



47th Session

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

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Statement by FREEDOM AND ROAM UGANDA (FARUG)

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Madam Chair, Committee members and invited guests:

Freedom and Roam Uganda (FARUG) wishes to stress the following points in relation to the list of issues and questions with regard to the periodic reports of the Republic of Uganda (CEDAW/C/UGA/Q/7).

When we read the report by the state we realized that the state did not include Lesbian, Bisexual and Transgender (LBT) or *Kuchu* women, and neither were we consulted to give our views when preparing the report.

The Government enacted the Equal Opportunities Commission Act-2007 and the National Equal Opportunities Policy. However the Commission is tasked to ensure that affirmative action is taken in favour of marginalized groups and to enforce the prohibition of laws, cultures, customs, and traditions which are against the dignity, welfare, or interest of women or any other marginalized group, or which serve to undermine their status in society. Section 15(6)(d) of the Equal Opportunities Commission Act, however, effectively writes discrimination against LBT/*kuchu* women into the mandate of this body by stating that the Commission will not investigate “any matter involving behavior which is considered to be i) immoral and socially harmful, or ii) unacceptable by the majority of the cultural and social communities in Uganda.” There is no standard for evaluating what is considered immoral, harmful, or unacceptable under the legislation, leaving a wide number of marginalized groups – LBT/*kuchu* women – vulnerable to discrimination and unequal treatment. As such, this Commission will never address the severe discrimination faced by LGBT people as long as homosexuality is considered immoral or unacceptable by a majority of Ugandans.

Madam Chair, its very clear that the Government of Uganda has continued to neglect Article 1 of the constitution of Uganda and Article 1 of CEDAW and thus has gone further to propose harsher

laws that would discriminate LBT persons even more by introducing the Anti Homosexuality Bill 2009. This is clearly shown in the Government report by not stating what they have done for LBT/ *kuchu* women since the last CEDAW review.

And because of this many members of my community have continued to be discriminated against because of state imposed Laws. Many have been expelled from schools, fired from work, disowned from families, harassed in public spaces and also it has led to many deaths. In the last 5 years we have recorded about 4 deaths of members of the Lesbian Bisexual and Transgender community.

Sexual violence is another problem that we face as Lesbians, bisexual and transgender women, many of us have been raped in form of hate crimes, some of us have been raped with the intention of "curing us" of our sexual orientation and/or gender identities, we cannot report these cases to the authorities because of the stigma and discrimination attached to our being which is given voice by the press, institutionalized by the Government's penal code and given strength by Politicians and religious leaders.

We are physically abused and harassed. Just recently one of my members was attacked by a group of people for dressing like a man. Again a week ago upon my arrival in Geneva a newspaper published our names in the press and exposed our photos, one of my members exposed in this paper was attacked by men in her neighborhood and stones were thrown at her and her house. But she has nowhere to run because the authorities always claim its illegal to be homosexual and so we deserve it. The newspaper said **"HANG THEM"** on the front page, which is extreme hate speech and incitement to violence.

A few weeks ago the Chairperson of the Human Rights council noted that individuals in 78 countries still face criminal sanctions on the basis of their sexual orientation or gender identity.

"Our first task, I believe is to frame this squarely as a human rights issue and demand that it be tackled as such...Redressing this situation is a test of our existing human rights framework and international human rights institutions."

We hereby strongly argue the CEDAW committee to recommend the Government of Uganda

- To respect and protect the rights of every woman regardless of race, color, sex, age, ethnic, religion, sexual orientation and gender identity by specifically including sexual orientation and gender identities among the non discriminatory grounds and/or among marginalized groups.
- Oppose the *Anti-Homosexuality Bill of 2009 (Bill 18)* and similar legislation that explicitly or implicitly violates human rights of all people and that would target *kuchu*, lesbian, bisexual and transgender people.
- Ensure that when media allege people to be *kuchu*, lesbian, bisexual or transgender, and/or urge violence against them, these individuals are provided with the option of police protection and the perpetrator held accountable.

Thank you.

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