

Memorandum to the Government of Uganda

Tuesday, 08 July 2008

We condemn the abuse of human rights against LGBTI and HIV activists

On the 4 June 2008 three Ugandan LGBTI/ HIV activists were arrested, detained and charged with 'Criminal Trespass', under section 302 of the penal code of Uganda. The arrests occurred during the HIV/AIDS Implementers meeting in Kampala. The three activists Pepe Julian Onziema, Valentine Kalende and Usaam Mukwaya were objecting to the exclusion of sexual minorities from the HIV/AIDS prevention programmes in the country. The charge carries a one-year jail term.

The lawyer for the three LGBTI/ HIV & AIDS activists requested that the case be dismissed on the grounds of insufficient evidence. Frank Mugisha from the 'Sexual Minorities of Uganda (SMUG) organization believes that it is 'in the interest of the Ugandan population as a whole and the war on HIV/AIDS in particular to include sexual minorities in the HIV/AIDS prevention efforts.

We write to you as a group of Human Rights organizations, People living with HIV and AIDS organizations and Lesbian, Gay, Bisexual, Transsexual and Intersex (LGBTI) organizations. We would like to express our condemnation at reports that the Ugandan government will not focus any HIV/AIDS prevention and treatment programmes on sexual minority groups. We implore on the Ugandan to reverse this travesty of justice.

Of Uganda's 27 million population, activists estimate 500 000 are part of the homosexual community and more than one million Ugandans are HIV positive. Research in various countries has proven that sexual minorities are particularly vulnerable to HIV and more so in developing countries. Violations of access to adequate health care, right to privacy and respect for one's dignity create an environment of fear and insecurity and exacerbates HIV vulnerability. Sexual activity in such an environment is likely to be unsafe.

In the past, Uganda has won praise for its vigorous campaigns that reduced HIV prevalence from 30% in the 1990's to single-digit figures. Uganda risks reversing the gains by deliberately excluding men who have sex with men from the national HIV treatment and prevention programme.

We further note that the Ugandan government is a signatory to the African Charter on Human and People's Rights. We therefore urge the Ugandan government to comply with Article 19 of the Charter which states that, 'All peoples shall be equal; they shall enjoy the same respect and shall have the same rights. Nothing shall justify the domination of a people by another.' We further call on the government of Ugandan to ensure the elimination of all forms of discrimination on the grounds of sexual orientation and to facilitate the implementation of a comprehensive prevention programme that is aimed at all the people of Uganda including sexual minorities.

Endorsed by

AIDS Law Project
AIDS and Rights Alliance for Southern Africa
Behind the Mask
Coalition of African Lesbians(CAL)
Gender Dynamix
Durban Lesbian and Gay Center
The Gay and Lesbian Coalition of Kenya(GALCK)
Horizon Community Association of Rwanda(LGBT Rwanda)
International Gay and Lesbian Human Rights Commission
Lesbian and Gay Equality Project
Lesbian, Gays and Bi sexuals of Botswana (LEGABIBO)
Sexual Minorities Uganda (SMUG)
Treatment Action Campaign
Triangle Project