



POLICY BRIEF

ADDRESSING THE IMPACT OF THE
ANTI HOMOSEXUALITY ACT ON
LGBTQ PERSONS IN UGANDA

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Background

Uganda's LGBTQ community continues to struggle under one of the most repressive legal and social environments in Africa and worldwide. The enactment of the Anti-Homosexuality Act (AHA) 2023 intensified systemic discrimination, violence, and exclusion against LGBTQ persons across the country and, despite constitutional guarantees of equality and human rights, the lived realities of LGBTQ persons are now constantly marked by criminalisation, fear, and denial of basic services such as healthcare, housing, and justice.

This policy brief highlights two major legal and policy challenges and proposes strategic actions to mitigate their impact through advocacy, stakeholder engagement, and inclusive coalition-building.

1. The Anti-Homosexuality Act, 2023: An overview

The AHA criminalizes consensual same-sex relations with life imprisonment and introduces the death penalty for "aggravated homosexuality," defined to mean sexual activity with a person of the same sex in circumstances amounting to rape; where the person involved is a minor (below the age of 13); is of advanced age (above the age of 75); has a physical or psychosocial disability; is related to the 'offender' (defined as incest in the Penal Code) or where the offender is otherwise in a position of authority over the victim.

Following its enactment, the Human Rights Awareness and Promotion Forum (HRAPF) documented at least 68 arbitrary arrests and over 286 evictions between June 2023 and July 2024, with more than 850 rights violations over 14 months. These include police raids, extortion, unlawful arrests, and violent attacks by both state and non-state actors.

The enactment of the AHA has led to increased profiling and targeting of LGBTQ persons for violence; an escalation in homelessness, unemployment, and denial of health services and fear among healthcare workers, landlords, and employers to associate with LGBTQ individuals



Increase in gender-based violence against LGBTQ persons

LGBTQ persons, particularly lesbian, bisexual, and transgender women, face sexual violence, harassment, and intimidation from family, community, and state actors. So-called “corrective rape,” forced marriages, and physical assaults are widespread yet remain underreported.

According to HRAPF’s 2021 report, there were 253 documented human rights violations, including evictions, assaults, arbitrary arrests, and hate crimes, many committed by law enforcement officers. Victims rarely access justice due to fear of outing, stigma, and police bias.

Perpetrators of GBV against LGBTQ individuals tend to enact these grave violations with impunity as they are generally not penalised in proportion to the harm they cause by a criminal justice system that is biased towards punishing LGBTQ Persons merely for existing. In addition, access to physical and mental health support and recovery services for victims of violence becomes impossibly difficult due to fear of further victimisation, and as such, victims are often left to suffer untreated traumas, physical injuries and mental health challenges.

Recommended Actions

In light of the above challenges, I would recommend that civil society organisations working with LGBTQ persons consider undertaking the following actions as a critical step towards providing support to LGBTQ persons and improving their well-being:



Strategic Legal Advocacy and Litigation

It is imperative to note that the struggle for LGBTQ equality in Uganda is not going to be achieved through popular or democratic means, as Uganda continues to be susceptible to high levels of active homophobia and transphobia. The community must therefore learn to use the coercive power of the law and of law-making institutions in order to achieve change. To this end, we must strengthen documentation of violations (arrests, forced medical exams, evictions, and assaults) to inform strategic litigation and legislative advocacy efforts at the national, regional and international levels. This must also cover consistent reporting on LGBTQ rights issues to the UPR, ACHPR and APRM.



Community Mobilisation and Storytelling

Another method in which change might be achieved in favour of LGBTQ persons is increasing advocacy efforts for social change. To this end, it is necessary to amplify survivor voices through community dialogues, storytelling campaigns, participatory theatre, and digital advocacy. Using personal narratives to humanise LGBTQ experiences and influence public opinion and policymaking has been proven to work positively in other contexts and may work just as well in Uganda.



Intersectional Coalition-Building

It is also necessary to consider partnering with women's rights, HIV, youth, and disability movements to build a united advocacy front. This is because sexuality and gender are cross-cutting concepts that affect people across all walks of life, and having a united movement running joint campaigns that frame LGBTQ rights as integral to broader human rights and public health discourse will enrich campaign efforts and ensure quicker results.



Service Protection and Civic Space Support

It is necessary to ensure continuity of essential services, including HIV prevention, mental health, and psychosocial support by mobilising funding and legal support for victims of violence and eviction. It is also imperative that we advocate for the protection of human rights defenders and organisations working on equality.

Conclusion

The Anti-Homosexuality Act and persistent gender-based violence threaten the dignity, safety, and survival of LGBTQ persons in Uganda. A coordinated response combining strategic litigation, community storytelling, and intersectional coalition-building offers a path forward. By centring lived experiences and fostering solidarity, advocates can push for an inclusive Uganda where no one is criminalised for their identity or denied their rights, leading to improved legal and social protection for LGBTQ persons and a stronger, more focused advocacy movement working towards achieving legal and social change in favour of LGBTQ persons.



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