



Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

Uganda - Researched and compiled by the Refugee Documentation Centre of Ireland on Monday 18 November 2019

Information on LGBT from May – November 2019 including: legality; state & societal treatment

Amnesty International in October 2019 notes:

“...heightened anti-LGBTI sentiments from political leaders” (Amnesty International (11 October 2019) *Uganda: Parliament must reject bill imposing death penalty for gay sex*).

This report also notes that the:

“...government of Uganda has a long history of anti-LGBTI advocacy” (ibid).

In October 2019 *Human Rights Watch* comments on the:

“...Ugandan government...[calling] for reintroducing an anti-homosexuality bill that would provide the death penalty for consensual same-sex acts” (Human Rights Watch (15 October 2019) *Uganda: Brutal Killing of Gay Activist*).

This document also states that:

“Uganda has experienced a rise in homophobic rhetoric from the government at high levels in recent weeks” (ibid).

Outright Action International in October 2019 states that:

“There has been an increase in reported cases of attack against members of the community” (Outright International (18 October 2019) *Call To Action By Uganda’s Lgbtqi+ Community*, p.2).

In October 2019 *Reuters* notes that:

“Gay sex carries a possible life sentence in Uganda, one of the most difficult countries in Africa to be a sexual minority with increasingly violent confrontation over sexual freedom. Members of the LGBT+ community say they risk physical attacks in their daily life and routinely encounter harassment, as well as facing prejudice over work, housing and health care. Campaigners have reported a spate of attacks this year - including four murders - with the latest on Oct. 4 when a gay rights activist was bludgeoned to death. Police say they know of no such attacks” (Reuters (24 October 2019) *Uganda charges 16 LGBT+ activists for gay sex*).

The *Associated Press* in October 2019 notes that:

“Four members of Uganda's LGBT community have been killed in attacks over the last three months, according to Sexual Minorities Uganda” (Associated Press (24 October 2019) *Ugandan police detain 16 men over suspected homosexuality*).

The *European Parliament* in October 2019 notes that:

“...current provisions in the penal code violate human rights and criminalise homosexuality; whereas same-sex sexual acts remain illegal and punishable with up to life imprisonment under sections 145 and 146 of the Ugandan Penal Code...” (European Parliament (24 October 2019) *European Parliament resolution of 24 October 2019 on the situation of LGBTI people in Uganda (2019/2879(RSP))*, p.3).

This document also states that:

“...many existing laws allow discrimination against LGBTI people, limiting their access to employment, housing, social security, education or health services...” (ibid, p.3).

This report also notes the:

“...appalling situation of LGBTI people in Uganda, where homophobic views are widespread; whereas societal discrimination, hate crimes and antihomosexual campaigns are regularly reported by human rights organisations, including harassment, beatings, extortions, evictions, arbitrary arrests and detention, and killings...” (ibid, p.3).

A document issued by the *Guardian* in October 2019 points out that:

“The rights of LGBT+ people in Uganda have come under renewed attack recently” (Guardian (30 October 2019) *Ugandan doctor under investigation over claims he assaulted LGBT patient; Minister of health refers case to Uganda's medical council as assault on LGBT rights in Uganda intensifies*).

Voice of America in October 2019 notes that:

“Under Western pressure, Uganda in 2014 overturned the Anti-Homosexuality Act. But gay sex remains illegal and members of the LGBT community are routinely harassed and shunned in a country where many revile homosexuality” (Voice of America (30 October 2019) *Fear in Uganda's Gay Community after Death Penalty Threat, Arrests*).

The *Associated Press* in November 2019 states that:

“Uganda punishes sex acts "against the order of nature" with up to life in prison” (Associated Press (12 November 2019) *Uganda expected to charge 75 after raid of LGBT-friendly bar*).

Agence France Presse in November 2019 notes that:

“Uganda has strict anti-gay legislation but there have been no prosecutions for consensual same-sex acts in recent years. However acts deemed "against the order of nature" can lead to life imprisonment. At the end of October, 16 Ugandan LGBT activists were subjected to forced anal examinations after being arrested, according to the country's leading gay rights organisation” (Agence France Presse (12 November 2019) *67 Ugandans arrested in gay-friendly bar charged with 'nuisance'*).

In November 2019 *Human Rights Watch* points out that the:

“...Ugandan authorities should drop charges against dozens of people arrested over the last month in Kampala, the capital, on the basis of their presumed sexual orientation or gender identity...” (Human Rights Watch (17 November 2019) *Uganda: Stop Police Harassment of LGBT People*, p.1).

This report also comments on:

“...articles 145, 146, and 148 of the penal code, which criminalize consensual same-sex relations and violate rights to privacy and non-discrimination...” (ibid, p.2).

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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