

Statement – UPR Pre-session on Uganda

My name is Kasha Nabagesera, I am a Ugandan LGBTI activist, Laureate of the Martin Ennals and Right Livelihood Awards, as well as director of Kuchu Times Media Group, which provides a voice for Uganda's LGBTI community.

I have always been firmly convinced that the rule of law and the judiciary are strong tools to protect and promote LGBTI rights and to hold perpetrators accountable. In Uganda, however, not only is the law lacking of any kind of protection for LGBTI persons, but instead criminalises them. As I am speaking, hundreds of persons are seeing their rights violated, just for being who they are and who they love.

Today, in Uganda, a person can be sentenced to life under the penal code just for engaging in consensual same-sex intercourses. Even worse, under the Computer Misuse Act, one can be sentenced to 5 years, just for having shared information on sexual orientation and gender identity-related topics.

In many cases, **violence and torture** against LGBTI persons go completely unpunished. When arrested by the police, members of the LGBTI community are routinely subjected to extremely violent practices, with some of them amounting to torture and ill-treatment, such as anal examinations, beatings and burnings. **At school**, homophobic comments during classes are frequent and school attendance can be denied to students perceived to be LGBTI. Brutal conversion therapies continue to be imposed on young people. **In the world of work**, firing on the basis of SOGI is prevalent, with no possibility of suing the discriminatory employers. All of this is exacerbated by blatant violations of the right to privacy, with media routinely parading LGBTI persons, thus exposing them to further discrimination and violence.

At the previous UPR Cycle, Uganda received 17 recommendations directly related to LGBTI rights, but accepted none. They were all “noted.” I am deeply concerned that instead of seeing an improvement in the past five years, we saw a deterioration of our human rights.

We, as LGBTI persons, are entitled to the same rights as everyone else by virtue of international human rights standards, which are at the core of treaties, conventions, and charters to which Uganda is a party.

Therefore, Uganda should, as a matter of urgency:

- (1) Effectively decriminalise same-sex relations, repealing all the laws that discriminate against LGBTI persons.
- (2) Ensure accountability for all crimes and human rights abuses perpetrated on the basis of SOGI, including by banning conversion therapies and forced anal examinations.
- (3) Ensure accountability for any act of discrimination based on SOGI in the world of work, regarding the right to housing and the access to healthcare.

Right Livelihood



- (4) Take effective measures to address homophobia and transphobia in society, including through educational programs in schools and with training of law-enforcement officers, religious leaders and Media.
- (5) Protect everyone's, including the LGBTI community, right to freedom of expression and peaceful assembly and ensure the protection of LGBTI defenders.

A more complete list of recommendations can be found in our submission. I call on all of you today, to take these recommendations before Uganda during the review. LGBTI Ugandans must not be left behind.

Thank you.