SUMMARY

• In Uganda, LGBTI refugees face one of the world’s most restrictive and homophobic legal and social environments. They face extreme levels of harassment, discrimination, arbitrary arrest, extortion, and abuse, torture, and rape at the hands of locals, other refugees, and Ugandan police.

• Homophobia structured into Uganda’s existing and proposed legislation is resulting in denial of status to asylum seekers who are known to be LGBTIs.

• LGBTI refugees are systematically deprived of legal protection specifically because of their non-conforming sexual orientation or gender identity.

• The Ugandan Penal Code criminalizes consensual same-sex sexual activity between adults. In this restrictive legal environment, LGBTI refugees are denied access to police protection and are incarcerated without trial.

ABUSES BY STATE AUTHORITIES ARE COMMONPLACE

All the LGBTI refugees interviewed report widespread and serious abuses by police on account of their sexual orientation and gender identity

• Police target them asking for money with threats of arrest. Some police demand sex in exchange for releasing lesbians.

• Once arrested, LGBTI refugees are often paraded before inmates as “demonic”, accused of spoiling the whole community. Many report being tortured and gang raped several times by inmates, with police only feet away.

• The vast majority of LGBTI refugees interviewed state that they are unwilling or unable to seek out protection.

ASSAULTS BY UGANDAN POPULATIONS AND EVEN OTHER REFUGEES ARE UBIQUITOUS

Common forms of physical violence against LGBTI refugees include gang rape, beatings, stoning, and robbery.

• Eight of the eleven male LGBTI refugees interviewed had been raped. All lesbian interviewees had experienced some form of sexual violence.

• Gang rapes are also reported. For several lesbian respondents, rape has resulted in unwanted pregnancies, in a country where abortions are illegal and correspondingly scarce and unsafe.

• Many interviewees report concealing their LGBTI identities from their faith-based communities. Most emphasized that they also have to hide their LGBTI identity from neighbors and landlords.
ISOLATION SEVERELY LIMITS LGBTI REFUGEES’ ABILITY TO SURVIVE

Pervasive discrimination compounds the marginalization and isolation already plaguing LGBTI refugees

- LGBTI refugees who managed to obtain jobs report being sexually abused by their employers and discriminated against by their fellow employees.
- Several refugees report having resorted to sex work, and isolating themselves to avoid problems with employers, landlords, and others.

ACCESS TO HEALTH CARE IS SEVERELY HAMPERED BY DISCRIMINATION

The high percentage of LGBTI refugees involved in survival sex makes HIV/AIDS prevention and care a particularly significant health issue.

- A large number of the LGBTI refugees indicate physical health complications as a result of having been raped.
- Several female refugees became pregnant after rape. Since medical abortion is illegal in Uganda, they risk their lives with unqualified doctors or by self-induced abortion. Most of them try to take their own lives.

ACCESS TO INFORMATION AND SOCIAL NETWORKS IS ESSENTIAL TO LGBTI REFUGEE SURVIVAL

LGBTI refugees are isolated from Ugandans and other refugees alike.

- They commonly rely on one another for emotional support and survival. Word of mouth is the preferred method of information sharing among LGBTI refugees in Uganda.
- However, because concealment of one’s LGBTI identity is essential to one’s safety, it can be difficult for LGBTI refugees to find one another in the absence of alternative community structures.

GENERAL KEY RECOMMENDATIONS

- Training NGO staff engaged in refugee protection to be knowledgeable and sensitive about issues related to LGBTI refugee protection
- Forming partnerships with organizations that are rooted in or focused on the LGBTI community
- Utilizing comprehensive advocacy and service efforts that unite legal aid, LGBTI-specific health care, vocational training, partnerships with diverse human rights groups, and refugee support groups
- Improve refugee status determination procedures and resettlement of vulnerable LGBTI refugees. UNHCR is urged to expedite consideration of LGBTI claims and to fast-track resettlement referral of recognized LGBTI refugees.
**Social Isolation and Exclusion**

- **Isolation.** A gay refugee testifies: “*I do not have anywhere to run for help. I’m living like I do not exist.* For other people, they wake up in the morning planning for the day, but for me, there is no plan anymore.”

- **Exclusion from faith-based community.** One refugee conveyed: “[S]ome church(es) don’t allow transgenders to enter …[saying] that “you are going to spoil others.” That is why they do not allow us, they saw us like sinners and that we are not people like others; that we are demons – that is how some pastors calls us…”

- **Lack of community support.** When one gay interviewee’s sexual orientation was discovered, his neighbors told him that they would burn him and his friend if he stayed in his house, saying: “*Here in Uganda, [homosexuality] is not accepted, and it cannot happen even for a single day, because that is ruining [Uganda].*” Outside, a crowd of people would not let him leave, shouting “Let’s burn them!” The local council chairman intervened, but told him if he called the police, he would be the one who was arrested.

- **Discrimination from other refugees.** Outside the refugee camps, LGBTI refugees experience violence from other refugees. For example, a Congolese gay man who was attacked by other refugees said, “*You will see other refugees aggressing us, [threatening to] kill us.*” When he was walking in an arcade, other refugees ran toward him with oil (probably intending to burn him) and shouting, “There he is!”

- **Relocation.** One refugee recounted: “*How will you move? Everywhere you may go, they know you, they abuse you, they arrest, beat, and want to kill you, like me I was almost to be burnt out; they came with acid and petrol to burn me up, so how will I move? Tell me!*” Another talked about how photographs of LGBTI people were put up so that community members could recognize them.

**Abuses by State Authorities**

- **Police violence.** One Congolese refugee who was known to be gay was beaten by policemen on the street before he was eventually taken to prison. The police threatened him by saying, “*If you don’t go back to Congo, we are going to kill you…Go tell your group (…).*” He recalls, “*They were also policemen …he had a hammer …he had a gun.*”

- **Death threats.** A self-identified gay refugee from Congo “saw two police cars and police grabbed [him].” Officers already knew his sexual orientation and intended to abuse him, as “they removed [his] clothes” as soon as he was put in the police car. They also said, “*You are Congolese. You come to do things here. Here there is no homosexuality… we are going to burn you.*”

- **Extortion.** A refugee advocate in Uganda tells of an LGBTI refugee “*who was blackmailed three times with the police at night and the police was playing around and informing other police officers that ‘this person is not a Ugandan and he is gay, he is a refugee and if you go to him, he will give you money’ – and they were given money.*” The interviewee added, “*When the police know where [LGBTI refugees] live, they will harass them constantly. When they are blackmailed by police, they have to give in for survival.*”

- **Threats of Arrest.** LGBTI refugees often experience intimidation and threats from police. An advocate at Sexual Minorities Uganda reports, “*Once you get to police, and you are arrested, you get a lot of intimidation because the police tells you… that you are going to get a death penalty or you are going to be sent to jail for life.*”

- **Rape.** LGBTI refugees report many incidents of physical and sexual violence following arrest and detention. A lesbian refugee who is out and has been beaten and raped by police says, “*We don’t have security because it’s illegal. If it was legal we would have security; we are requesting for security at least at the police.*”

- As one transgender woman noted, “*I have never reported any violations to me to police because I know they hate me. I also fear police for this reason.*” When explaining why he never reported abuse to the police, one gay refugee remarked, “*It’s like you are taking yourself to jail.*”

**Survival Sex Work**

- “[W]e used to move at night because we sell ourselves in order to get at least some little money to help us survive …I have no one to assist me, I pay [my own] money for renting where I stay”.

- “*There are times when I feel that I can just do anything to survive so I tried to start survival sex,* at least just to get something small or to be able to support my family”.

- “*It was not easy, but I had problems and needed money, I had nothing else to do, so I was obliged to do that.*”