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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Right Livelihood Award Foundation, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[28 May 2021]

* Issued as received, in the language(s) of submission only.



The situation of LGBTI Rights in Uganda

Last year, the international community observed the disproportionate toll that the world events took on marginalised people and those in vulnerable situations. This includes the LGBTI population in Uganda, which has a long history of facing discrimination, societal harassment, and life imprisonment. LGBTI Ugandans in fact live in everyday fear to be outed and subsequently expelled from school, laid off from their employment, evicted from their houses or reported to the authorities. The COVID-19 pandemic and presidential elections have further exacerbated LGBTI stigmatisation and the homophobic rhetoric in the country, with sexual minorities being targeted as blamed by some for the disease and homophobic discourse being used as political propaganda.

In the early months of 2020, arrests, and ill-treatment of LGBTI persons surged in Uganda. LGBTI shelters were targeted by raids and forced closures in alleged violations of the “non-congregation rules.” In March 2020, the shelter “Children of the Sun” was raided and numerous residents were arrested. It was reported that during the raid, police forces tied persons up together, who were then slapped, hit with stones and shouted at by by-passers. They were then arbitrarily detained in prison for over a month, where they were taunted, prevented from seeing their lawyers and tortured, in complete breach of Uganda’s constitutional and international human rights obligations.

Harassment and violence were then once again fueled ahead of the 2021 Presidential elections, during which campaign President Museveni referred to homosexuality as a deviation. In an attempt to rally more support, local politicians also used anti-gay rhetoric and made pledges to eradicate homosexuality in Uganda. The elections were therefore not only characterised by a violent crackdown on opposition, as the world could observe, but also installed further fear in the LGBTI population by fueling homophobia and violence against the LGBTI community.

The situation did not improve in the aftermath of the elections, as in early May 2021 Parliament approved the “Sexual Offences Bill” which continues to criminalise the LGBTI community and conflate consensual same sex relationships with sexual abuse and bestiality. While, at the time of writing, the bill is still awaiting presidential assent, its entry into force could be particularly harmful for the LGBTI community, as the text includes the creation of a sexual offender register, which could quickly become a “LGBTI register,” in complete breach of the right to privacy and security of person. Such register would likely worsen discrimination of LGBTI persons in all aspects of their lives.

LGBTI Ugandans therefore continue to be heavily criminalised, discriminated against in any aspect of life with no legal protection or accountability mechanisms for the human rights abuses directed against them. We therefore call on the Council to urge Uganda to:

- Reject the “Sexual Offences Act”, which falls short from protecting LGBTI people from discrimination, and initiate inclusive negotiations for a new bill that would ensure the protection of all victims of sexual violence and the marginalised segments of society;
- Effectively decriminalise same-sex relations by repealing sections 145 and 146 of the Penal Code;
- Take effective measures to address homophobia and transphobia in society, including through educational programs in schools and with trainings of law-enforcement officers;
- Engage in constructive cooperation with the Independent Expert on sexual orientation and gender identity.