

## TAKE ACTION FOR THE PROTECTION OF SEXUAL MINORITIES IN UGANDA

### Take Action Now!

In recent months violence against sexual minorities has dramatically increased in Uganda. Members of the lesbian, gay, bisexual and transgender (LGBT) community in Uganda have received death threats and one well-known human rights activist, David Kato, was bludgeoned to death on 26 January. However, Uganda's High Court has ruled that the rights of sexual minorities are guaranteed by the country's Constitution. The rights of LGBT people must be protected in order for HIV prevention efforts to be effective.

- **Please write to the Ugandan authorities** asking them to condemn violence against sexual minorities and to guarantee all their rights as Ugandan citizens.

In recent months violence against sexual minorities has dramatically increased in Uganda.

A weekly Ugandan newspaper, *Rolling Stone*, last year published an article on its front page revealing the identities of a number of gay men and women and calling for them to be hanged. Members of the lesbian, gay, bisexual and transgender community in Uganda soon started to receive death threats and some had to go into hiding. One well-known human rights activist, David Kato, was bludgeoned to death on 26 January.

David and two other LGBT activists had sued *Rolling Stone* after the article was published. The High Court of Uganda ruled that the publication had violated their constitutional rights to dignity and privacy and ordered 1.5 million Ugandan Shillings compensation for each of them. It also issued an injunction prohibiting any further publication of the identities and addresses of people labelled as 'homosexuals'.

The violation of the human rights of men who have sex with men has a negative effect on HIV prevention efforts. For example, men who have sex with men may not approach health services if they fear that their violence or that their privacy will not be protected.

Please write to the Ugandan authorities asking them to condemn violence against sexual minorities and to guarantee all the rights of all LGBT people as Ugandan citizens.

### Laws contravening the rights guaranteed under Uganda's constitution

The Constitution of Uganda provides for the protection and promotion of fundamental and other human rights and freedoms. Among others, it guarantees the rights to equality and freedom from discrimination, the right to life, the right to privacy, and the rights of minorities.<sup>1</sup>

<sup>1</sup> Constitution of the Republic of Uganda, 1995. *Chapter Four: Protection and promotion of fundamental and other human rights and freedoms*. Articles 20 to 36. [www.ugandanembassy.com/Constitution\\_of\\_Uganda.pdf](http://www.ugandanembassy.com/Constitution_of_Uganda.pdf)

However, under Uganda's existing legislation, "carnal knowledge of any person against the order of nature" is classified among "unnatural offences" and is punishable with life imprisonment. Attempting to commit "unnatural offences" is liable to seven years imprisonment.<sup>2</sup>

Section 148 of the Penal code on "indecent practices" states that "(a)ny person who, whether in public or in private, commits any act of gross indecency with another person or procures another person to commit any act of gross indecency with him or her or attempts to procure the commission of any such act by any person with himself or herself or with another person, whether in public or in private, commits an offence and is liable to imprisonment for seven years."

## **TAKE ACTION!**

- Please write to the Ugandan authorities asking them to condemn violence against sexual minorities and to guarantee all their rights as Ugandan citizens.

If you receive a reply from the newspaper or any of the authorities to whom you have addressed your appeal, please let us know as soon as possible on [info@aidsalliance.org](mailto:info@aidsalliance.org) or call +44 1273718900. Thank you.

## **FOR MORE INFORMATION**

For more information, please visit [www.aidsalliance.org](http://www.aidsalliance.org) or [www.whatspreventingprevention.org](http://www.whatspreventingprevention.org).

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<sup>2</sup> The Penal Code Act of 1950 (Chapter 120) . Section 145. Unnatural offences. And Section 146. Attempt to commit unnatural offences.