacks for their acts of kindness.
- Homeless LGBTIQ+ people living in the streets are highly vulnerable to exploitation, homophobic abuse and sexual violence.
- Increasing numbers of people are fleeing to neighbouring countries. On arrival, they are often consigned to refugee camps where they face other risks of exploitation, abuse and criminalisation.

- With many left homeless, unemployed or in hiding, increasing numbers of LGBTIQ+ people are in a dire economic situation, lacking resources for basics such as food, toiletries, money for rent, etc.

### **Limited access to health and psycho-social services**

- Even before the recent legislation, community members had very limited LGBTIQ+-friendly health services in the context of a broader healthcare system that is broken.
- LGBTIQ+ people living with HIV and other chronic health conditions are increasingly afraid to visit the main public health centres where they access HIV and other health care services.
- One community monitor reports that an important local HIV/AIDS treatment and support clinic that usually serves at least 50 people per day has been empty in recent weeks.
- BOND UK reports that its members and partners working in HIV/AIDS in Uganda are preparing for an increase in the number of HIV infections because access to safe sex material, like condoms and lubricants or HIV preventive drugs like PEP and PREP, for the LGBTIQ+ community has been restricted or closed down – and ‘for those community members who have been receiving lifesaving antiretrovirals (ARVs), they can no longer access these drugs with ease’ (see link to the BOND statement below).
- The offices and premise of LGBTIQ+ rights organisations have traditionally served as safe spaces and drop-in centres where community members can access health services and sometimes shelter. However, this pillar of support is now under threat as some community organisations are now being evicted or chased away from their office premises.
- The LGBTIQ+ community is facing increased mental health challenges. Currently in Uganda, there are very few LGBTIQ+-friendly counsellors. Some of these therapists are afraid to provide face-to-face support and have switched to providing online services. Even online, counsellors are being overwhelmed by the demand, while many community members are not able to access online services.
- In this context, many LGBTIQ+ people are resorting to self-medication, which poses a danger to their physical, emotional and mental wellbeing (a recent study of LBQ women in Uganda found that many survey respondents reported self-harm and suicidal ideation, as well as using alcohol and other substances).

### **Lack of internal civil society solidarity and support**

- In response to the new anti-LGBTIQ+ legislation, the mainline women’s movement and the wider civil society community in Uganda have so far remained largely silent. Most CSOs have declined to stand up or speak out in defence of LGBTIQ+ citizens, their rights and their organisations.

- In the current climate of fear, repression and intimidation, there is no significant mobilisation by internal civil society or the faith-based sector to provide emergency aid, protection or support for the LGBTIQ+ community.

### 3. The humanitarian and human rights response so far

- A few CSOs, humanitarian and solidarity groups in Uganda and the region are trying to facilitate housing, shelter, safe spaces and legal assistance for the citizens and communities at risk.
- Some Ugandan feminists and GBV activists are reaching out to address the humanitarian, human rights and gender-based violence risks experienced by affected citizens and their organisations.
- However, funds and resources for these efforts are scarce and desperately needed, and support groups are themselves at risk from the anti-LGBTIQ+ law that effectively criminalises basic humanitarian, human rights and solidarity assistance to the LGBTIQ+ community and its civil society organisations.
- Petitions and legal arguments have been submitted to the Ugandan courts to challenge the new anti-LGBTIQ+ law including one by Fox Odoi-Oywelowo (MP and former Presidential advisor) the only parliamentarian to vote against the Act; and another by human rights groups, including HRAPF (Human Rights Awareness and Promotion Fund) and Chapter Four Uganda, in partnership with distinguished Ugandan academic, Professor Sylvia Tamale. A further legal challenge is in process, filed by Ugandan lawyer, Robert Rutaro.
- Leaders of the Global Fund, UNAIDS and PEPFAR have issued a joint statement appealing for the Act to be reconsidered as it will obstruct health education and the HIV/AIDS outreach, noting that the stigma and discrimination the passage of the Act 'has already led to reduced access to prevention as well as treatment services.' In response, Uganda's Minister of Health has claimed that HIV/AIDS treatment and services will continue to be accessible to all on a 'non-discriminatory basis – which seems hard to square with the effects of the Act reported above.
- The US Government has imposed visa restrictions on Ugandan officials linked to the anti-LGBTIQ+ legislation and its enforcement. Other governments may be encouraged to follow suit.
- Human rights defenders in Uganda are mounting a social media campaign to address online harms aggravated by the new Act, calling on Google, Twitter and TikTok to remove harmful content aimed at the LGBTIQ+ community. To date, TikTok (a key platform used to promote anti-LGBTIQ+ hate and radicalisation content) has been unresponsive.
- Human rights advocates are calling for the World Bank to pause loans to the Ugandan government.

- Although a movement to boycott tourism to Uganda has not yet reached critical mass, many international tourists are likely to question the safety and social responsibility of visiting Uganda. With tourism accounting for about 14% of jobs (for about 1.5 million Ugandans), the prospect of a boycott may add pressure for stepping back from the state sponsored anti-LGBTIQ+ campaign.
- Local observers believe that Ugandan President Museveni is starting to feel pressure and resistance to his decision to approve the anti-homosexuality bill. Uganda is a poor country that is dependent on aid and international loan financing. As growing numbers of aid donors reconsider their programming and development cooperation in the context of the unprecedented escalation of anti-LGBTIQ+ repression, the Ugandan authorities may have reason to reflect on the potential damage to the whole country.
- Human rights defenders and their civil society supporters in Uganda are keen to work with allies to share evidence on the human rights emergency provoked by the Act, sharing truthful accounts and human stories of impact on social media, and mobilising more widely against hate speech and media-assisted harms to LGBTIQ+ people, their communities and human rights defenders.

#### 4. Further information and channels to support the Ugandan LGBTIQ+ community

For more information on this crisis and channels of support for the Uganda LGBTIQ+ community and human rights defenders, see the following links:

**Human Rights Watch:** <https://www.hrw.org/news/2023/05/30/ugandas-president-signs-repressive-anti-lgbt-law>

**CNN update:** <https://edition.cnn.com/2023/06/29/africa/uganda-life-for-lgbt-community-intl-cmd/>

**Open Democracy background article:**  
<https://www.opendemocracy.net/en/5050/uganda-anti-homosexuality-bill-church-us-england-odoi-oywelowo/>

**The Guardian on the role of the US religious right in Uganda and globally:**  
<https://www.theguardian.com/world/2023/jul/09/us-religious-right-lgbtq-global-culture-fronts>

**New African article on the legal and socio-economic context of the Ugandan anti-LGBTIQ+ legislation:** <https://newafricanmagazine.com/29563/>

**International Commission of Jurists statement:** <https://www.icj.org/uganda-the-enactment-of-the-anti-homosexuality-act-2023-will-foster-further-stigma-discrimination-and-violence-against-lesbian-gay-bisexual-transgender-and-intersex-persons/>

**BOND call for UK action:** <https://www.bond.org.uk/news/2023/06/ugandas-anti-homosexuality-law-a-call-for-uk-intervention/>

**Kaleidoscope Trust:**

[https://www.kaleidoscopetrust.com/news/What\\_you\\_can\\_do\\_to\\_stand\\_in\\_solidarity\\_against\\_the\\_draconian\\_Anti-Homosexuality\\_Bill\\_in\\_Uganda](https://www.kaleidoscopetrust.com/news/What_you_can_do_to_stand_in_solidarity_against_the_draconian_Anti-Homosexuality_Bill_in_Uganda)

**The Fund for Global Human Rights:** <https://globalhumanrights.org/lgbtq-uganda-crisis/>

**Outright International:** <https://outrightinternational.org/Uganda-fund>