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## SLAIN HUMAN RIGHTS DEFENDER DAVID KATO KISULE'S CASE IN COURT: CASE MENTION

**Today, 17<sup>th</sup> February 2011 at Mukono Magistrate Court**

**For immediate release:**

The alleged murderer of Human Rights Defender, David Kato, was brought before Mukono Magistrate Court today. The suspected killer, Nsubuga Sydney Alias Enoch, was brought into court from Luzira Maximum Prison at 9:45am. He seemed to exude arrogance as he walked into the court premises. The court was packed with more than 40 people among whom were family,

friends, Lesbian, Gay, Bisexual and Transgender (LGBT) human rights activists and their allies as well as diplomats from a number of embassies in Uganda.

Emotions of rage, anger, sorrow and grief gripped those in attendance; tears rolled down the faces of activists, friends and family while they watched in shock as the hand cuffs were removed from the suspect's hands for the court proceedings.

Today marks the beginning of the court hearings as Nsubuga Sydney Alias Enoch appeared before Grade II Magistrate, Nabbasa Ruth, for mention of Court Case No. AA020/2011 CRB177/11 MKN, the Republic of Uganda Vs. Nsubuga Sydney Alias Enoch. The prosecutor presented the case to the court and the Magistrate adjourned the case for hearing on the 3<sup>rd</sup> of March, 2011. The suspect was further remanded in custody.

The Ugandan LGBT movement calls upon the Ugandan police to thoroughly investigate this case, leaving no stone unturned and exploring all angles, to ensure that justice is delivered.

We further call on the Government of Uganda to withdraw the Anti-Homosexuality Bill in its entirety and exercise its responsibility to protect every human being within the borders of Uganda without discrimination of any sort.

### **Background:**

On the 26<sup>th</sup> of January, 2011, Ugandan LGBT activist and human rights defender, David Kato Kisule, was found murdered at his residence in Kyetume, Mukono District. David, who spent his life advocating for equality and dignity for all, had constantly until the day before his murder, received death threats. "I spoke to David day before his death and he reported to me that he was scared because his life was in danger and that he was facing threats related to his advocacy work." said a close colleague and personal friend.

On the 2<sup>nd</sup> of October, 2010, the Rolling Stone, a local tabloid in Uganda, published a front page "special", calling for the hanging of 100 alleged homosexuals. David's picture and name prominently featured in the article. Immediately after this publication, the number of threats against David, and other activists featured, increased dramatically. David Kato and two others then challenged this action by the Rolling Stone in court. On the 3<sup>rd</sup> of January, 2011, the High Court ruled that the tabloid violated the constitutional rights to privacy and safety of the three individuals. This constituted a victory. Threats against David further escalated after this ruling.

There is a strong history of hate speech in Uganda against LGBT people by government authorities and religious fundamentalists, both local and international, particularly, the American Right Wing. Even during David's funeral, the presiding religious minister chose to condemn David in his coffin and the larger LGBTI movement, further inciting people to violence.

The role of the media has continued to fuel the sentiments which came in the wake of the recurring hate speech. This has further incited a range of violations which include and not limited to hate crimes, discrimination and rejection of LGBT people in Uganda. It also gave birth to the monstrous and draconian Anti Homosexuality Bill 2009, which was tabled by Ndorwa West MP, David Bahati on the 14<sup>th</sup> of October, 2009.

Today the LGBT community continues to live in fear, threats are on an increase; eviction from houses, loss of jobs, harassment at school, intimidation in public spaces, among others. The activist community continues to monitor closely the developments of the case and the investigation process. Though in fear and grief, we continue to work for the vision of a liberated LGBT community in Uganda.

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