

URGENT ACTION

REPEAL AHA 2023 AND ENSURE ACCOUNTABILITY

On 26 May, the Ugandan President assented to the Anti-Homosexuality Bill 2023. The Act criminalizes same-sex conduct between consenting adults and has retained the death penalty in cases of “aggravated homosexuality”. Since the passing of the Act, increasing cases of violence and human violations against the LGBTI people in Uganda have been documented. The Government of Uganda must repeal the Anti-Homosexuality Act 2023 and ensure accountability for the attacks against the LGBTI community.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

President Yoweri Museveni

Parliament Avenue

Kampala, Uganda

Email: info@statehouse.go.ug

Twitter: @kagutamuseveni

Copies to: Parliament of Uganda

Email: cpa@parliament.go.ug

Dear President,

*I am writing to express grave concern about the **2023 Anti-Homosexuality Act** which has criminalized consensual same-sex conduct in Uganda and is in violation of numerous human rights of LGBTI individuals and those defending their rights in Uganda, including the rights to dignity, equality before the law, equal protection by the law, non-discrimination, and freedom of expression and association.*

The assent of the 2023 Anti-Homosexuality Act by the President on 26 May has had a devastating impact on LGBTI individuals in Uganda, who were already facing persecution and discrimination. It has fuelled violence and discrimination against them, and reinforced stigma and stereotypes related to homosexuality. It has had a chilling effect on freedom of expression and association, as individuals who support LGBTI rights also risk persecution and imprisonment.

Furthermore, the Act has intensified the climate of fear within the LGBTI community who now report that it has emboldened aggression from some members of the public, police authorities, local council authorities and the courts against individuals based on real or presumed sexual orientation and gender identity. Increasing cases have been documented including the case of 2 men who were charged on 18 August 2023 with “aggravated homosexuality”, an offence that carries the death penalty under the Act.

I urge you and the Parliament of Uganda to immediately repeal the 2023 Anti-Homosexuality Act and take steps to protect the human rights of all individuals, regardless of their sexual orientation or gender identity. I also urge you to promptly and impartially investigate and prosecute all hate-based attacks against LGBTI individuals and organizations. Furthermore, I urge the Ugandan authorities to stop prosecuting people based on their real or perceived sexual orientation or gender identity.

Yours sincerely,

ADDITIONAL INFORMATION

The Anti-Homosexuality Act 2023 (AHA 2023) is not the first time the Ugandan government has attempted to criminalize homosexuality. Since the striking-down of Uganda's Anti-Homosexuality Act in 2014, there have been repeated efforts to proscribe homosexuality including in 2021 with the Sexual Offences Bill which criminalized any "sexual act between persons of the same gender," as well as anal sex between people of any gender, with a penalty of up to 10 years in prison. AHA 2023 is one of the most extreme anti-LGBTI laws in the world as it broadens penalties and appears to be the first to outlaw anyone identifying as LGBTI.

Since the passing of the Act in May, there has been an increase in hatred, discrimination, and violence against individuals because of their sexual orientation or gender identity.

The Human Rights Awareness and Promotion Forum (HRAPF) based in Uganda has recorded a total of 149 cases in June and July 2023.¹ The cases involve sexuality related cases², evictions from homes, villages and rented homes, and actual or threatened violence. To date, at least five people had been charged with different offences under the Act. Two of the five were charged in August with "aggravated homosexuality", which carries the death penalty.

The Anti-Homosexuality Act is in violation of Uganda's obligations under both national and international law, including Chapter 4 of the Constitution of Uganda which protects the rights to equality and non-discrimination, protection of personal liberty, protection from cruel or degrading treatment, and privacy. The Act further violates provisions of the African Charter on Human and People's Rights (the African Charter), prohibiting discrimination, cruel or degrading treatment, and prohibition of arbitrary arrests. The Act also violates various provisions of the Universal Declaration of Human Rights (UDHR) and International Covenant on Civil and Political Rights. The UDHR protects everyone's right to express themselves freely, and the right to equality and non-discrimination. Like the African Charter, the UDHR prohibits torture or cruel, inhuman, or degrading treatment or punishment, arbitrary arrest, detention, or exile, arbitrary interference with a person's privacy, family, home, or correspondence. The ICCPR has similar provisions in its articles 2, 7, 9 and 17.

PREFERRED LANGUAGE TO ADDRESS TARGET: English.

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 27 November 2023

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

¹ [Violation Reports – Human Rights Uganda \(hrapf.org\)](#)

² Cases to do with the real or presumed sexual orientation and gender identity of individuals under the AHA 2023 i.e. reporting someone to the authorities because they are a woman but act in a manly way leading to the assumption that they are a lesbian or transgender

ADDITIONAL TARGETS

- Parliament of Uganda
Email: cpa@parliament.go.ug
- The Uganda Police Force
Email: info@upf.go.ug

Ms Nimisha Madhvani
Uganda High Commission
Uganda House 58-59 Trafalgar Square WC2N 5DX
Fax 020 7839 8925
info@ugandahighcommission.co.uk; admin@ugandahighcommission.co.uk

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/afr59/6752/2023/en/>