



The Anti-Homosexuality Bill is a Bill of Hate and Lies that Violates Human Rights

22nd March 2022

March 21, 2023, marked a sad day in the history of Uganda. This was the day the Parliament of Uganda, which is charged with passing laws that promote good governance, decided to disregard humanity, tolerance, and dignity that is inherent to all human beings, and guaranteed by the Constitution of Uganda.

The Parliament of Uganda has passed into law the Anti-Homosexuality Bill (AHB) 2023 and submitted it to the President for assent. As the political and religious vitriol, scapegoating, and state sanctioned violence against gender and sexual minorities continues to take root in Uganda and many parts of Africa. This odious bill, if assented to by the President, means witch hunts targeting LGBT people, physical and online attacks, despicable and false claims of LGBTI “recruitment of children,” arbitrary arrests and systematic violation of human rights would become legalised and institutionalised in Uganda.

The AHB not only duplicates the harmful provisions of the 2014 Anti Homosexuality Act, which was nullified by the Constitutional Court in August 2014. It also imposes harsh new criminal penalties for offences that will criminalize identity, association, assembly, expression, and the provision of health and other essential social services. This is a retrogressive and unconstitutional Bill that is designed to distract ordinary Ugandans from the fact that Parliament is offering no solution to the crises they face every day: rampant government corruption, unemployment, the failing education system, lack of access to quality health care, and catastrophic effects of grinding and unrelenting poverty. Parliament and Government wants to inflame hatred instead of addressing life and death issues we face as Ugandans.

The AHB criminalises the existence of LGBT Ugandans, the provision of services for LGBT Ugandans, and the dissemination of information that acknowledges their right to exist and live peacefully as law abiding citizens. The Bill requires all Ugandans to report any person suspected of being LGBT to the authorities and forbids the provision of shelter of a homosexual on one's premises.

“This Bill means anyone’s identity, how we express ourselves, will be policed and criminalized. Society will be weaponized and turned into the police to forcefully out and report suspected gender and sexual minorities including family members. The right to privacy and minding your own business is now a thing of the past as one is expected to know what your neighbour or tenant is doing within the confines of their homes. This Bill will deny gender and sexual minorities access to basic social services like shelter, healthcare, education, food as mandated by the constitution, because all the service providers for these have a legal duty to report gender and sexual minorities and if they do not it means jail for them” said Frank Mugisha.

The Conveners for Equality (CFE) unequivocally condemn the actions of Parliament in passing this Bill. The Speaker of Parliament, Hon. Anitah Among, in full view of the world, railroaded the proceedings. The content and tenor of the debate represents a decline in adherence by Parliament to



the rule of law and an outrageous submission to fundamentalists' pressure. It also reflects a striking neglect of the basic principles of the 1995 Constitution of Uganda which clearly guarantees the freedoms of assembly, association, expression, as well as the right to health and access to other essential services. It represents a callous disregard for humanity, respect for diversity and the efforts Ugandans have taken over the years to build a tolerant, inclusive, and just society.

The calculated fast tracking of the Bill has denied gender and sexual minorities, human rights defenders and allies the opportunity to challenge the Bill and its implication on their lives as human beings and citizens of Uganda, fully entitled to protection and safety as well as freedom from torture, cruel, degrading and inhumane treatment as provided for under the constitution of Uganda.

Around the world, especially on the African continent, there is a growing realisation that legislation such as the AHB represent the worst, colonial notions of sexuality. Science and evidence have shown that they serve not only to entrench discrimination and inequality, and to perpetuate stigma against gender and sexual minorities while undermining human rights and aggravating the abuse of the human rights of all citizens.

Uganda has long been a trailblazer in the fight against the scourge of HIV. The AHB will greatly hinder these efforts that have been championed by the President of the Republic of Uganda H.E. Yoweri Kaguta Museveni Tibuhaburwa. The 2012 Crane survey collaborative study with Makerere University School of Public Health, Ministry of Health, and the Center for Disease Control (CDC) showed that HIV prevalence among men who have sex with men (MSM) in Kampala is 13%, more than three times the average prevalence among heterosexual men in Kampala (4.1%) and about twice as high as the national average of 7.3%. Intolerance, discrimination, fear and lack of prioritisation means that prevention and treatment services for these communities are almost non-existent. Gay Ugandan men and Men who have sex with men (MSM) are already 240 times more likely to become HIV positive than other Ugandan men due to criminalization and stigma. Under this Bill, Uganda's lifesaving HIV program would become illegal—it would be "promotion of homosexuality," and service providers would become criminals, alongside those seeking these lifesaving services.

Should the AHB be operationalized, efforts to reach these populations may become illegal and implementers of public health strategies could be liable to criminal charges—alongside the people intended to benefit from these programs. This endangers the Ugandan population as a whole.

We, the Conveners for Equality (CFE) therefore;

- Condemn the AHB in no uncertain terms and in its entirety as a hate Bill. We call on everyone to walk the talk of 'UBUNTU', democracy, human rights, constitutionalism, and equality for every Ugandan.



- We also call on President H.E. Yoweri Kaguta Museveni Tibuhaburwa to withhold his assent to the Bill as it will fuel hate, harassment, violence and abuse for gender and sexual minorities.
- We call upon the Rules and Procedures Committee of Parliament, chaired by the Speaker of Parliament, to revisit the procedure used to hastily pass the AHB, to redress the anomalies and bad precedent set.
- We call upon the media to understand that there is a clear distinction between consensual same-sex adult relations and sexual abuse of children and not to amplify baseless propaganda that promotes harm and capital punishments for gender and sexual minorities.
- We call upon the Uganda security agencies and Uganda Communications Commission (UCC) to urgently request the general public to desist from circulating hate speech and calls for violence and mob justice against gender and sexual minorities as this will only lead to a genocide towards a section of law abiding citizens.
- We call on the Biden Administration to uphold its [foreign policy priority of advancing the freedoms and rights of all LGBT people](#) and call on President H.E. Yoweri Kaguta Museveni Tibuhaburwa not to assent to this draconian Bill, lest Uganda face consequences from the US government and the rest of the international community.
- The CFE stands firm in its commitment to uphold the rights of all and encourages all those who believe that constitutionalism provides one of the strongest guarantees of individual freedoms and social health to join us in rejecting the bill.