

Fireside chat on the criminalization of queer people in Uganda

Every year on December 10, the International Human Rights Day takes place. To mark the occasion, Action against AIDS Germany organized a fireside chat on December 6, 2023, with the title "When criminalization makes you sick. How can medical care be ensured for queer communities in Uganda?"

We had previously repeatedly reported on the [law](#) and its [impact](#) on queer people in Uganda in the run-up to the event.



Photo: UNAIDS advocacy material for the international day against homophobia, transphobia and biphobia

Action against AIDS Germany invited Richard Lusimbo (Uganda Key Populations Consortium Sexual Minorities or Chapter Four Uganda), Harriet Ludwig (Federal Ministry for Economic Cooperation and Development), Christine Stegling (Deputy Executive Director, UNAIDS), Alexandrina Iovita (Global Fund to Fight Aids, Tuberculosis and Malaria/GFATM), and Edward Mutebi (co-founder of the LGBTIQ* human rights organization Let's Walk Uganda) to share their insights with us.

"People are being raided and arrested at health facilities and drop-in-centers"

Richard Lusimbo (Uganda Key Populations Consortium Sexual Minorities or Chapter Four Uganda) reported on the current situation for queer people within Uganda. Since the time of the discussion around the Anti-Homosexuality-Law until coming into effect, there was an increase of queer people being evicted from their homes and harassed by law enforcement. Some organizations were pushed to close, and accounts of LGBTIQ*

organizations were also closed. Lusimbo spoke about a huge decline of 64 drop-in-centers across the country – community-based facilities or attached to health facilities – since the law was passed, and that people were being raided and arrested at health facilities and drop-in-centers. Due to the fear of also being raided, a lot of information was subsequently taken down, including life-saving products like lubricants and condoms. He added that the health facilities and drop-in facilities attempt to hide their work due to fear that they will be accused of “Promotion of homosexuality.” This is putting lives at risk, especially when it comes to prevention, but also through a reduction in numbers of people to go to the clinics to access life-saving treatments. The law has created an environment of fear and intimidation but also an environment in which communities are not able to enjoy their rights as they should. Nevertheless, LGBTIQ* organizations as a community fight back and challenge the law at the Constitutional Court, but also to find a way to provide services.

Lusimbo also had some demands on the German government. He stated that the German government should impose a visa ban on Ugandan government officials and all Ugandan individuals who engage in discrimination but also who lead in the persecution of LGBTIQ* Ugandans and any other human rights defenders. Further, the German government should cease to fund government officials or agencies that continue to support stigma and discrimination against LGBTIQ* persons. Certain individuals should not be enjoying the reception or invites of the German government - they should not be supported. However, in the recent past, the Speaker of Ugandan Parliament was being supported structurally by an invitation to meet the pope. Such signals are not good for their work, Lusimbo said.

He further addressed Germany’s key interest when it comes to businesses and noted that businesses could also use their platform to call out governments on the rights of LGBTIQ* people as opposed to saying nothing on that matter.

“Not punishing everybody and shedding the baby with the bath water”

Harriet Ludwig (Federal Ministry for Economic Cooperation and Development) spoke about a difficult balance to make on the bilateral field – whether to cut off all the ties to Uganda and leave the field to anti-advocates, or to continue. She explained a switching to regional approaches and looking to the broader issues like climate change, the presence of refugees from Sudan in Uganda instead of punishing everybody and shedding the baby with the bath water.

Regarding how to support people affected by the law, she stressed the support for legal action at the East African Court of Justice and preparing a fund for legal support for affected individuals as well as organizations to shift the support to be more tailor-made - neither to leave the ground nor to endanger people. In the programs, the issues are framed in a way that people are not endangered, a kind of ‘Do no harm-approach.’

“[T]hese laws [...] are creating fear and undermine a trust of communities for the health system”

Christine Stegling (Deputy Executive Director, UNAIDS) emphasized that Uganda’s response had been quite successful in terms of reaching the national targets before introducing the law. She spoke about UNAIDS making an argument from a public healthcare-point-of-view: that the law undermines Uganda’s success and all the already accomplished achievements, and that this puts everybody’s life at risk. UNAIDS tried to stay away from clear human rights language, she explained - language that is important

to be driven by other stakeholders – and to focus on the impact of this law in regards to public health.

UNAIDS also works in neighboring countries, such as Ghana and Kenya, in which similar laws are being prepared. Stegling spoke of UNAIDS' knowledge that these laws are coming and the need to learn from what happened in Uganda. The best possible outcome is, she said, is that those laws don't get enacted before they impact communities and people's lives. Stegling also stressed that when these laws are decided, they are not just about the LGBTIQ*-community, but that they are creating fear and undermine a trust of communities for the health system, as for example an impact on the sex worker community, also in other communities because people stop trusting the public health service.

“Criminalization [...] makes our society sick”

Alexandrina Iovita (Global Fund to Fight Aids, Tuberculosis and Malaria/GFATM) stated that criminalization makes us all sick and makes our society sick. It affects global solidarity, humanity, and social justice as basic tenants of a successful HIV, TB, and malaria response, she said.

She spoke about the fantastic work on the ground that has been going on in LGBTIQ*-communities and other groups in Uganda and the resilience they have been demonstrating.

The “Do no harm” approach was the first and foremost important tenant in Uganda, ever since the situation deteriorated about a year ago, Iovita added. Further, she addressed hope that the constitutional challenge means a removal of this horrible law and horrible example of the region because Uganda being watched at the moment.

“If you can't even access basic things like food, how is it going to be possible for you to access services for your health?”

Edward Mutebi (co-founder of the LGBTIQ* human rights organization Let's Walk Uganda) addressed the difficulties for displaced people in Germany. He noted that there are numerous systems in Germany, and that it can become quite difficult for so many refugees coming from different parts of the world to navigate it and understand the systems here, including getting basic HIV-care and to receive services. Many services and organizations are providing care and support to the LGBTIQ*-community and the entire community of refugees – but he addressed the lack of information and asked how the information would reach people and how someone who goes to Berlin would know to find specific organizations for support. If displaced people were able to stay in Germany, they were left by the government to find their own way out, and that people could get lost in the middle of the way; a relapse of people in taking their drugs could be seen.

The German government should also provide humanitarian visas to LGBTIQ* human rights activists and human right defenders in need to leave the country, he said.

He further spoke about displaced people from Uganda who had fled to Kenya. In the past, he and others knew Kenya to be the most welcoming country for LGBTIQ*-community in East Africa; however, this kind of situation changed with a similar law in their parliament criminalizing LGBTIQ*-people. Mutebi addressed that LGBTIQ*-refugees were being tortured, beaten, and arrested in camps and that it becomes very

difficult for people living with HIV/Aids to access services. Moreover, he spoke of his interactions with refugees living in Nairobi and Kakuma who cannot access basic HIV-services. If one can't even access basic things like food, how is it going to be possible for one to access services for one's health, he asked.

Outlook and thank you

The "Anti-Homosexuality-Act" is currently challenged in the Ugandan Constitutional Court.

Many thanks to the panelists Edward Mutebi and Richard Lusimbo, to Christine Stegling, Alexandrina Iovita and Harriet Ludwig. We would also like to thank our moderators Elisabeth Massute (Heinrich Böll Foundation) and Marwin Meier (World Vision) – and of course a special thanks to Peter Wiessner (AgA) and Tanja Siebenbrodt (DSW) for their words of welcome and farewell. Last, but not least: Great thanks to the preparatory team and to all participants!