

UGANDA:TWO GAY MEN ARRESTED AND DETAINED BY POLICE

According to area residents of Nansana a Kampala suburb, two gentle men who identified them selves as Police but were not in the customary Ugandan Police uniform went to the home of Oundo George (Georgina) and arrested Him together with Kiiza 'aka' Brenda both MTF(Male to female transgender gay men) on Wednesday the 10th of September.2008.

The area residents in a phone call with David Kato - board member of SMUG,told him that these men were also looking for David Kato who they described as the LGBTI leader in that area. They further confirmed that these men as they searched for George Oudo's home they were asking for the identity of men who look or act like women (Stereo type transgender men). The resident who provided us with this information continued to say that it was a young girl who directed the men to Oundo George's home, and that when they got to Oundo George's home they identified them selves with Identity cards and handcuffed the two gay men, they also took gay literature that was in the house the two gay men were driven off in a tinted salon car.

On Friday the, 11th September, Oundo George was allowed a phone and he called Frank Mugisha , Co-Chairperson - SMUG. He confirmed to Frank Mugisha about the arrest and that they were taken to Nalukologolo Police Post where they spent Wednesday night and then transferred to Nabweru police post where they are held to date. Oundo George further warned Frank Mugisha to watch out for his and the LGBTI security with a strong remark to David Kato that he is also being hunted for arrest; he further said that he is being interrogated about LGBTI activities, people and organizations.

There has been fear and panic within the LGBTI community in Uganda how to follow up this case study, for fear of being arrested at the Police station while trying to find out what the two are charged with. However we managed to find some one (Names withheld) who accepted to go to Police and find out what the two gay men are being charged with. On arrival at the Police station he was asked his names and relationship to the inmates he said he is a counselor and the two were his clients and that he was concerned about their arrests, he was told to show some identification. He did so, the Police looked through a long list of names on a two page paper to see if his name was on that list and it wasn't, meaning the Police has a list of names of LGBTI people in Uganda wanted for arrest. Nevertheless he was told that the two were charged with the offense of recruiting people into homosexuality. The Police officer insisted that the two are the cornerstone to identify and show where other LGBTI stay or work, according to the person we sent to Police, the arrests of the rest of us is to begin Monday 15th September 2008, and that the Police officer emphasized, he had been to Wakiso Police headquarters to arrange transport for the Monday arrests. He went further to say that after the arrests, then the Police will visit all embassies supporting homosexuals in Uganda and then take the LGBTI people arrested to court to face the law. This Police officer also said that he one time almost arrested Kasha Jacqueline (Board member SMUG/Chairperson Freedom and Roam Uganda) and that Kasha escaped him

narrowly when Kasha entered a super market in wandegeya (a Kampala suburb). The Police officer also inquired from the person we sent if Victor was in the country.

We have contacted our lawyers for legal Aid. We hope to have more information tomorrow Monday the 15th September 2008, if we are not arrested.

Back Ground:

The community of Uganda is very hostile to LGBTI people. Oundo George has been relocated to several different places for his safety and he still faces the same hostility. Transgender people face most hostility and discrimination in Uganda.

The Law

In Uganda Section 140 of the penal Code criminalizes "carnal knowledge against the order of nature" with maximum penalty of life imprisonment. Also, Section 141 prohibits "attempts at Carnal knowledge" with maximum penalty of 7 years' imprisonment. Section 143, punishes acts of procurement of or attempts to procure acts of gross indecency" between men in public or private with up to 5 years imprisonment.

In 2005 an amendment on same sex marriage, was passed Article 31(2a) clearly states that marriage between persons of the same sex is prohibited. Under article 31(1a) it means that LGBTI people can not marry and are not entitled to a found family.

The 2007 Equal Opportunities Act, 2007 clearly discriminates homosexual people.

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