



**INTERNATIONAL GAY AND LESBIAN HUMAN RIGHTS COMMISSION**  
HUMAN RIGHTS FOR EVERYONE. EVERYWHERE.

[Close Window](#)

## Uganda Action Alert: Dismiss the Anti-Homosexuality Bill

10/16/2009

### **The Issue:**

The Ugandan Parliament is now considering a homophobic law that would reaffirm penalties for homosexuality and criminalize the "promotion of homosexuality." The Anti-Homosexuality Bill of 2009 targets lesbian, gay, bisexual, and transgender (LGBT) Ugandans, their defenders and anyone else who fails to report them to the authorities whether they are inside or outside of Uganda. The International Gay and Lesbian Human Rights Commission (IGLHRC) and Sexual Minorities of Uganda (SMUG) are calling for the swift dismissal of the bill and human rights protections for all Ugandans, regardless of their sexual orientation or gender identity.

### **Background:**

Uganda's Penal Code Article 145a already criminalizes "carnal knowledge of any person against the order of nature" – a charge used to prosecute, persecute and blackmail LGBT people with the threat of life imprisonment. The new bill would specifically penalize homosexuality, using life imprisonment to punish anything from sexual stimulation to simply "touch[ing] another person with the intention of committing the act of homosexuality." It also punishes "aggravated homosexuality" – including activity by "serial offenders" or those who are HIV positive – with the death penalty.

The bill criminalizes "promotion of homosexuality" in the form of funding and sponsoring LGBT organizations and broadcasting, publishing, or marketing materials on homosexuality and punishes these acts with a steep fine, 5-7 years of imprisonment, or both. Any person in authority who fails to report known violations of the law within 24 hours will also be subject to a significant fine and up to 3 years in prison – even when this means turning in their colleagues, family, or friends. More shocking, the bill claims jurisdiction over Ugandans who violate its provisions while outside of the country.

The bill effectively bans any kind of community or political organizing around non-heteronormative sexuality. It will lend itself to misapplication and abuse, and implicitly encourages persecution of LGBT people by private actors. HIV prevention activities in Uganda, which rely on an ability to talk frankly about sexuality and provide condoms and other safer-sex materials, will be seriously compromised. Women, sex workers, people living with AIDS, and other marginalized groups may also find their activities tracked and criminalized through this bill.

The Anti-Homosexuality Bill of 2009 not only violates multiple protections guaranteed by the Constitution of Uganda, which ensures independence for human rights non-governmental organizations, but contravenes the African Charter on Human and People's Rights, the International Covenant on Civil and Political Rights (ICCPR), and other international human rights treaties to which Uganda is a party. This bill undermines Uganda's commitment to the international human rights regime and threatens the basic human rights of all its citizens.

[Find out more about LGBT issues in Uganda »](#)

**Take Action Now**

Join the International Gay and Lesbian Human Rights Commission (IGLHRC) and Sexual Minorities of Uganda (SMUG) in calling for the swift dismissal of the Anti-Homosexuality Bill of 2009 and the protection of all Ugandans, regardless of their sexual orientation or gender identity.

**Contact:**

**President Yoweri Kaguta Museveni  
State House Nakasero**

P.O. Box 24594  
Kampala, Uganda  
Tel: 256-41-343-311  
Fax: 256-41-346-102

[info@statehouse.go.ug](mailto:info@statehouse.go.ug)

**Prime Minister Apollo Nsibambi  
Post Office Building, Yusuf Lule Road**

P.O. Box 341  
Kampala, Uganda  
Tel: 256-41-423-6252  
Fax: 256-41-434-1139

[ps@opm.go.ug](mailto:ps@opm.go.ug)

**Speaker of the Parliament Edward Ssekandi Kiwanuka  
P.O. Box 7178, Parliamentary Avenue**

Kampala, Uganda  
Tel: 256-414-377-100  
Fax: 256-414-231-296

[speaker@parliament.go.ug](mailto:speaker@parliament.go.ug)

**Minister of Gender, Labour, and Social Affairs  
Honorable Opio Gabriel**

P.O. Box 1494  
Kampala, Uganda  
Tel: 256-41-510-732

[ps@mglsd.go.ug](mailto:ps@mglsd.go.ug)

**Med Kaggwa, Chair of the Uganda Human Rights Commission  
Plot 20/22/24 Buganda Road**

P.O. Box 4929,  
Kampala, Uganda  
Tel: 256-414-348-007/8  
Fax: 256-414-255-261

[uhrc@uhrc.ug](mailto:uhrc@uhrc.ug)

**Directorate for Ethics and Integrity**

P.O. Box 7142  
Kampala, Uganda  
Tel: 256-(0)41-430-1600  
Fax: 256-(0)41-434-3177

[info@dei.go.ug](mailto:info@dei.go.ug)

**Mathisen Gørild  
Chair of the Uganda Diplomatic Human Rights Working Groups**

[gorild.mathisen@mfa.no](mailto:gorild.mathisen@mfa.no)

Send a copy to:

**Jerry P. Lanier, Ambassador to the Republic of Uganda  
Embassy of the United States of America**

P.O. Box 7007,  
Kampala, Uganda  
Tel: 256-414-259-791/2/3/5  
Fax: 256-414-259-794

[kampalawebcontact@state.gov](mailto:kampalawebcontact@state.gov)

**IGLHRC**

[communications+action.alert@iglhrc.org](mailto:communications+action.alert@iglhrc.org)

Send an email and fax to:

**Perezi K. Kamunanwire, Ambassador to the US**

Tel: 1-202-726-4758  
Fax: 1-202-726-1727

[pkamunanwire@ugandaembassyus.org](mailto:pkamunanwire@ugandaembassyus.org)

**Dr. Ruhakana Rugunda  
Permanent Representative of the Republic of Uganda to the United Nations**

336 East 45 Street  
New York, NY 10017  
Tel: 1-212-949-0110  
Fax: 1-212-687-4517

[ugandaunny@un.int](mailto:ugandaunny@un.int)

**Sample Letter:**

Your Excellencies:

I am writing to express concern about legislation that would severely restrict the rights of Ugandan citizens, including lesbian, gay, bisexual, and transgender (LGBT) people and their defenders, in direct contravention of domestic and international law. The Anti-Homosexuality Bill of 2009 would not only reaffirm penalties for homosexuality, but would criminalize the "promotion of homosexuality," including funding and sponsoring LGBT organizations and broadcasting, publishing, or marketing materials on homosexuality. Any person in authority who fails to report known violations of the law within 24 hours will also be subject to a significant fine and up to 3 years in prison – even when this means turning in their colleagues, family, or friends.

The negative repercussions of the bill in Uganda will be immediate and severe. It effectively bans the free association and expression that are necessary for a flourishing civil society, and creates a climate of fear and hostility that undermines the citizenship and solidarity of all Ugandans. It will lend itself to misapplication and abuse, and implicitly encourages persecution of LGBT people by private actors. Effective HIV prevention activities in Uganda, which rely on an ability to talk frankly about sexuality and provide condoms and other safer-sex materials, will be difficult, if not impossible.

The Anti-Homosexuality Bill violates National Objective 5(2) of the Ugandan Constitution, which provides that "the State shall guarantee and respect the independence of non-governmental organizations which protect and promote human rights." Moreover, it directly violates the right to equality and freedom from discrimination (Article 21), the right to privacy (Article 27), the right to freedoms of speech, expression, association, and assembly (Article 29), the protection of minorities (Article 36), and the protection of civic rights and activities (Article 38) to which all Ugandans are entitled. It also violates the African Charter on Human and People's Rights, the International Covenant on Civil and Political Rights (ICCPR) and other international human rights treaties to which Uganda is a party. This bill undermines Uganda's commitment to the international human rights regime and threatens the basic human rights of all its citizens.

The Bill's revocation of fundamental rights would also seriously undermine the

country's reputation and credibility in the international arena. Because it claims jurisdiction over Ugandans who violate its provisions while outside of the country, the Bill will strain Uganda's relations with regional and international partners.

While people may hold differing opinions about sexual orientation and gender identity, the legislation before Parliament is an ineffective and fundamentally illegal way to express opposition to a minority group. In recognition of the importance of a diverse, dynamic civil society and the domestic and international commitments that Uganda has made, I urge you to swiftly dismiss the Anti-Homosexuality Bill of 2009 and reaffirm the rights and responsibilities of all Ugandans.

Sincerely,

Name:

Organization:

Country: