



EAC CSO Statement on Uganda's anti-rights Anti-Homosexuality, Act 2023

We, the undersigned civil society organisations, and community-based organisations working on HIV, TB, sexual and reproductive health and rights, minority non-discrimination, with key and affected populations and on health and human rights in Kenya, join the global community in condemning the passage and assent of the Anti-Homosexuality Act in Uganda.

We are disappointed that despite numerous calls from citizens of Uganda, communities, civil society and development partners, President Yoweri Museveni proceeded to assent to the Anti-Homosexuality Act, 2023.

We express concern over the negative impact that this legislation will have on the ability of the LGBTQ+ community in Uganda to access health services, including HIV prevention, treatment, and management services.

The legislation will exacerbate and legitimize violence, harassment, aggression, intimidation, discrimination, increase HIV infection rates, stigma against the LGBTQ+ community in Uganda, and negatively impact all their spheres of lives.

This law breaches national, regional, and international human rights commitments that Uganda is a signatory to and advances a cause that violates fundamental human rights of the people of Uganda, breeding a culture of intolerance and violence. The objects of the law and the crimes it creates are egregious and in violation of Uganda's national, regional and international obligations and responsibilities to respect, protect and uphold human rights.

We take note of the fact that laws that criminalize consensual same-sex conduct drive entire populations underground and make it exceedingly difficult for individuals to access effective health care services, particularly in relation to Sexual and Reproductive Health or interventions for the management of HIV

and opportunistic infections like TB. By legitimizing stigma, discrimination and violence, the effect of this law will be to stop people from accessing health care interventions which enable them to lead safe and dignified lives. This will lead to poor SRHR outcomes in Uganda.

Further, by purporting to protect family values, the law takes a narrow and restrictive conception of family, yet family is formed in various ways. We invite the legislators in Uganda to learn from the progressive, inclusive, and revolutionary Cuban Family Code's conception of a family. Criminalizing an entire section of the population who are not interfering with the rights of others is no way to 'protect family values.'

We also take this opportunity to recognize and applaud the ten individual petitioners and one organization who have filed a constitutional petition in the Constitutional Court of Uganda to challenge this legislation.

In conclusion, we call for this law to be repealed and also call on the leadership of the East African Community to condemn, in no uncertain terms, this outrageous legislation.

For more information about this statement send an email to communications@kelinkenia.org

Endorsed by the following organizations:

- Kenya Legal and Ethical Issues Network on HIV and AIDS (KELIN)
- Usawa Kwa Wote Initiative (UKWELI)
- Women Collective Kenya
- Lake Region Womxn Health and Equal Rights
- Men For Positive Living support community-based organization
- Health GAP
- Youth Empowerment and Support CBO Machakos
- East Africa Legal Service Network
- Coalition for Grassroots Human Rights Defenders - Kenya (CGHRDs-Kenya)
- Salina Youth Initiative, Kenya
- Impact 4 Youth Kenya (I4Y-K)
- Trans Support CBO
- Pamoja TB Group
- Watu Center for Health and Advocacy (WACHA HEALTH)
- Western Kenya LBQT Feminist Forum
- Picture youth group organization
- AIDS Healthcare Foundation-Kenya (AHF-Kenya)
- Talanta Africa - Ta
- Forum For Civic Participation in Governance (FCPG) Migori County
- Kenya Human Rights Commission (KHRC)
- Ishtar -MSM
- Consolation
- Secular Kenya
- Defenders Coalition - Kenya
- Hoymas Kenya
- KP Consortium of Kenya
- Amkeni Malindi Organization
- Kwale Network of People Who Use Drugs
- Hapa Kenya
- Raise Your Voice
- Kitui Innovators
- National Empowerment Network of PLHIV in Kenya [NEPHAK]
- Pema Kenya
- galck+
- Zamara Foundation
- Afya Yetu Coalition - Kenya
- MAAYGO
- Amnesty international Kenya
- Hope Trans Initiative
- Revolutionary Socialist League
- Jinsiangu Kenya