



**Community Advocacy in Shaping HIV Response
and Health Care Access**

UC Global Health Day 2024

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Sexual Minorities Uganda**

Africa & Homosexuality

Is homosexuality alien to Africa?



- Africa – 33 out of 55 countries – homosexuality is a crime [punishable](#) by imprisonment.
- Attitudes towards homosexuality are not uniform across the entire continent, and there is considerable diversity in how different African societies view and respond to same-sex relationships.
- Diverse views on sexuality and gender roles historically existed in many African societies.
- Expanded Criminalisation - Examples ; Kenya, Ghana, Namibia, Niger, Tanzania and Uganda - have taken steps to tighten their anti-homosexuality laws.

History

Buganda Kingdom (Uganda)

In pre-colonial Buganda, the kingdom had recognized roles for same-sex relationships. Kabaka Mwanga II, who ruled in the late 19th century, was known to have had male consorts. However, with the advent of colonialism, British influences led to the criminalization and stigmatization of homosexuality.

The Mende People (Sierra Leone)

The Mende people historically had a category for male individuals who took on female roles, known as the "Sande" society. Some individuals in this society were involved in same-sex relationships, and their roles were recognized within the community.

The Nupe People (Nigeria)

Among the Nupe people, there were documented instances of male-to-male marriages in the 20th century. These unions were socially accepted and recognized as a legitimate form of partnership.

The Nandi People (Kenya)

The Nandi people recognized a phenomenon called "moral husbandry," where a warrior would maintain a younger male companion for sexual and social support. This relationship was seen as contributing to the warrior's well-being and prowess.

The Asante People (Ghana)

Some historical accounts suggest that the Asante people had a recognition of diverse gender identities and expressions. The presence of individuals considered as "mogho" (effeminate males) suggests a nuanced understanding of gender and sexuality.

Progress in some countries

- In Africa, despite some progress in LGBTQ+ rights, several challenges persist in countries with progressive laws as societal stigma against LGBTQ+ individuals remains prevalent.
- **South Africa**, for instance, has strong legal protections, but it continues to battle violence directed at queer persons. In 2021, at least 24 people were reportedly murdered in bias-motivated attacks.
- In **Seychelles**, which decriminalized same-sex activity in 2016, there are legal ambiguities regarding the rights of LGBTQ+ individuals, leaving them vulnerable to discrimination and lack of legal protection in various aspects of life.

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- In **Lesotho**, where same-sex activity was decriminalized in 2012, LGBTQ+ couples still face challenges in areas such as adoption and inheritance, as these rights are not fully recognized or protected.
 - In **Angola**, which decriminalized same-sex activity in 2019, there is political and social opposition to LGBTQIA+ rights, which can hinder the implementation of supportive policies and programs.
 - In **Mozambique**, where same-sex activity was decriminalized in 2015, LGBTQ+ individuals have limited access to healthcare and support services

Uganda

- ◆ 1950 Penal Code Section 145 – 147 Introduced to outlaw same sex relations
- ◆ Same-sex intercourse or identification as a homosexual was taboo
- ◆ Societal disapproval, rejection and ostracisation.
- ◆ Uganda's HIV/AIDS Success story
- ◆ Homosexuality and HIV/AIDS
- ◆ Faith and Religion

Wednesday, September 29, 1999 Published at 12:43 GMT

World: Africa

Lock up gays, says Ugandan president



President Museveni: Comments follow reports of gay marriage

President Museveni of Uganda has ordered that homosexuals in Uganda be arrested and charged. A state-owned newspaper has reported.

"I have told the Criminal Investigations Department to look for homosexuals, lock them up and charge them," the New Vision quoted the president as saying.

Myths

- Homosexuality and HIV/AIDS
- Homosexuality and pedophile
- Promotion of homosexuality V Advocacy
- Recruiting of Children
- Western Import – not African
- Population growth

The Problem

- Culture
- Media
- Religion
- Luck of information
- Fear
- Politics



The Uganda Anti Homosexuality Act (AHA) 2023

- The new law duplicates and increases the penalty for same-sex consensual adult sexual relations.
- Uganda already has restrictions under the penal code because of a British-imported Colonial-era anti-sodomy law. In 2009, we had a similar law dubbed the “Kill the Gays Bill” .



Overview of the AHA 2023 and Public Health

The new law permits the death penalty for the new crime of "aggravated homosexuality,"

Here, a clause that codifies the stigma against people living with HIV by defining consensual same-sex relations with a person with HIV as "aggravated homosexuality"

Such provisions affect health-seeking behaviour and drive infection underground, discouraging people from seeking testing to know their status which is affecting the fight against HIV and undermining the progress we have made.

The law also creates a new crime of "promoting homosexuality," criminalizing all advocacy in support of the rights of LGBTIQ+ Ugandans, punishing such legitimate work with a possible 20-year prison sentence.

Under promoting homosexuality, public health workers, other Ugandans or visitors could face long prison sentences and hefty fines for implementing programs or voicing support for the LGBTQ community.

How AHA 2023 Affects Service Delivery

THE ANTI-HOMOSEXUALITY ACT 2023

This is an act to prohibit any form of sexual relations between persons of the same sex; to prohibit the promotion or recognition of sexual relations between persons of the same sex and for related matters.

THE OFFENCE & PENALTY

Death penalty for aggravated homosexuality

- ⊗ Gay sex with children,
- ⊗ Infecting one with HIV/AIDs
- ⊗ **Serial offender** (sex acts committed without consent or under duress, against children, people with mental or physical disabilities by a serial offender or involving incest.



Life sentence in prison

- ⊗ Any individual convicted of committing the offence of homosexuality.



GCIC • STATE HOUSE



The law **DOESN'T CRIMINALISE** anyone who identifies as homosexual.

www.gcic.go.ug • [#OpenGovUG](https://twitter.com/OpenGovUG)

- Raids and limited civic space forcing some LGBTQ+/partner CSOs to close down.
- The law requires doctors, landlords and families to report someone they suspect of being LGBTQ+ to the police.
- This has meant that service delivery to LGBTQ+ persons, especially for sexual and reproductive health, has become much more erratic and inadequate.

As posted by the Government of Uganda in July 2023 on X, formerly known as Twitter

Excel in PLE

Find questions of English, Mathematics, Science and Social Studies. P.19 - 22

NEWS ...P2

Govt to recruit 78,000 primary school teachers

The State Minister for Primary Education, Ms. Joyce Kadiya, has said the government is planning to recruit a total of 78,000 primary school teachers to level the teacher-pupil ratio gap in the Universal Primary Education schools.



Homes

Use interlocking blocks to reduce construction costs

Interlocking blocks are becoming popular in wall construction. This is because they are locked against each other without the use of cement mortar; they make things easier and form a stable building structure that reduces the cost and time of the construction. P.19, 23.

DAILY MONITOR

TRUTH EVERY DAY

MPs return death penalty for gays

Punishment. Under the Act, a person found culpable of promoting homosexuality faces 20 years' imprisonment. There are also punishments for journalists, editors, film directors, and corporate entities that promote homosexuality....P.4,5



Cabinet terminates vehicle inspection deal

THE LIZARD

DO THEY NOW HAVE MONEY TO PAY THEM?



GOVT TO RECRUIT 78,000 PRIMARY SCHOOL TEACHERS

Uganda on high alert over Marburg outbreak in Tanzania ...P3



Family dispute cited in missing nursery girl case

Two families yesterday accused each other in a case of a missing child that was reported at Yezu Amala police station in Nansana Municipality by the mother. P.3

- The surge in violence, persecution and hate targeting communities, drives communities away from accessing services
- We know that when criminalization is eliminated, and health services are provided so that sexual orientation and gender identity is embraced, health programs can be implemented better and have impact
- When human rights are protected, it means there are better engagements with communities.
- Defeating HIV by 2030 as a public health threat will not be achieved unless we take action against these retrogressive and despicable laws.

How Bad Laws Affect Prevention Care And Treatment

- Discriminatory laws cause fear and the fear discourages individuals from seeking HIV testing, prevention services, and treatment, due to concerns about potential discrimination, violence, or legal repercussions.
- Despite the Ministry of Health in Uganda passing two circulars on non-discrimination urging health workers not to discriminate, the number of LGBTQ people seeking targeted services at public health facilities continued to drop
- The laws that discriminate significantly erode trust between LGBTQI+ individuals and the public healthcare system making it harder for individuals to access essential services and receive proper care.



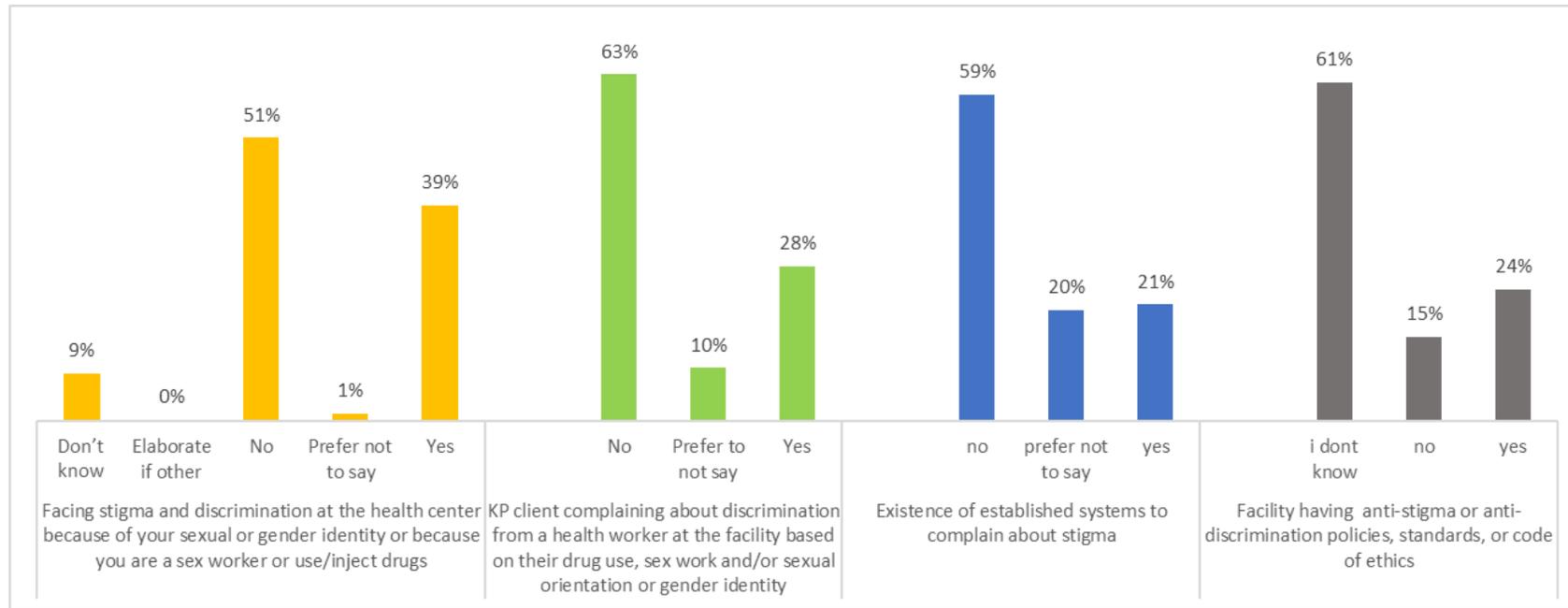
Stigma and Discrimination

interviewed 695 members of the Uganda LGBTIQ community on different forms of the stigma they faced at health facilities in 2023.

39% reported that they faced stigma at health facilities because of their gender identity.

28% had heard of another member of the LGBTQ community member complaining of stigma and discrimination at a health facility

61% of our community members did not know whether health facilities had anti-discrimination policies at this time despite circulars from the Ministry of Health passed on non-discrimination.



Effects on Community

- Mental health challenges and Trauma.
- Internal and External displacement - LGBTQ+ homelessness and fleeing Uganda.
- Violations and abuses have escalated by social and traditional media sensationalising arrests of LGBTQ+ persons and parading them before the media.
- Forced Anal Examinations as well.
- Sexual Assault.
- In January 2024, my good friend and queer activist Steven Kabuye was brutally attacked and stabbed. He had to undergo emergency abdominal surgery.



Moral Cleansing by the public

The Anti-gay and Anti-gender movement in Africa

- The anti-gay and anti-gender history goes way back and we have seen many anti-gay and anti-gender groups partner with politicians and religious leaders around Africa to undermine Gender, Sexual and Reproductive health and LGBTQ+ Human Rights.
- Funding anti gay and anti genders laws in Africa.
- They use misinformation and disinformation to create harmful propaganda.
- In March, 2023 the parliament of Uganda organised a conference in Entebbe Uganda on "family values"
- They promote "Conversion Therapy" as a "cure for homosexuality" in Uganda and other African countries as exposed by **Open Democracy**

SCOTT LIVELY



THE GLOBAL HOMOSEXUAL
MOVEMENT AS A THREAT
TO WESTERN CIVILIZATION

Scott Lively first traveled to Uganda in 2002 and 2009 . SMUG sued Scott Lively in 2012.



Sharon Slater President - Family Watch International in Uganda March 2023

The Ripple Effect of Uganda: How Anti-Gender Groups Influence Legislation Across Africa



has since made efforts to
happening around Africa.



Hon. George Peter Kaluma
@gpdkaluma

Africa is headed to Uganda for the Regional Inter-Parliamentary Conference on Global Challenges to the Protection of the African Child, the African Family and African Culture & Values including homosexuality. President @KagutaMuseveni is the Host. See you there!
[@SayNooToLGBTQ](#)

The First African Regional Inter-Parliamentary Conference and Dialogue on

Global Challenges to the Protection of the African Child, the African Family, and African Culture and Values

Regional, sub-regional and national implications for protecting the sovereign rights of each African State, the African family as the fundamental unit of society, and the African child in the context of health, education, and human rights

To be convened by the Parliamentary Forum on Family Uganda

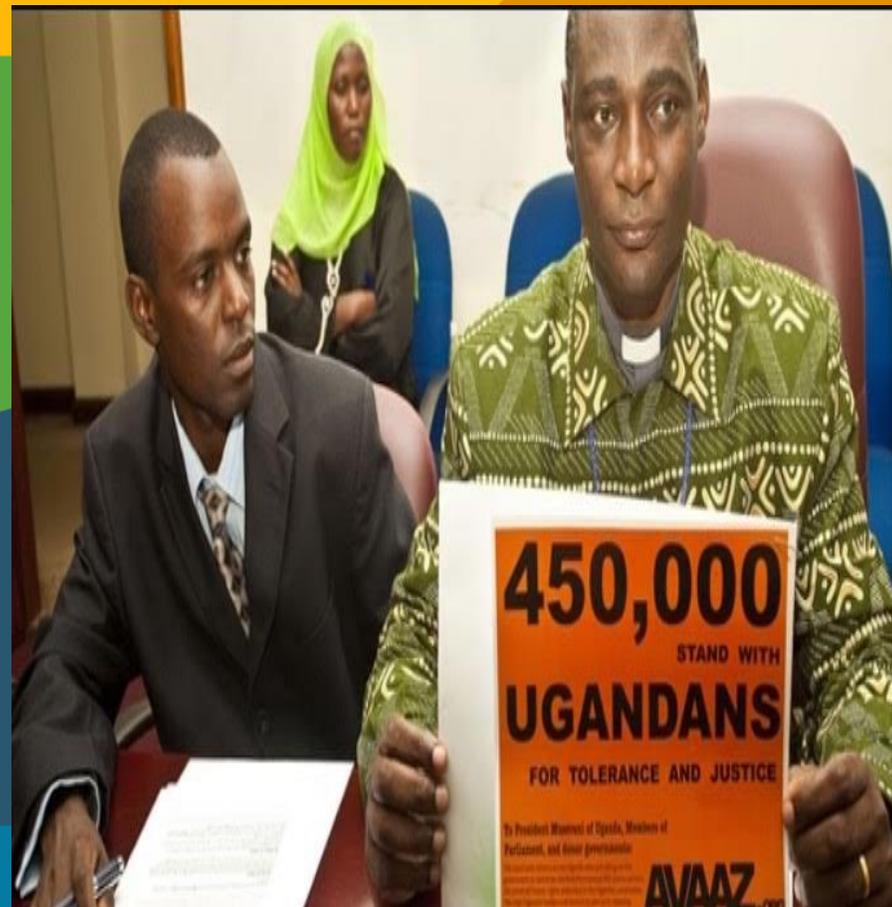
In Partnership with
African Bar Association, and the Foundation for African Cultural Heritage and Hosted by the Parliament of Uganda

9:25 AM · 27-03-2023 · 9,391 Views

47 Retweets 1 Quote 162 Likes

Community Response

- **Documentation of Violations** In September we published a detailed report about the practical impact of this law since it was first discussed in parliament.
- We documented over 300 human rights violations and abuses against LGBTQ+ persons – all fully or partly premised on the sexual orientation and or gender identity, expression and sex characteristics of the victims. Those abuses included:
 - 180 cases of evictions, displacement and banishment
 - 176 cases of torture, cruel, inhuman, and degrading treatment, punishment, or assault committed by state and non-state actors.
- High Level advocacy Global CCMs , Pefar CLM.
- Online campaigns and Solidarity
- Building Coalition and Net works
- Litigation (Challenge to AHA 2023)



Countering the AHA

In the wake of this law, many stakeholders have taken action:

We have seen the US bring sanctions Pepfar, Visa restrictions , Travel advisory , and end preferential trade status with Uganda. We have seen the World Bank pause lending to Uganda.

We have seen multinational corporations Google, American Express, Deutsche Bank, AT&T, Mastercard, and Microsoft spoke out and how discrimination against LGBTQ+ people has a detrimental effect on employees and runs counter to the interests of businesses and economic growth in Uganda.

LGBTQ Community Initiatives The Convening for Equality , bringing together civil society groups to respond to the AHA

Documentation of violations and advocating for safety for LGBTQ+ Ugandans

Visibility of the LGBTQ+ Community - Advocacy - We have been able to advocate for health equity leading to successes like:

the recognition of LGBT persons as part of key populations in national documents,

the inception of the MAT program specifically for people who use and inject drugs,

the recognition drop-in centers by our Ministry of Health that issued guidelines and

the roll-out of event-based PrEP for gay men in more health sites with the goal of it becoming a national program.

As the gains made on LGBTQ+ human rights faces setbacks in the United States and Europe. Africa is perceived as the final battleground for extreme conservative groups to spread anti gay and anti gender ideologies “ promotion of family values”.

Defeating the spread of Western anti-rights ideologies globally requires allyship, and seeing homophobia and transphobia as a global issue.

“It is Homophobia and not Homosexuality that is foreign to Africa ”



Pride March in Uganda

What can communities do ...

- Research and Data
- Funding
- Global solidarity
- Ending inequalities
- LGBTQ+ Human rights as a health issue
- LGBTQ+ Humans as a global issue
- Cross - cutting movement - women's rights , reproductive health ,Health Rights and LGBTQ+ Human Rights are under attack . **Urgent !**



“The complexities of how ‘acceptance’ and ‘tolerance’ for LGBTQ+ persons has become a barometer by which the right to and capacity for national sovereignty is evaluated.”



THANK YOU

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Support Sexual Minorities Uganda (SMUG) at www.smuginternational.org

