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“ And That’s How I survived being killed

Testimonies of human rights abuses from Uganda’s sexual and gender minorities



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Introduction

In January, 2015 Daniel, a 22-year-old living in Ntungamo in Western Uganda, was arrested for “engaging in crimes against the order of nature.” We spoke to him in May after he was released from prison. Struggling to find words, he told us what happened:

After 20 minutes of getting to my friend’s house we were asked [by police], “What are you doing here? It’s not a bar, or hotel and it’s late.” They beat us and tied us up with ropes and took us around town and said they want the town “to know what’s happening” and “what you have done.” Later they took us on foot to Prison.

When we were being arrested police said that we are homosexuals, there have been reports to police and they have been looking for us — that people have been saying we’re gay and that we should be killed because what we do is illegal and bad.

Daniel, along with his two friends Ssali and Emmanuel, were taken to Lubale prison, forced to take an anal examination, and brutally beaten by police officers and other inmates.

While in prison we were denied visitors because we are a “sodomy case.” I was beaten by fellow citizens. Ssali and myself suffered a lot. When they were beating us they said, “a sensible man how can you sleep with a fellow man?” And when in hospital we were forced to take HIV tests and anal tests.¹

¹ Sexual Minorities Uganda interview with Daniel (not his real name), Uganda, 8 May, 2015.

Daniel's friend, Emmanuel, 20, said:

When we were in prison they [police] asked us if we supported homosexuality and we denied to defend ourselves. They said, "if you say you don't support homosexuality we are going to take you to the hospital to test you." They took us at Itojo hospital and they took an anal test on me without my permission.²

Ssali, 35, who was arrested alongside Daniel and Emmanuel added:

They shouted and abused and said we deserved to die. On Monday when we were taken to hospital to be tested, the police said, I should be shot since I was having money. They claimed we buy off people by buying them motorbikes.

When we were taken to the hospital, we were under police guard with guns, we were forced to undress and they started to examine me in my anus. But the doctor who checked us said that it was too late since we had spent days in police cells.

While in prison our conditions were bad. We weren't allowed to see anyone. We used to sleep in a very bad place. When we arrived we were beaten and conditions were not good and when we left we were all sick because we used to sleep on the bare cement. We were in a very populated cell. We used to feed very late. The police beat us when they were arresting us and even when we were not resisting arrest.³

² Sexual Minorities Uganda interview with Emmanuel (not his real name), Uganda, 7 May, 2015.

³ Sexual Minorities Uganda interview with Ssali (not his real name), Uganda, 8 May, 2015.

After they were released, Daniel, Ssali, and Emmanuel came home to extreme social stigma including termination of employment, eviction, harassment, and family banishment. Emmanuel said:

After being in police detention for five days, we were released and when we went back home, we tried to explain to our parents about our arrest. I tried to get them to speak with me and it was very difficult. They told me that they were not going to pay for my education because I'm gay. I tried to speak to them to change their mind but they refused.

Before Daniel, was arrested he was living with his family and earning money selling clothes at one of the largest markets in Ntungamo. Now, his family has forced him to leave the home and he cannot work at the market because he fears showing his face in such a public space. Daniel told us:

The entire town now calls us homosexuals. We were chased out of the house we were staying in and even where we were working they chased me. Whenever I try to go [back] they shout and insult me so I have decided to stay with my friend because it's safe and police have not followed up with me.

My family banished me and I now don't go where they are. When I was arrested none of them even came to visit me and then I even fail to go to them. Before I was arrested I used to work for myself at the market but now all that is gone.

Ssali had a similar experience:

There was a church I used to serve at and I also had a restaurant I used to work at. My restaurant was destroyed totally and now no one wants to go to it. I'm left without anything. Right now life has been very difficult, gossip is still on going and right now I have no job since all I used to do was destroyed.

Unfortunately, Daniel, Ssali, and Emmanuel's case is not unique. Time and time again we see sexual and gender minorities persecuted by the state for their identities, and consequently face extreme social exclusion. This includes physical threats, violent attacks, torture, arrest, blackmail, non-physical threats, press intrusion, state prosecution, termination of employment, loss of physical property, harassment, eviction, mob justice, and family banishment — often leaving LGBTI individuals without jobs, homes, resources, and support. This report has documented 264 verified cases of persecutions of LGBT individuals based on their sexual orientation or gender identity, and found that even with the nullification of the 2014 Anti-Homosexuality Act, there has been continued human rights abuses and extreme social exclusion for LGBT persons in Uganda. Of the 264 cases documented in this report 48 involved acts of violence, including 35 cases involving physical threats or violent attacks, and 13 instances of torture by the state. The largest proportion of documented cases involved intimidation, with 84 cases, while 73 involved loss of property (including loss of employment, physical property, and eviction), and 59 involved social exclusion (including discrimination when accessing healthcare, community discrimination, and family banishment).⁴ It is clear then that homophobia continues to persist in Uganda even after the nullification of the 2014 Anti-Homosexuality Act, and the government has failed to protect the human rights of sexual and gender minorities.

⁴ To see a more detailed numerical breakdown of all documented cases please see the Appendix.

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Background

Homosexuality has always been in Africa, but homophobia, specifically in its modern construction, has not. Historical and anthropological evidence confirms that same sex and same gender relationships have existed in Africa throughout history, long before colonization of the continent. In the case of Uganda, this claim remains true. Uganda's modern homophobic social and political climate is rooted in laws introduced by the British colonial administration in 1902 and 1950 — legal attempts to control what was seen as “barbaric” sexual propensities among Ugandans. This incursion of homophobia in Uganda's history has been supplemented by a recent influx of homophobic rhetoric from American Christian evangelicals from the conservative right.⁵

Section 145 of the Ugandan Penal code, implemented since British colonial rule, states that any person who “has carnal knowledge of any person against the order of nature; [...] or permits a male person to have carnal knowledge of him or her against the order of nature, commits an offense and is liable to imprisonment for life.” The state uses Section 145 to arrest, harass, and torture sexual and gender minorities. This has led the international community to recognize Uganda as one of 76 countries in the world in which homosexuality is criminalized.⁶ The 2014 Anti-Homosexuality Act, which was signed into law by President Museveni on 24 February, 2014, further criminalized the

⁵ Perhaps the most infamous example of this is Scott Lively, a Pastor from Springfield, Massachusetts currently being tried for crimes against humanity after he came to Uganda and took part in the anti-homosexuality movement and drafting of the Anti-Homosexuality Act. Just before Ugandan Minister of Parliament David Bahati unveiled his, “Anti-Homosexuality Bill,” Scott Lively, was invited to private briefings with political and religious leaders, and to address the Ugandan parliament for four hours on the topic of homosexuality.

⁶ See: “Mapping anti-gay laws in Africa.” Amnesty International. 22 July 2015.

existence of sexual and gender minorities and work promoting the human rights of LGBT persons. Provisions of the Act included, life imprisonment for gay sex,⁷ life imprisonment for “aggravated homosexuality”⁸ or sex with a minor or while HIV-positive, life imprisonment for living in a same-sex marriage,⁹ seven years for “aiding and abetting homosexuality,”¹⁰ and between five and seven years in jail for “the promotion of homosexuality.”¹¹

The passing of the Anti-Homosexuality Act catalyzed a rise in persecutions by state and non-state actors against sexual and gender minorities. There were 162 cases of persecutions against Ugandan LGBTI persons reported in a Sexual Minorities Uganda (SMUG) report in May, 2014.¹² Compared to 19 cases of human rights abuses reported in 2012, and 8 cases in 2013, it is clear that the 162 reported cases that occurred within just four months, from December - May 2014, represented an increase of homophobia caused by the passing of the Anti-Homosexuality Act. This included cases of violent attacks, arbitrary arrests, blackmail, and evictions, with over 30% of the reported cases involving an element of violence, 41% involving an element of intimidation, 50% involving loss of property or income, and 25% involving asylum, family rejection, or suicide.

⁷ Anti-Homosexuality Act, Section 2.

⁸ Anti-Homosexuality Act, Section 3.

⁹ Anti-Homosexuality Act, Section 12.

¹⁰ Anti-Homosexuality Act, Section 7.

¹¹ Anti-Homosexuality Act, Section 13.

¹² “From Torment to Tyranny: Enhanced Persecution in Uganda Following the Passage of the Anti-Homosexuality Act 2014.” Sexual Minorities Uganda. 9 May 2014.

In August 2014, after activists challenged the Act in Uganda’s Constitutional Court, the court ruled the Act “null and void” on the grounds that it did not have the requisite quorum when passed and was therefore illegal.¹³ However, although mandates in the Anti-Homosexuality Act are no longer enforced, sexual and gender minorities’ existence continues to be criminalized in the Ugandan Constitution, and are consequently persecuted for their identities.



What Is At Stake

Uganda is bound by international human rights treaties and is accountable to the international community for protecting and promoting the human rights of all its people. One of which is the Universal Declaration of Human Rights, which affirms that all human beings are born free and equal in dignity and rights, and that everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. This is further affirmed in the international Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and other core international human rights instruments.

There are many inalienable human rights at stake for sexual and gender minorities in Uganda. The right to equality and freedom from discrimination¹⁴ is infringed upon when

¹³ “Uganda court annuls anti-homosexuality law.” BBC. 1 August, 2014.

¹⁴ Ugandan Constitution, Article 21.

LGBT persons are denied their basic civil, political, social and economic rights, on the basis of their sexual orientation and gender identity.

The protection of right to life¹⁵ is infringed upon when LGBT persons who seek health care services encounter stigma, discrimination, harassment, and humiliation. They are often confronted with discriminatory medical policies and practices, homophobic physicians, and the general expectation from health service providers that all patients are heterosexual. In addition, the lack of adequate training for health care workers regarding specific health issues that relate to sexual orientation or gender identity make accessing adequate services for LGBT persons that much more difficult.

The right from deprivation of property¹⁶ is often infringed upon because LGBT persons are denied housing on the basis of their sexual orientation. Likewise, landlords, community members, and family may evict LGBT persons from their homes on the basis of their sexual orientation or gender identity with little or no warning.

The right to education¹⁷ is restricted, when LGBT persons are denied educational opportunities and are subjected to harassment and bullying in schools because of their sexual orientation or gender identity. In addition, many families, friends, and community members will end educational support or opportunities to LGBT persons after their sexual orientation or gender identity is revealed.

¹⁵ Ugandan Constitution, Article 22.

¹⁶ Ugandan Constitution, Article 26.

¹⁷ Ugandan Constitution, Article 30.

The protection of freedom of conscience, expression, movement, religion, assembly, and association¹⁸ for LGBT persons is at stake. Because of the criminalization of same sex relationships and the homophobic political and social climate in Uganda, freedom of expression and association for LGBT persons is difficult and often infringed upon by both state and non-state actors.

The right to human dignity and protection from inhumane treatment¹⁹ is often infringed upon when LGBT persons are subjected to assault by members of the community and arrest by law enforcement. This right is further violated by dehumanizing investigative practices and body searches, such as forced anal examinations.

The right to privacy of person, home and property²⁰ is often infringed upon by state and non-state actors. The existence of ‘sodomy’ or anti-homosexuality laws, which prohibits consensual sexual relationship between adults of the same sex, are an unnecessary intrusion in the private sexual conduct of consenting adults. Likewise family, friends, and community members of LGBT Ugandans often fail to respect the privacy of sexual and gender monitories — by breaking into private spaces, phones, and computers, and in doing so discovering private materials that reveal the person’s sexual orientation or gender identity.

Further, the right to equality and freedom of discrimination is infringed upon when LGBT persons are discriminated from employment opportunities and unable to earn a

¹⁸ Ugandan Constitution, Article 29.

¹⁹ Ugandan Constitution, Article 24.

²⁰ Ugandan Constitution, Article 27.

living.²¹ Discriminatory employment policies and practices which deny or terminate employment for LGBT persons on the basis of their suspected or “proven” sexual orientation or gender identity makes finding employment extremely challenging. The lack of employment opportunities or protections negatively impact on the livelihoods of LGBT persons and further contributes to the high rate of poverty in Uganda.

LGBT persons have the potential and ability to contribute meaningfully to the economic development of the country, if granted full and equal opportunities. However, when LGBT persons are denied equal employment opportunities, become targets of violence, are stigmatized or denied education opportunities, their potential contribution to the economy is diminished. For example, workplace and education discrimination leads to lower wages for LGBT persons which results in less tax revenue for the government, a higher poverty rate, and lower Gross Domestic Product (GDP).²² This clearly negatively impacts the economic development of the nation. A country’s economy cannot advance, if everyone is not granted full and equal participation in the society.

Uganda’s leaders must recognize that it is their duty to be defenders of all of Uganda’s people. The government must act immediately to decriminalize homosexuality in Uganda and to meet the international legal standards of human rights by protecting the human rights of sexual and gender minorities. The government must punish appropriately those who violate and infringe upon the human rights of LGBT persons

²¹ Ugandan Constitution, Article 21.

²² For more on the economic cost of homophobia see: M.V. Lee Badgett of the Williams Institute at the University of California, Los Angeles, case study on India published in a preliminary report by the World Bank (2014). Homophobia could be costing the Indian economy as much as \$30.8 billion every year.

whether they are state or non-state actors, while concurrently protecting sexual and gender minorities from human rights abuses.

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Methodology

This report is based on research and documentation conducted in Uganda by Sexual Minorities Uganda (SMUG) from May 2014 to December 2015. In partnership with Ice Breakers Uganda (IBU), Spectrum Uganda, Rainbow Health Foundation Mbarara,²³ and with support from the International HIV/AIDS Alliance under the REAct project,²⁴ researchers were able to document 264 verified cases of human rights abuses against LGBTI persons based on their sexual orientation and gender identity.

Researchers interviewed a total of 115 people who self-identified as gay, bisexual, lesbian, LGBT, transgender, or *kuchu*. The interviews were conducted in either English or Luganda, or Runyankole and if necessary, were later transcribed to English. Interviews often took place in one-on-one meetings, usually as soon as possible after the human rights abuse took place. All interviewees requested that their real names be withheld from the report, and therefore pseudonyms are used to ensure confidentiality. Further, some specific details that arise in respondent's narratives (such as hometown, place of employment, etc.) have been removed to ensure participant's complete confidentiality.

²³ Ice Breakers Uganda (IBU), Spectrum Uganda, and Rainbow Health Foundation Mbarara are all member organizations of Sexual Minorities Uganda (SMUG) that have health services programming for sexual and gender minorities in Uganda.

²⁴ REAct (Rights Evidence Action) is a community based human rights monitoring and response system, with the main objective of supporting individuals with crisis response and human rights based programs. Consequently, during analysis, documentation will link human rights incidents with accessing HIV and health services.

Data was collected in the form of in-depth structured interviews, and stored in Martus²⁵, a secure human rights database management software. A total of 264 cases of human rights violations against the LGBT community in Uganda were collected by these means, and verified to the furthest extent possible. Specifically, after researchers conducted an initial interview with the client, they conducted a follow-up interview to gain a more detailed account of the human rights abuses and ensure that funds for the crisis response were used effectively and appropriately. To verify the details presented by the client in the case, researchers talked to 2-5 additional people, while concurrently utilizing police records, articles in the media, witness statements, photographs, etc. to verify cases.

It is also important to note that in addition to research and documentation of each case in this report, researchers worked as social workers in implementing crisis response. This includes but is not limited to assisting in relocation for housing, providing safe transportation, covering medical expenses, and facilitating pro-bono legal work. A majority of the crisis response to documented cases were funded by the International HIV/AIDS Alliance under the REAct program.

There were several methodological challenges in research and documentation for this report. Because funding for crisis response was largely aimed at combatting HIV/AIDS for men who have sex with men (MSM), there is an over-representation of cases from self-identifying gay men, with 82% (or 113) of the documented cases coming from gay men. While there were only 5 cases from transgender women, 3 cases from transgender

²⁵ Martus, an open-source software platform, is used by human rights workers, attorneys, journalists and others worldwide to standardize, securely share, and/or secure information from theft, loss, destruction, and/or unauthorized access. Benetech is a non-profit technology company that develops and supports Martus (www.martus.org).

men, and 15 cases from lesbian women. Likewise there is a lack of balanced geographic representation in the cases presented in this report.

Because of limited funding the REAct program was implemented in Uganda among only three SMUG partner organizations (this included IBU, Spectrum, and Rainbow Health). However, cases that arose through any of the other 18 SMUG member organizations were responded to by SMUG or the LGBTI National Security Committee. There are plans to expand to all 18 members and train "REActors" (peer-educators) to respond to and document cases of human rights abuses across the country and widen the geographical scope of cases.

This report identifies interviewees by the terms that clients used to identify themselves. This includes "gay," "bisexual," "lesbian," "homosexual," "transgender," "trans," and "*kuchu*," the former being a localized term in Uganda to describe all sexual and gender minorities. Derogatory terms also appear in this report, which are used to exemplify the verbal abuse that sexual and gender minorities receive in Uganda. A more detailed glossary of the terms used in this report is available in the appendix to this report.

Eviction and Loss of Property

Ugandan sexual and gender minorities are often forced to leave their homes, either by formal eviction from landlords or informal forced removal by neighbors and community members. These evictions are almost always grounded in fear from landlords and neighbors in hosting a “gay person.” Of the 34 cases of eviction documented in this report almost all detailed the landlord or community members concern for having a “gay person” in the area. This language parallels that outlined in the Anti-Homosexuality Act, in which having knowledge of a “homosexual” without reporting to police was a crime.

Often when evictions happen, LGBT persons are forced to leave within hours and are left without their assets and belongings or a place to go. In addition, many are already living on their own after being banished by their families. Evictions make it very unsafe for LGBT persons, leaving them prone to violent attacks, because accusations of being “gay” from landlords often quickly spread by word of mouth and can spark “mob justice” in the surrounding community.

In June, 2014 Godfrey, 25, was evicted after Ugandan President Museveni signed the Anti-Homosexuality Act because his landlord feared violating provisions in the new law. He told us:

The landlord where I stay had been suspicious of my sexuality for a long time but had no excuse to use to ask me or chase me out of his house. After the signing of the Anti-Homosexuality Act into law the landlord took steps to let me know that he cannot allow homosexual people to stay on his property.

He accused me of being “homo” because only male visitors came to my door and that I always kept my door locked whenever I was home which he considered very suspicious according to the neighbors.

The local authorities of the area were also present when the eviction took place and witnessed the occasion. ²⁶

The same month, Ivan, 24, was driven from his home in Bukomansimbi.

The last two weeks she chased me away from her house because I am gay and I begged her to give me at least one week because I had no where to go so fast. She wanted me to leave on that very day and I promised her that in one week I will be out from her house.

Eleven days ago she put a padlock on her house and my things are now in locked up in her house. When I did not come back for two days all my things were put outside. A neighbor called me and informed me about it. And the people around where I used to stay all know my sexuality and they all don't want me there. I now sleep in a different place every two days. ²⁷

Sometimes, local councils (LCs) formally require tenants to leave after being reported by landlords. These formal requests are often made on false premises for sexual and gender minorities, such as not paying rent on time.

²⁶ Sexual Minorities Uganda interview with Godfrey (not his real name), Uganda, 22 June, 2014.

²⁷ Sexual Minorities Uganda interview with Ivan (not his real name), Uganda, 3 October, 2014.

On 5 May, 2014 the local council summoned Moses, a devout Roman Catholic who had a prayer group with young men as members. There he was told that the residents of the village had complained that his house was a center of, “recruiting young boys into homosexuality.” Further, they alleged that Moses himself was the chief “recruiter.” The chairperson told Moses to vacate the house for his own safety since villagers had suggested to cause mob justice. Moses was forced to abandon his home and sought refuge from his friends but was later rejected after they heard of the allegations and his sexual orientation.²⁸

Nsubuga, faced eviction and extreme social exclusion after being outed in the local media.

Three journalists approached me with so many questions regarding my alleged sexuality and why I was going for further studies [in University]. They threatened to expose me if I didn't give them money because, “I had a name to protect.” I reported the matter to Kabale Police Station, but nothing much was done.

Then on the 7th July, I was written about in the *Red Pepper* [newspaper] sister paper named “*Entats!*” meaning “spy” in Runyankole-Rukiga. They wrote about me five times — the last time being in 2009. But my life has never been the same again. My family was affected negatively, I lost a number of friends, I have been practically on my own ever since.

I was admitted to Makerere University but it wasn't long before trouble followed me again, and amidst many challenges, I was arrested on December 10th, 2010

²⁸ Sexual Minorities Uganda interview with Moses (not his real name), Uganda, 18 August, 2014.

in the middle of my end of first semester exams of my third year. I spent that night in jail even when I had a paper to sit the next day at noon. I had just met a stranger outside Mitchel Hall in the evening at around 7 p.m., when within less than 10 minutes, rowdy students gathered, beating us up and shoving us down and led us to Makerere Police post. I slowly recovered from that incident but deep inside am still haunted by it.

When the daughters to my landlady, who is abroad on treatment, forced me out of their premises because they cannot allow “somebody like me” to stay in their compound.” I frantically looked for where to put my property which is now kept with my neighbor but they are threatening to throw my bed away if it spends four more days in the compound. I tried to inform the local council chairman but he fears confronting these girls “because of their money.” Currently I am staying nowhere because a number of my friends reluctantly host me and I am also uncomfortable as I have to take my HIV medication every other night in secret.²⁹

“Not Fit For The Family:” Eviction by Family Banishment

In many cases of eviction, immediate family members have forced LGBT persons out of the home. The state has the responsibility of promoting acceptance in the family and respect of the rights of the child to shelter, care and support irrespective of the child's sexuality. In this report there were 34 cases that involved family eviction or banishment.

²⁹ Sexual Minorities Uganda interview with Nsubuga (not his real name), Uganda, 5 December, 2014.

For LGBTI youth this type of eviction is all too common, leaving many without the necessary resources to access basic necessities and medical treatment.

In May 2014, Muyomba, 20, was banished by his family after his father came across a Facebook profile on a laptop that revealed his sexuality.³⁰ Consequently, Muyomba's father physically beat him and demanded that he leave immediately while threatening to call police to arrest him for "being a homo." Muyomba said:

He was so furious and called the whole family to tell them that he was very disappointed with me and would never allow his son to behave in such a disgusting manner. I was called before the whole family and very many embarrassing questions were asked to me. Some relatives wanted me taken to police for sometime so that I leave such an evil behavior. I was so scared and crushed by such attitude and pleaded and made all sorts of excuses — father to please forgive me, but he refused and instead threatened to beat me and kill me or have me arrested for such behavior. He asked me to get my belongings and leave immediately.

My world came crashing down because I had no idea where to go at this point. I cried and asked for mercy but no one listened. I thought that if I didn't pick my clothes my father would not chase me away for real — but no way. This time he asked me to leave his house immediately without carrying anything of mine. I left home that day and went to a friend's place for a few days but all was really

³⁰ Facebook profiles and other social media outlets are often used as safe spaces for LGBT individuals to connect and meet other sexual and gender minorities. For more on the use of virtual spaces as safe spaces see: "The Fallout of Nigeria's Anti-Gay Law and Opportunities for the Future For LGBTI Persons and Communities." *Boldly Queer*. Chiedu Chike Ifekandu. Hivos. (2015) p. 81-87.

hard for me. Maybe as time passes my father will forgive me and let me be his son again but am just not sure right now.³¹

Each citizen of Uganda is granted the right to “privacy of person, home and other property.” The Ugandan Constitution states, “No person shall be subjected to interference with the privacy of that person’s home, correspondence, communication or other property.”³² However, the right to privacy for LGBT persons is often infringed upon by both state and non-state actors. As exemplified by what occurred for Muyomba, family banishment and eviction frequently occurs after family members invade the privacy of LGBT relatives living in the same household.

Similarly, in March 2014, Morris, 28, was banished and evicted by his family in Entebbe, after his brother found materials in his personal belongings that revealed his sexuality. He told us:

Currently I am in a bad situation of being forced out of my cousin’s home by my big brother who came to learn that I am gay. According to him, I am “not fit to be part of the family” and insist that if I don’t leave, he will do whatever he can in his power to see that I either go to jail or he will mobilize a mob justice to assault me.

When I was beaten and got thrown out of home, my cousin’s brother was sympathetic and took me in but when my big brother learnt of it, he told him

³¹ Sexual Minorities Uganda interview with Muyomba (not his real name), Uganda, 20 May, 2014.

³² Constitution of the Republic of Uganda. Article 27.

that he took me in because he is gay too. My cousin is not happy with this accusation and therefore advised me to leave his place.³³

When Rashid, a 20 year-old university student had his email hacked by his cousin he was outed by messages in his inbox from an LGBT social networking website. Rashid's cousin later followed him to a gay night club in Kampala, and reported him to his father who became so furious that he threatened to kill him. The following Sunday he was called for a family meeting to resolve the issue, but his father was uncompromising. Rashid told researchers that his family is Tabligh Muslim³⁴ with "a strong uncompromising Islamic practice." Rashid told us what happened at the family meeting:

He got hold of a *panga* (machete) threatening to club me. During the scuffle I ran out of the house and jumped a stream while my father was chasing me. He threw a *panga* aiming at me. Neighbors came to my rescue as my dad shouted *fatwa* words to me saying that "I don't produce *basiyazi* in this family" and that he wanted to cut off my head as the Koran commands. All the neighbors got to know my sexual orientation and advised their children to shun me.

Rashid found refuge with members of a gay sex worker group, and stayed with the six men in a tiny rented room in downtown Kampala. "They advised me to sell my body as well but I found it very hard so I left," Rashid said.³⁵

³³ Sexual Minorities Uganda interview with Morris (not his real name), Uganda, 10 March, 2014.

³⁴ *Tabligh Jamaat* is an ultraorthodox religious branch in Islam that preaches that Muslims should replicate the life of the Prophet Muhammad and members consider it their religious duty to travel the world converting non-believers to the faith.

³⁵ Sexual Minorities Uganda interview with Rashid (not his real name), Uganda, 31 August, 2014.

When he left, Rashid found a woman willing to let him stay in her house. The woman had heard his story in the newspaper, but she allowed him stay with her three young children in the same bedroom because she believed allegations to be false. Rashid worked for her as a houseboy, until he was outed by a visitor at the house, who said that Rashid would “defile her kids” and demanded that he be kicked out of the home.

In November 2014, Florence, 22, was evicted by her sister in front of neighbors and local authorities in Gulu, and consequently faced threats of physical violence.

In my family where I was born, I had always been suspected to be homosexual but they had no proof. All my life in school after I realized I was gay. I had always lived in fear of being discovered by my family members. I had a friend who would come to visit for a few days — and when we stayed together for a few days a relative walked in on us laying in each others arms. She screamed at us and told us to leave her house and never come back. We tried to plead with her for understanding but she could not accept any kind of explanations. She immediately called for a family meeting and in my presence and told them how me and my friend had brought disgrace to the family and her household in particular. I thought that being her own family and relative, things would blow over as time passed but this did not happen. The days after the incident a lot of hostility was directed towards us.

We were threatened with being burnt alive in the room where we were staying if we did not leave. No food was given to us for days. When relatives came to visit, I was paraded in front of them and told how disgusting and abnormal I was.³⁶

³⁶ Sexual Minorities Uganda interview with Florence (not her real name), Uganda, 1 January, 2014.

The Media's Role In Evictions

Families have also faced external pressure by community members to evict their LGBT relatives. Steve, a 28-year-old who barely escaped being arrested along with former roommates when living in Kampala, sought refuge at his mother's house while news about him and his friends was making its way across the country.

But as anti-gay organizations came out strongly condemning the LGBT community, blaming them for "recruiting children," villagers in the community ganged themselves together against Steve after they discovered his sexual orientation in the local newspaper. Steve told us, "the villagers threatened to lynch me and my mother together if they saw me again in her home." Consequently, Steve was forced to flee for his own safety.³⁷

Publication of anti-LGBT articles in the local and national media, often with articles "exposing homosexuals," has continued to catalyze human rights abuses against LGBT persons in Uganda. Front pages of prominent newspapers such as the *Red Pepper* and the government owned *Bukedde* have carried stories that are riddled with homophobia — including pictures of nude individuals, young girls kissing, and false allegations that cabinet ministers seek the services of gay sex workers, among others.³⁸ Perhaps the most infamous coverage, was from the now defunct *Rolling Stone* newspaper, which ran a front page headline stating, "100 Pictures of Uganda's Top Homos Leak," alongside a

³⁷ Sexual Minorities Uganda interview with Steve (not his real name), Uganda, 1 June, 2014.

³⁸ "The Bitter Pill: Unlearning the Myths about Homosexuality." Kat Mukasa. Freedom and Roam Uganda. (2013) p. 66

yellow banner reading “hang them.” The front page included headshots of prominent LGBT activists, Bishop Christopher Senyonjo and the late David Kato, along with their addresses.³⁹

Kato alongside two other LGBT activists — Kasha Nabagesera and Pepe Julian Onziema — sued Rolling Stone, and on 3 January 2011, a Uganda High Court Justice ruled that the newspaper’s publication of the articles threatened Kato's and the others' “fundamental rights and freedoms,” attacked their right to human dignity, and violated their constitutional right to privacy. However, just weeks after winning the court case, and experiencing an increase in threats and harassment, Kato was murdered in his home in a suspected hate crime.⁴⁰

Although, the Uganda High Court created precedent that “outing” sexual and gender minorities in the media is an invasion of privacy and a violation of their constitutional rights — such human rights abuses ensue. Sexual Minorities Uganda has documented 11 cases of press intrusion for this report, which outed sexual and gender minorities. This has continued to cause LGBT persons to face many different human rights abuses and forms of social exclusion, including banishment by their families and eviction.

Bwire, 23 was ousted in the local media and later evicted by his sister in March 2014. His picture appeared on front page of the tabloid newspaper, “*Hello*” calling him a homosexual.

³⁹ Rolling Stone “Hang Them” Front Page. October 2-9 2010.

⁴⁰ “Ugandan Who Spoke Up for Gays Is Beaten to Death” The New York Times. January 27, 2011.

When my sister who is the guardian came to know about the picture, she became hostile and her husband asked me to leave the house immediately or else be dealt with accordingly. At this point I was in a dilemma because he did not have single coin on him and didn't have anywhere to go. I tried to plea for mercy from my sister but all was in vain so I walked to the city center to a friends place where I stayed for a few days and move to another friends place because of mistreatment from the friend. I now wander from one friend to the next. ⁴¹

This type of unstable and unsafe lifestyle occurs when the state fails to protect the human rights of LGBT persons.

⁴¹ Sexual Minorities Uganda interview with Bwire (not his real name), Uganda, 1 March, 2014.

Termination of Employment and Loss of Income

Just before Kintu, 29, was terminated from his job in February, 2015, his employer handed him a letter that read, "Kintu you have been hardworking and flexible but I choose to let you go try your efforts elsewhere due to reasons not listed in this letter." What wasn't detailed in the letter was his employer's fear of losing customers for having employed a "gay man." After Kintu's boss was confronted by several of his workmates that suspected Kintu of being gay, he was terminated, unable to work, and earn money to live.

The Constitution of Uganda states that, "all persons are equal before and under the law in all spheres of political, economic, social and cultural life and in every other respect and shall enjoy equal protection of the law." In addition, it specifically outlines that "a person shall not be discriminated against on the ground of sex, race, color, ethnic origin, time, birth, creed or religion, social or economic standing, political opinion or disability." But for LGBT Ugandans this protection has failed to be ensured.

For many LGBT Ugandans who are fired from work on grounds of their sexual orientation or gender identity, like Kintu, they do not want to pursue suing their former employers. In Kintu's case he had gained the job through a relative, and feared that his sexual orientation would be exposed to his family and the media if he took any legal action. Instead now Kintu is attempting to get his sister to sell off land in his village to raise money for him to start his own business — but was told that is only going to happen if he could show that he was "responsible" by introducing a girlfriend to the family.

Finding work for LGBT Ugandans is extremely difficult. When LGBT identifying persons do find jobs, it almost always requires them to stay in the closet and hide their status as a sexual or gender minority — living in constant fear that they may one day be outed by coworkers, family, or community members. Nsubuga, 28, who was arrested, assaulted and harassed because of his sexual orientation told us about the difficulty in finding employment as an LGBT person in Uganda.

Finding work is a big challenge, I imagine those who [know my sexual orientation] are out and about and even when all of them see me every day, I only managed to see a handful of them. So losing jobs and opportunities could be because of them being everywhere and my failure to recognize them. I need to work in a protected environment, with people who can accept me for who I am. I tend to withdraw. I like to stay at home most of the time as a means of damage control.⁴²

Researchers documented 24 cases of sexual and gender minorities being terminated based on their sexual orientation or gender identity. When this happens, they face social exclusion from the community and difficulties in providing support for themselves and their families.

Jonah, a 25 year-old teacher living in Kampala, was terminated from his employment after suspected of being gay. He told researchers:

⁴² Sexual Minorities Uganda interview with Nsubuga (not his real name), Uganda, 20 October, 2014.

In November 21, 2014 two boys were suspended indefinitely [at my high school] for having broken school rules and regulations among which included homosexuality and smuggling of phones into the school.

Following the above cases, I helped one culprit by claiming ownership of one phone, which I managed to recover before the headmaster expelled the boys.

When the boys had been expelled they sought my counsel for I was the school counselor and a friendly teacher to them. They used to come to my place and spend time. Even when they were hated by other teachers for being gay, I still welcomed them simply because I understood their situation. My neighbors, who were teachers, saw this and started complaining to my boss that I had become a “hiding place for homos.” They were wondering why boys came to my place and locked themselves inside for long — and why not other teachers — that was one of their questions. They suspected and confirmed that I was gay also. They even told my boss that I should be dealt away for I was encouraging the habit.

After the beginning of the term one staff meeting on the 24 January 2015, my boss called me to her office to inform me that the board of Governors of the parish schools had reached decision beyond her control that I could no longer render my services at school. She also advised me to look for an opportunity elsewhere and shift my belongings, from the school house, as soon as possible but I got stuck and am still. I left that day and up to the present day I have failed to settle down and get a job.⁴³

⁴³ Sexual Minorities Uganda interview with Jonah (not his real name), Uganda, 31 January, 2015.

Similarly, Enock, a 28-year-old secondary school teacher in Western Uganda, was arrested on allegations of sodomy. He told us:

When the school director came to know that I was gay he mobilized 12 students to claim that I sodomized them. The students were told what to say and the director reported me to Ntingamo Police who arrested me. I spent three months in police cells. ⁴⁴

Later Enock, was transferred to Mbarara Central Police, but he was denied police bond. He contacted Human Rights Commission Mbarara regional office while at Mbarara police cells by writing a letter to the commission, and a few days after he was released on police bond.

After his release he went home to Rubindi - Ibanda district where he experienced social segregation, stigma, and ridicule while also threatened to be burned alive due to his sexual orientation. One of the researchers for this report witnessed the attack first hand. He said:

On 1 February, 2014 people in my village organized to attack him but he was helped by a friend who telephoned me and I ran away. His case has never been closed nor charged but has been reporting to police ever since till to date.

Balinda, a 28-year-old living in Eastern Uganda lost his job working as a cashier in Jinja after he was outed as gay and detained by police. Before he was fired, he was called from home before his usual time going to work and asked to come in. When he reached

⁴⁴ Sexual Minorities Uganda interview with Enock (not his real name), Uganda, 6 June, 2015.

his place of work, he found the Chairman of the Board of Directors and many other hotel officials assembled in the boardroom, where he was asked to sit.

Balinda was not given any explanation, but was asked to hand over his work materials and told by the Board of Directors that he owed the company 5 million Ugandan shillings (approximately \$1,400). He was then taken to a nearby police station where he was detained for two days without any charge being presented. He told us that since the arrest several boda boda cyclists near his home frequently say homophobic slanders as he passes by. The arrest has created an unsafe level of visibility for Balinda, increasing his chances of being attacked and making it almost impossible to find employment.⁴⁵

⁴⁵ Sexual Minorities Uganda interview with Balinda (not his real name), Uganda, 20 October, 2015.

Physical Threats, Violent Attacks, and Harassment

Physical and sexual violence by state actors, community members, neighbors, and acquaintances is apart of the lived reality for LGBT persons in Uganda. Cases of assault occur most frequently for sexual and gender minorities whose identities are outwardly “visible.” This visibility is highest for those who do not conform to the strict social and gender “norms” of Uganda in their outward appearance. Likewise, assault is almost always rooted in “gender policing”⁴⁶ by fellow citizens — in which some feel the need to violently impose or enforce gender norms based on an individual’s perceived sex. In many cases the perpetrators feel they have the “moral authority” to assault sexual or gender minorities and are not retributed by the police.

Between May 2014 and December 2015, Sexual Minorities Uganda interviewed 115 self-identified LGBT persons. These interviews elicited 48 accounts of physical violence as a direct result of their sexual orientation or gender identity, including 13 accounts of torture by state actors. In addition, 16 cases of physical threats and 19 violent attacks based on sexual orientation or gender identity were documented, along with 9 cases of blackmail, and 26 non-physical verbal threats.

Beyonce, 35, was attacked by a mob outside of her home in October, 2015. She told us that she had received death threats since October, 2014 because she had previously hosted transgender women at her home for a social gathering. Afterwards, community members living in the same area became concerned. Beyonce said:

⁴⁶ For more on “gender policing” see: Heidensohn, Frances and Brown, Jennifer, eds. (2000) *Gender and policing: comparative perspectives*. Palgrave Macmillan, London, UK.

Most people were wondering who these 'boys' were and people started spreading rumors that I was recruiting people into homosexuality.

On Sunday while talking to a group of guys in my neighborhood, I was informed that there was a witch hunt for me and my 'boy-girl' friends; they wanted to cut off our balls and burn us to death. Unfortunately my phone battery was dead so I rushed to a café where I reported these threats to the relevant people.

After, Beyonce, was able to seek help, the Defenders Protection Initiative (DPI)⁴⁷ facilitated relocating her for two days. However, after the two days transpired Beyonce didn't have anywhere safe to stay.

I went to a friend's house and as I waited at the gate, a number of guys came and beat me up. The attack lasted about five minutes and fortunately, a friend of mine happened to be in the vicinity and came to my rescue. He scared the goons away and managed to save my bag; I was in shock and tears as I quickly digested what had just happened.

I was then taken to Bunga where I spent the night at another friend's place. So far I have been supported by friends who have heard about my ordeal and offered assistance in one way or the other. This is not the first attack I have gone through but I strongly believe the people who have been sending me these threatening messages must have followed me and were determined to kill me.

⁴⁷ Defenders Protection Initiative (DPI) is a non-profit organization registered by the National NGO board under the Uganda statutory requirements that aims at contributing to the promotion and protection of human rights, good governance, rule of law, peace and democracy by strengthening the capacity of human rights defenders (HRDs) to mainstream security, safety and protection management in their work. See: defendersprotection.org for more information.

Of all the attacks I have been subjected to, this is the first time I have dealt with death threats and I am very scared for my life; I am currently staying at a safe house where East and Horn⁴⁸ has placed me for the time being.⁴⁹

However, often when attacks like Beyonce's do occur, LGBT persons fear to report their case to the police. This was the case for Peter, 24, who was physically attacked by a mob of *boda boda* cyclists at a stage in Ntinda, in July 2014. Peter was wearing short pants and members of the community suspected him of being gay — when he reached the *boda* stage one cyclist shouted in Luganda, "*omusiyazi wuyo*," meaning "a sodomizer," followed by "lets lynch him!" They encircled Peter and began beating him. However, he escaped and hid nearby until they left and he could reach home safely.⁵⁰

When sexual or gender minorities' identities are revealed or suspected by members of the community they are at great risk for mob justice. In March 2014, Solomon, 25, was assaulted in a bar when others suspected him of being gay.

I went out one evening to a drinking joint near my house. A group of some friends of mine joined me there and we had a few drinks while listening to music and watching the football game on screen in this bar till very late hours of the night. A group of individuals in the bar began arguing very loudly about the subject of homosexuality and what they were talking about was so absurd that I

⁴⁸ East and Horn of Africa Human Rights Defenders Project (EHAHRDP) is a registered NGO in Uganda that often provides final crisis response to human rights defenders in the region. For more information about the work that EHAHRDP does please see: defenddefenders.org.

⁴⁹ "Violent Attacks on LGBTI Persons on the Rise within Kampala." Kuchu Times. <https://www.kuchutimes.com/2015/10/violent-attacks-on-lgbti-persons-on-the-rise-within-kampala/>

⁵⁰ Sexual Minorities Uganda interview with Peter (not his real name), Uganda, 20 August, 2014.

had to join in and give my opinion in favor of LGBT persons that they are humans and deserve respect like any other on earth. It did not go down well with some people that I was in support of homosexuals so the group turned on me and manhandled me, insulted me and ripped my shirt. There was a serious scuffle and the management asked the bouncers to throw all of us out. I left with my pains in my body and a few scratches which I had treated at a health facility.⁵¹

When researchers spoke with Michael, 24, he said “for the last four days I have been living under total threat after a group of unknown people came to attack me in the middle of the night.” He explained:

At first they found me on my way home and surrounded me and after they stole whatever I had including my phone. The same group came in the middle of the night at my place kicking on my door wanting me to come out and hit me. They stayed at my doorway for over 30 minutes claiming to burn the house or else to call the police, again as I was coming from town when going to my place, two unknown boys chased me wanting to beat me. I don’t move and I am always indoors fearing that they can come to my place and attack me.⁵²

⁵¹ Sexual Minorities Uganda interview with Solomon (not his real name), Uganda, 1 April, 2014.

⁵² Sexual Minorities Uganda interview with Solomon (not his real name), Uganda, 18 September, 2014.

Violence From Peer LGBT Members

Violence towards LGBT persons also occurs frequently from fellow members of the LGBT community who know that they are sexual and gender minorities. Perhaps most frequently, assault and physical violence that does occur between members of the LGBT community happens when they are romantically or sexually involved with one another. Researchers found 8 cases of violence toward sexual and gender minorities by peer LGBT members. Kakooza, 28, told us that he was threatened with physical violence by his partner in November, 2014, after he found his partner cheating on him. Kakooza said:

I was staying with my boyfriend for two years now and was the one providing everything to him.

I took away a phone I had just bought him when he woke up he asked about his phone and I told him, "that's my phone I bought it for you," so he locked me in our bedroom and started hitting me up with a chair, hitting me on the walls and I shouted for help but no one could come to my rescue.

He kept on hitting me up and saying, "I want to spoil that face and see who will love you." And he threatened me to tell the neighbors if I don't give him money. So he hit me so badly that I couldn't walk — I am just recovering.⁵³

⁵³ Sexual Minorities Uganda interview with Kakooza (not his real name), Uganda, 28 July, 2014.

Asiimwe, 26, who lives in the central Ugandan town of Bukomansimbi, told researchers, he made a date with another man after meeting online. He told us:

It all started by someone sending me a friend request on Facebook who later called me out for a date and to sleep over, the guy one time called me out but at first I was hesitant but he insisted that I should go and see him and we talk then I told him I didn't have transport. The guy sent me a cab to pick me up. On my arrival at the guy's place I found a bottle of wine on the table. But when I was drinking other two guys entered the house and sat down and then my date called me in the bedroom and started asking me where I learnt to become gay. And then I just kept quiet.

The guy changed attitude and started shouting calling his friends in the bedroom to see how a gay man looks like — they came and started beating me up telling me to give them money so that they let me free but I didn't have money on me they continued to beat me up seriously and then threatened to burn me. I shouted for help but no one was coming and it was 1:00 am, fortunately the last in the neighborhood heard and she came into the house and asked them why are they were beating me up. They responded that I am a homosexual. Then she told them to let me go then she held my hand and took me out gave me first aid and called a boda guy to take me home and that's how I survived being killed.⁵⁴

Asiimwe and Kakooza's stories represent the psychological violence and social exclusion that exists within the LGBT community itself. When LGBT members are struggling with

⁵⁴ Sexual Minorities Uganda interview with Kakooza (not his real name), Uganda, 23 September, 2014.

internalized homophobia, transphobia, and pressure from friends, family, and community some lash out violently towards others.



Harassment

Sexual and gender minorities are often met with harassment from community members, friends, family, and state actors. Harassment most frequently takes the form of non-physical homophobic or transphobic threats, with 26 cases reported involving verbal harassment. However, LGBTI persons also face harassment in the form of intimidation with 9 cases involving blackmail, 4 involving house intrusion, and 15 involving loss of physical property.

For example, Andrew, 32, was wrongly accused and convicted for theft because of his sexual orientation. He told us, “My neighbor was suspicious of my sexuality so when she was robbed, she pressed charges against me leading to arrest and detention at Kira county police post.”⁵⁵

Often harassment towards sexual and gender minorities leads to physical violence. This was the case for Kabillito, 22, who has been a male sex worker in Lwengo district for three years. One night he was faced with verbal harassment exposing his sexual orientation by other sex workers and was physically hurt while fleeing from the scene. Kabillito told us:

⁵⁵ Sexual Minorities Uganda with Andrew (not his real name), Uganda, 3 January, 2014.

One night I planned to go do normal sex work routines in Nyendo Masaka. On reaching a certain street, a group of female sex workers on the street started screaming and yelling at me — that I has infected all men in Lwengo and now I am shifting my work to Masaka to infect the Masaka men too. They shouted about me being gay and dressing like a woman yet I am a man, this attracted an onlooker in the town who chased me. I managed to run and escape but in the run I fell in a ditch and broke my leg.⁵⁶

However, Kabillito said he feared reporting the case and seeking medical attention at the time because he was wearing “ladies make-up.”

Similarly, Kiho, 30, was faced with harassment that escalated into physical violence, arrest, and the termination of his employment.

One day one of my relatives got my mobile number and typed a message reading “I want to fuck your ass” and sent it one of the contacts in my mobile phone. The recipient of the message called me back inquiring why the message was sent and requested me to meet him at a trading center. The one who got the message had mobilized the villagers and were nearby.

I confessed to have sent the message and the recipient of the message shouted at me and said, “this is the man who wanted to fuck my ass.”

The residents rose up in arms with sticks and stones trying to beat Kiho. The owner of the bar pleaded with the residents and asked them not to take the law into their hands.

⁵⁶ Sexual Minorities Uganda interview with Kabillito (not his real name), Uganda, 7 September, 2014.

He suggested that Kiho be taken to the police station to answer charges of sodomy and also confess the name of the group of people he “works with.”

Kiho was taken by a mob to the police station and locked in the cell for the night. The next morning Kiho was told he could face a sentence of 14 years in prison. Kiho’s family had to sell their property and assets to raise 2.5 million shillings to bribe the Division Police Commander (DPC) to drop the case.

Harassment in the form of theft is also quite common for LGBT persons. For example, Ejau, a 31-year-old living in Kampala received death threats because of his sexual orientation after his house was broken into.

They took lots of my property, and I tried it as a normal robbery. I reported the case to Katwe Police station and the suspects are unknown. After reporting to the police they didn't do any follow up of the case. I returned to living my normal life till they broke into my house again and took all the remaining property and left me a note with the words, “Tudako gwe twakowa abasiyazi” (“next is you, we are tired of homosexuals.”)

They broke into my house when I was not around and I only realized my house was a mess at 1 a.m. when I returned home. I suspect that they might have broken into my house between 8 p.m. and 1 a.m. when I was not home. I was with my two friends when we witnessed this break in. We were returning from checking on our sick friend.⁵⁷

⁵⁷ Sexual Minorities Uganda interview with Ejau (not his real name), Uganda, 29 September, 2015.

“We Don’t Offer Services to Such People:” Access to Healthcare

Perhaps one of the most frequent human rights abuses against LGBTI persons relates to accessing non-discriminatory healthcare. Although informal discussion among members of the LGBT community about discrimination at health clinics occurs quite frequently, reported cases are rare. The normalization of this discrimination is extremely problematic. Although, there were only 5 documented cases relating to access to health care, we expect to see this number rise to its more accurate figure with continued documentation.

Access to Healthcare for LGBTI Ugandans is often characterized by extreme stigma. For sexual and gender minorities with a “visible” sexual or gender identity, it is often most difficult. Agaba, 26, told us his experience:

When I went for health services the health workers looked at me in a very disgusted way and I heard them whisper that I looked like a ‘homo.’ It was a very degrading and humiliating experience.⁵⁸

Agaba’s story is contrary to the requirement “to never discriminate when providing services,” stated in almost every health care facility in Uganda. Further, the outdated Diagnostic and Statistical Manual of Mental Disorder (DSM-II), which cites homosexuality as a mental disorder, continues to be used to train health care workers in Uganda. When LGBTI persons seek services at health clinics and reveal their sexual orientation or gender identity they are often met with prejudice, bias, and discrimination by both the healthcare workers and peer clients.

⁵⁸ Sexual Minorities Uganda interview with Agaba (not his real name), Uganda, 1 March, 2014.

This lack of adequate training led Brian, 21, to be stigmatized at a clinic in Kampala in October, 2014. When Brian went to seek health services for a medical problem that he had been having for a couple of weeks he was turned away because of his sexuality. According to the health workers he talked with, his medical problem was due to him “practicing homosexuality.” Brian had no idea where else to go for fear of being discriminated against and outed to his family. Meanwhile, the health problem was becoming worse.

Similarly, Bwire, a 23-year-old gay man living in Kampala told us:

I was given very rude treatment and asked why I “look like a girl.” It was so humiliating so I had to leave before the treatment I had gone for.⁵⁹

Healthcare providers often fail to take detailed medical histories of LGBTI persons, missing out on important health information. LGBTI persons are almost always unable to access services as couples, making accessing sexual and reproductive services difficult.

Because of the social and political climate in Uganda there is often disruption of access to health services, including harassment by police at health facilities. Perhaps the most notable case of this occurred when the Uganda police raided the Walter Reed Project, a project funded by the USAID, which offered services to all Ugandans with a specific focus on LGBTI individuals.⁶⁰ Consequently, the US Embassy decided to shut down the

⁵⁹ Sexual Minorities Uganda interview with Bwire (not his real name), Uganda, 1 March, 2014.

⁶⁰ Saturday Monitor. “Makerere project recruited gays - police.” 2014.

project, and thirty of the clinic's HIV-positive clients, were evicted from their homes and left (at least temporarily) without access to anti-retroviral medication.

Adroa, a 26 year-old living in Kampala was denied access to HIV treatment because of his sexual orientation. He told us:

I am HIV positive and I have lived with it for a year now, I used to stay in Nakilebbe a small town on Masaka road and someone used to pick for me my drugs but then I decided to move away and come to Kampala where I can get some work and earn a living. Reaching here I started looking for a place where I can pick my medicines. I had taken one month without taking drugs because I didn't know where to get them from and had no friends to ask. One time I walked into a clinic near home and talked to the nurse about what was happening and I told her that I was HIV positive. She referred to me to a certain center where I can access my medication.

Reaching that center I started the process — and reaching the counseling room I found a lady seated there and she asked for my history and I told them how I love and sleep with boys and the lady looked at me and she said, “we don't offer services to such people” (homosexuals). And I was like “I'm a human being who is dying soon, can you please give me drugs and I go?” She told me to move out of the center and go somewhere else. Meanwhile she started calling people to come and see “this rotten person,” so I had to walk out the center and went back home. I felt like committing suicide — so lost and confused.⁶¹

⁶¹ Sexual Minorities Uganda interview with Adora (not his real name), Uganda, 5 March, 2015.

Uganda's HIV prevalence has been on the rise since 2005, unlike almost every other country in the world. Over the past five years the rate has increased from 6.4 to 7.3%.⁶² Continuing to discriminate against sexual and gender minorities will only make this figure continue to increase.

⁶² Human Rights and Awareness and Promotion Forum, 2014

Key Recommendations

This report has documented 264 verified cases of human rights abuses against sexual and gender minorities in Uganda based on their sexual orientation or gender identity. This included physical threats, violent attacks, torture, arrest, blackmail, non-physical threats, press intrusion, state prosecution, termination of employment, loss of physical property, harassment, eviction, mob justice, and family banishment — often leaving LGBTI individuals without jobs, homes, resources, and support. This is detrimental not only to sexual and gender minorities living in Uganda — but to all people living in Uganda. When the state institutionalizes discrimination and fails to protect the human rights of all of its citizens, it suffers. It becomes clear that this problem is urgent and key stakeholders must act. Therefore, in conclusion of this report, Sexual Minorities Uganda has outlined key recommendations to create the much-needed change for sexual and gender minorities across the country.

To the Government of Uganda:

- Stop supporting the cruel and unusual punishment of sexual and gender minorities.
- Uganda Police Force should work with SMUG to investigate all cases documented in this report.
- The Ugandan Human Rights Commission should work to take cases presented in this report to tribunal.
- The Parliamentary Committee on Human Rights should take proper action for cases documented in this report.
- The Uganda National HIV/AIDS committee should be inclusive of sexual and gender minorities and include them in all health related programming.

- The Equal Opportunity Commission should remove legal provisions that outlaw being able to hear LGBT relate cases.
- Decriminalize homosexuality immediately, and repeal Section 145 of the penal code which criminalizes “crimes against the order of nature.”
- Investigate all reports of violence against sexual and gender minorities, appropriately punish those responsible, and publicly and expressly condemn all such violence.

To the international community

- Assist in investigations on cases presented in this report.
- Support work to combat human rights abuses by funding projects and grassroots organizations.
- Assist in refugee issues — neighboring countries criminalize consensus same-sex and same-gender conduct with hostile environments toward sexual and gender minorities.
- There should be a needs assessment complemented on what the LGBT community in Uganda needs, to ensure that international aid is appropriately and effectively used.
- Help hold perpetrators of human rights abuses accountable.
- Strengthen capacity.

To members of civil society

- Cite this report and use as evidence in work for human rights.
- Highlight violations of human rights abuses against sexual and gender minorities in the context of the larger fight for equal human rights for all Ugandans.

To families

- Respect the privacy of LGBT children or relatives.
- Do not discriminate against LGBT children or relatives based on their sexual orientation or gender identity.

To media

- Respect the privacy of LGBT persons and facts when writing about people or topics that relate to sexuality or gender.
- Rely on reports and credible information when writing about sexual and gender minorities.

Glossary

“Abasiyazi:” A Luganda word that is often used as a derogatory term, meaning “homosexual.”

Biological sex: the biological classification of bodies as male or female, based on such factors as external sex organs, internal sexual and reproductive organs, hormones, or chromosomes.

‘Coming Out’: Or, ‘coming out of the closet,’ this is the process of becoming aware of one’s queer sexual orientation, identity, accepting it, and telling others about it.

Gay: Most often used to describe only men who are attracted primarily to other men, but may also be used as a synonym for “homosexual.”

Gender: the social and cultural codes (as opposed to biological sex) used to distinguish between what a society considers “masculine” or “feminine” conduct.

Gender expression: The external characteristics and behaviors that society define as “masculine” or “feminine” — including such attributes as dress, appearance, mannerisms, speech patterns, and social behavior and interactions.

Gender identity: A person’s internal sense of self as male, female, transgender, etc. A person’s sex and gender identity may not always be in sync. A person may identify as male but they have the biological sex of a woman.

Heterosexual: A person primarily attracted to people of the opposite sex.

Homosexual: A person attracted primarily to people of the same sex.

Kuchu: A localized term for LGBTI or queer in Uganda. It is often used as an identifier synonymous with any term reading to sexual and gender minorities.

Lesbian: A woman attracted primarily to other women.

LGBT: An acronym used to stand for lesbian, gay, bisexual, and transgender. It is an inclusive term often used as a synonym for “sexual and gender minorities.”

Men who have sex with men (MSM): Men who engage sexual behavior with the men, but do not necessarily identify as “gay,” “homosexual,” “bisexual,” etc.

Sex: a person’s biological status typically referred to as male, female, or intersex. The indicators of one’s biological sex include sex chromosomes, gonads, internal reproductive organs, and external genitalia.

Sexual orientation: the sex of the person to whom one has an enduring pattern of physical, sexual or romantic attraction — that is, it describes where one falls on the spectrum of attraction to people of the same or opposite sex, or both.

Transgender: An umbrella term used to describe people whose gender identity, expression, or behavior is different from that typically associated with their assigned sex at birth.

A Breakdown of the Cases

The following table breaks down numerically (by type of human rights abuse) all cases documented for this report. From interviews with 115 self-identifying sexual and gender minorities, 264 cases of human rights abuses from May 2014 - December 2015, were documented.

<i>Human Rights Abuse</i>	<i>Total</i>	<i>(%)</i>
Violence	71	(27%)
Arrest	23	(9%)
Physical Threat	16	(6%)
Violent Attack (mob justice, etc.)	19	(7%)
Torture	13	(5%)
Intimidation	61	(23%)
Blackmail	9	(3%)
Non-Physical Threat / Verbal Threats	26	(10%)
Press Intrusion / Press "Outing"	11	(4%)
State Prosecution	11	(4%)
House Intrusion	4	(2%)
Loss of Property	73	(28%)
Loss of Physical Property	15	(6%)
Loss of Income or Employment	24	(9%)
Eviction or Removal From Home	34	(13%)
Social Exclusion	59	(22%)
Community Discrimination / Harassment	27	(10%)
Family Banishment or Discrimination	25	(9%)
Deportation	2	(1%)
Discrimination when Accessing Healthcare	5	(2%)

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⁶³ Real name is not used for anonymity.

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// And That's How I Survived Being Killed

Testimonies of human rights abuses from Uganda's sexual and gender minorities

Even after Ugandan activists worked to successfully annul the Anti-Homosexuality Act, which for five months made homosexuality punishable by life in prison, human rights abuses against LGBTI Ugandans pursued.

In this report, based on first-hand testimonies, Sexual Minorities Uganda documents the physical threats, violent attacks, torture, arrest, blackmail, non-physical threats, press intrusion, state prosecution, termination of employment, loss of physical property, harassment, eviction, mob justice, and family banishment that are all too often apart of the lived experience for sexual and gender minorities in Uganda.

This report has documented 264 verified cases of persecutions of LGBT individuals based on their sexual orientation or gender identity. Of the 264 cases documented in this report 48 involved acts of violence, including 35 cases involving physical threats or violent attacks, and 13 instances of torture by the state. The largest proportion of documented cases involved intimidation, with 84 cases, while 73 involved loss of property (including loss of employment, physical property, and eviction), and 59 involved social exclusion (including discrimination when accessing healthcare, community discrimination, and family banishment) — all of which the Ugandan government has failed to investigate.



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