

AMNESTY INTERNATIONAL

Public Statement

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Uganda: Intimidation of lesbian and gay activists

Amnesty International is concerned about the on-going intimidation of lesbian, gay, bisexual and transgender (LGBT) rights activists in Uganda. The latest incident follows steps taken by Ugandan law-makers in July 2005, who voted for a constitutional amendment to criminalize marriage between persons of the same sex.

Activist Victor Juliet Mukasa, Chairperson of Sexual Minorities Uganda (SMUG), fears for her safety after her house was raided on the night of 20 July 2005. Local government officials in a suburb of the capital city, Kampala, entered her house in her absence and seized documents and other material, apparently looking for “incriminating evidence” relating to the activities of SMUG. No search warrant was produced on demand. The organization advocates for the promotion and respect of all rights contained in the Uganda constitution and in international human rights treaties for lesbians, gay, bisexual and transgender persons, including the right not to be discriminated against.

Another lesbian activist, who was in Juliet’s house on the night of the raid, was arbitrarily arrested and detained by local government officials and then taken to the police station. She was subjected to humiliating and degrading treatment, in breach of her right to liberty, security and inviolability of person and to privacy. No charges were pressed against her and she was released, on the condition that she reported back to the police in the company of the chairperson of SMUG the following morning of 21 July.

Amnesty International is concerned that the above incidents add to a pattern of abuse of their right not to be discriminated against on the basis of sexual orientation, the right to freedom, security and inviolability of the human person, respect for private life, protection of privacy of the home and freedom of association and expression.

Amnesty International calls on the Ugandan government to respect and to ensure to all members of the LGBT community on its territory the following rights, as provided for under international human rights law:

- (a) The right not to be discriminated against on the basis of sexual orientation;
- (b) the right to liberty and security of person and the right not to be subjected to arbitrary arrest or detention, as per Article 9 of the International Covenant on Civil and Political Rights (ICCPR), to which Uganda is a state party;
- (c) the right not to be subjected to degrading treatment or punishment, as per the provisions of Article 7 of the ICCPR;
- (d) the right not to be subjected to arbitrary or unlawful interference with his privacy, home or correspondence, in line with Article 17 of the ICCPR;
- (e) the right to freedom of expression and association, as per Articles 19 and 22 of the ICCPR.

With regards to the SMUG activists, including Victor Juliet Mukasa, Amnesty International further calls on the Ugandan authorities to fully implement the provisions of the 1998 UN Declaration on the Right and Responsibility of Individuals, Group and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

Background

A climate of hostility and prejudice against members of the LGBT community persists in Uganda. On 5 July 2005, the Ugandan parliament voted for a constitutional amendment to the effect that “marriage is lawful only if entered into between a man and a woman”. The amendment further declared that it was “unlawful for same-sex couples to marry”.

Earlier in February 2005, the Ugandan Media Council banned the play “The Vagina Monologues” by the American playwright Eve Ensler, which several women’s organizations planned to stage to mark V-Day – a day of awareness-raising about violence against women. The council found that the play “prominently promotes and glorifies acts of unnatural sex...or homosexuality.”

In October 2004, a radio station was compelled to pay a fine for hosting a live talk show with sexual rights activists discussing discrimination against members of the LGBT community in Uganda and their need for HIV/AIDS services. The Broadcasting Council imposed a fine of approximately one thousand US dollars, claiming that the programme was “contrary to public morality” and breached existing laws. Following this incident, security officials continued to harass the LGBT community, causing gay rights activists at one of the main universities to fear for their personal safety.