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ReportOUT



2019-  
2020

OUT IN UGANDA: THE LIVED  
EXPERIENCES OF SOGIESC UGANDANS



University of  
Sunderland

REPORTOUT IS A GLOBAL SOGIE<sup>SC</sup>\* HUMAN RIGHTS ORGANISATION THAT DOCUMENTS THE LIVED EXPERIENCES OF SOGIE<sup>SC</sup> PEOPLE AND COMMUNITIES IN DIFFERENT NATIONS ACROSS THE GLOBE.

WE USE OUR RESEARCH TO INFORM THE PUBLIC, EDUCATE OTHERS AND TO CAMPAIGN ABOUT SOGIE<sup>SC</sup> HUMAN RIGHTS INFRINGEMENTS AND LIVED EXPERIENCES.

\*SOGIE<sup>SC</sup>: SEXUAL ORIENTATION, GENDER IDENTITY, EXPRESSION AND SEX CHARACTERISTICS

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ReportOUT

Pride Media Centre

Unit T1, Stonehills

Shields Road, Pelaw

Gateshead. NE10 0HW

United Kingdom

For more information, please visit our website: [www.reportout.org](http://www.reportout.org)

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**LEAD RESEARCHER:** DREW DALTON

**CONTRIBUTORS:** JODIE WEATHERSTON AND SUZANNE BUTLER

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@SOGIReportOUT



@SOGI\_ReportOUT



+44 191 348 1820



@OUT\_Report



@ReportOUT



Contact@reportout.org

# 1. ACKNOWLEDGEMENTS

**ReportOUT** must give special thanks to **all seven of our partner organisations in Uganda** who helped to design, collate and inform the research project at every stage. Your tireless fight for SOGIESC equality is admirable and we all hope that this research will make an impact. Therefore, **special thanks to Children of the Sun Foundation (COSF), Let's Walk Uganda, Kuchu Shiners Uganda and Out and Proud Uganda. We also say a big thanks to our other partners Wave of Legacy Alliance Initiative, Kampus Liberty Uganda and Fem Alliance Uganda** for their additional support. We encourage you to read the organisational descriptions about our partners on the following pages.

A project of this size cannot be driven forward without a Lead Researcher, and we thank **Drew Dalton, Chair of Trustees at ReportOUT** and a **Senior Lecturer in Sociology at the University of Sunderland** for developing this project, for pushing it forward, analysing the data and for writing up the final report. Additional thanks go to the **University of Sunderland** for approval of this research and their continued support of it.

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# 2. OUR PARTNERS



ReportOUT

## ReportOUT

ReportOUT is a human rights research organisation in the United Kingdom that documents the lived experiences of SOGIESC (Sexual Orientation, Gender Identity, Expression and Sexual Characteristics) people and communities in different nations across the globe. We use our research to inform the public, educate others and to influence governments and organisations about SOGIESC human rights infringements.



## Children of the Sun Foundation Uganda (COSF)

COSF Uganda was created to support and enable LGBTQ+ community members in creating programmes and influence policies in the area of gender, sexuality, health and education. The organisation promotes, protects, and advances LGBTQ+ human rights by building leadership, strengthening capacity building and also to support the LGBTQ+ led initiatives and movements. COSF's geographical scope includes: Kampala, Wakiso, Mukono, Masaka, Mbarara, Fortportal Iganga and Luwero districts.



## Let's Walk Uganda

Let's Walk Uganda is a local not-for profit community based organization which was founded in 2016 by LGBTQ+ community members with a purpose of defending the rights of sexual minorities in Uganda. Due to the climate of homophobia in Uganda and lack of access to resources, this inspired the founding of Let's Walk Uganda to be advocate for the rights of these sexual minorities, provide safe spaces and increase the access of information and friendly health services.



*Promoting Positive Living*

## Kuchu Shiners Uganda

Kuchu Shiners Uganda is an organisation for MSM (men who have sex with men) and transgender sex workers which was founded in 2015 by a group of MSM and transgender sex workers to promote positive living and to address the challenges of criminalisation, stigma and discrimination.



## Out and Proud Uganda

Out and Proud Uganda focuses on providing services, documentation and advocacy on HIV and AIDS among LGBTQ+ people in Katabi Town Council and Entebbe Municipality in Wakiso district, Uganda. We also advocate and lobby for inclusion of LGBTQ+ people in national health programmes, fight discrimination in the public sector, develop human rights awareness and economic empowerment. Our main programmes focus on fighting stigma, discrimination, violence, human and health violations against LGBTQ+ people.

# 2. OUR PARTNERS



## **Wave of Legacy Alliance Initiative**

Wave of Legacy Alliance Initiative Uganda, is an LGBTQ+ organisation which was founded in 2018 and legally registered in 2019. Our purpose and focus is to reach out to LGBTQ+ persons through community mobilisation, giving access to health, safe shelter, economic empowerment and human rights awareness. We are located in Kyanja, Kampala.



## **Fem Alliance Uganda**

Fem Alliance Uganda is a lesbian, bisexual, transgender, queer and intersex organization, which was established in 2012 by a group of lesbians who felt that the needs of the growing LGBTQ+ community was not adequately represented by the few minority groups organisations in Uganda. Fem Alliance Uganda serves LGBTQ+ persons in both urban and rural areas of Uganda.



## **Kampus Liberty Uganda**

Our mission is to increase human rights protection for marginalised Ugandans through advocacy and awareness campaigns for medical practitioners, labour unions, religious organisations, the media, policymakers, and the general public. We aim to increase human rights protections for marginalised Ugandans through advocacy and awareness campaigns for medical practitioners, labour unions, religious organisations, the media, policymakers, and the general public. Our vision is equal access to justice, healthcare, and economic, social, and political life for LGBTQ+ people without discrimination in Uganda.

# 3. EXECUTIVE SUMMARY: DREW DALTON

ReportOUT present the findings of our 'OUT in Uganda' research study. We worked in close partnership with seven Ugandan SOGIESC organisations over a period of over a year to document the lives of an often hard to reach and voiceless population via our joint survey. We hope that through our close partnership working with our Ugandan partner organisations, we can shine a light on the lived experiences currently faced by SOGIESC Ugandans. This research also holds the Ugandan state to their human rights obligations.

This research project evidences that many SOGIESC Ugandans experience numerous and distinct types of prejudice and discrimination. With this prejudice and discrimination being so rife and uncontested by the state that it has led to SOGIESC people being deeply marginalised, isolated, brutally harmed, constructed into social pariah's and used for political gain. There are various forms of violence that also affect the everyday lives of many SOGIESC people which came out in the results of this research; ranging from police brutality, arrests, sexual attacks, mob violence and even torture. These forms of violence come not only from the state, but from local communities, neighbourhoods and even family structures. There are few places of safety for many SOGIESC people.

Due to these pressures, a significant number of SOGIESC Ugandans are evidenced as having mental health problems, are in a financially precarious situation and are blocked from key provisions that form the basis of their human rights, such as employment and access to healthcare. SOGIESC organisations need further funding and often work at extreme risks to themselves and often on limited budgets.

However, our existing data does not tell the whole story. The results of our survey show a clear need for more research into the experiences of intersex Ugandans, rural and older people.

It is not all bad news however, as the SOGIESC Ugandans also tell us about what social change they want to see and how they go about seeking support to deal with their own issues at hand. We leave this report with recommendations which will prompt the Ugandan state to fulfil human rights obligations and how we might make the life of SOGIESC people in better shape than it is today.



**Lead Researcher**

**Chair of ReportOUT**

**Senior Lecturer in  
Sociology: University  
of Sunderland**

# 3. EXECUTIVE SUMMARY: HENRY MUKIIBI (COSF)

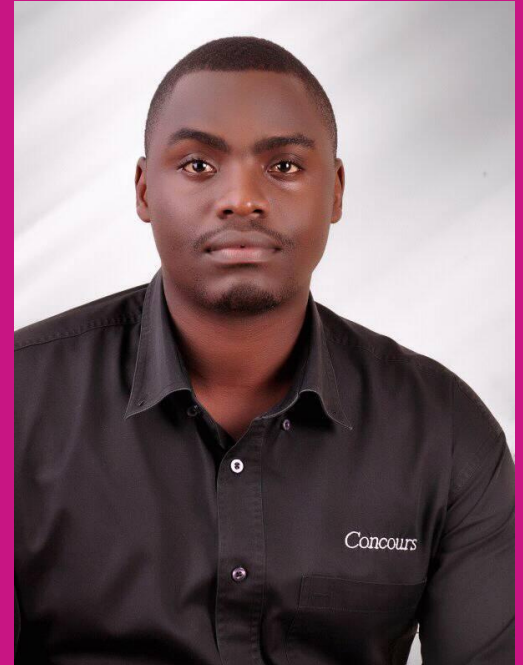
Over the years, SOGIESC Ugandans have been subjected to various forms of discrimination that greatly impact their lives in a very negative way.

Unfortunately, all these forms of discrimination and suffering have been silenced, as if it is not happening. Yet people are suffering from unbearable pain, and to make matters worse, they have to endure this pain and pretend it's not around.

This 'OUT in Uganda' survey has enabled us as organisations to highlight the needs of SOGIESC persons in Uganda and hopefully change can be caused through this. Not only this, this survey will be used by SOGIESC organisations as a reference to aid service development, as it entails exclusive data on SOGIESC persons in Uganda.

To our supporters out there, we can create a difference in service delivery to SOGIESC persons as normal citizens of our nation. We can harmonise the gaps that are experienced by SOGIESC people in different aspects of their lives. This can minimize the undesirable treatment towards SOGIESC people by the societies they dwell in, as well as the governing bodies.

On that note, this survey is here to amplify the unheard voices and the suffering that many SOGIESC people go through in Uganda and to create more awareness of the turmoil they face just to survive in one day. These amplified voices will hopefully be able to attract attention from concerned service providers, and allow us to explore ways in which the lives of vulnerable SOGIESC people can be made better.



**Research Partner**

**Executive Director:  
Children of the Sun  
Foundation (COSF)**

# 4. OVERVIEW OF THE MAIN RESEARCH FINDINGS

**The key findings of this research study, have found that:**

- three quarters of SOGIESC Ugandans state that Uganda is 'very unsafe;'
- the Ugandan state and many other institutions such as the media construct SOGIESC people as a threat to society, despite no evidence of this being the case;
- many SOGIESC Ugandans face financial precarity - they struggle with access to employment, a third live below and Ugandan Minimum Wage each month and 65% often live below the International Poverty line of \$1.90 per day. Many SOGIESC Ugandans are living in extreme poverty and are financially marginalised;
- prejudice and discrimination toward SOGIESC Ugandans is rife within the nation state and this significantly impacts upon their education, employment prospects and access to housing, compounding their financial precarity further. Abuse online is common;
- respondents often face arbitrary arrest, police brutality and when SOGIESC people are a victim of crime themselves, over half do not report it for fear of not being taken seriously by the police. This is due to a fear of homo/bi/transphobic reactions by the police. The state is not protecting its citizens;
- 38% of respondents report that they have been attacked or threatened with sexual violence twice in the last 12 months, often with more than one perpetrator;
- over half (60%) of SOGIESC Ugandans have been tortured by another person(s);
- a significant number (over 40%) of SOGIESC Ugandans live with depression and many show trauma and symptoms of PTSD. The mental health of many SOGIESC people is very poor and a quarter report that their physical health is 'getting worse;'
- over half of SOGIESC Ugandans will not access healthcare services due to perceived or actual discrimination;
- SOGIESC Ugandans seek support in SOGIESC organisations, which often do not have enough funding to provide all services needed. However, SOGIESC people need support from wider services where they will be treated equally and without judgement;
- the most basic of human rights are not being met for many SOGIESC Ugandans.

**ReportOUT have provided a list of recommendations at the end of this document which must be implemented to ensure that human rights for Ugandan SOGIESC citizens are protected.**


# 5. WHAT IS LIFE LIKE FOR SOGIESC PEOPLE IN UGANDA?

## Introduction

Out of the total population of 39 million people in Uganda there is estimated to be a population of approximately 390,000 SOGIESC people, according to a report published by Sexual Minorities Uganda in 2018 (SMUG, 2018). Yet, Uganda is a socially conservative country where sex and sexuality are not openly discussed and where homo/bi/transphobia is commonplace. The landscape in Uganda today for SOGIESC populations is that of discrimination, persecution, prejudice and state sponsored violence and oppression. Government forces are key violators of human rights in Uganda and between 2014 and 2015 the highest number of human rights complaints were submitted against the Ugandan police force (Civil Rights Defenders, 2017), however this is also widespread within neighbourhoods, communities and family units. This peaked most recently due to the passing of the Anti-Homosexuality Act (AHA) in 2014, however homophobic attitudes can be traced back to the colonisation of Uganda by Britain in the late 1800s.

## Uganda's SOGIESC history and the historical legacy of colonialism

A common argument in favour of discriminatory laws is that SOGIESC populations are 'un-African', and a 'decadent Western import' and against African norms and traditions. However, anthropologists Stephen Murray and Will Roscoe (as cited in SMUG, 2014) provide evidence to support that sexual and gender minorities were accepted within pre-colonial African culture. Examples of this include; a notable Bushman painting depicting African men engaging in same-sex sexual activity and a warrior woman who ruled as 'King' rather than 'Queen' in the Ndongo kingdom of the Mbundu.



The Azande of the Northern Congo had an institutionalised practice of what could be called same-sex marriage and routinely married younger men who functioned as temporary wives. In Uganda, amongst the people of Nilotic Lango, men would assume the gender status of 'mukodo dako,' where they were treated as women and were allowed to marry men. Same sex relationships were common and accepted amongst other groups in Uganda, including the Bahima, the Banyoro and the Baganda, with a significant example being King Mwangi II of Baganda who would frequently engage in same-sex relationships with his male subjects.

# 5. WHAT IS LIFE LIKE FOR SOGIESC PEOPLE IN UGANDA?

Jjuuko (2013) points out that an enduring legacy of British colonialism is the introduction of morality laws based upon 'unnatural offences.' In Uganda these were brought in under the declaration of the British protectorate over Uganda in 1894 and were further formalised under the 1902 Order of the Council under Section 15(2). At that time in Victorian England, there was a growing emphasis on the 'traditional family' and law was being formalised in Britain in a landscape of moral panic which occurred in 1885 after W.T. Stead exposed trafficking of young people in London emporiums. It was formalised into law in Britain to make 'indecent acts' amongst consenting males illegal with the Criminal Law Amendment of 1885. This version of morality was then imported into Africa under colonial rule. The law was further strengthened by the African Order in Council 1890, which made all laws applicable in England, to be applied in Uganda (Jjuuko and Tumwesige, 2013). In their 2013 report SMUG (2013) identify that the purpose of these laws was to instil British morality into the 'resistant masses.' This was a reaction to what imperialists saw as unacceptable and indecent behaviour amongst the indigenous people which had a 'corrupting influence' amongst 'traditional moral values.'

Jjuuko (2013) also points out that prior to colonialism there was no Uganda. Its borders and geography are a colonial construct and prior to this, it was a series of centralised kingdoms and de-centralised rural areas. King Mwanga II of Buganda, who was the last independent king in this region, was subjected to 'systemic vilification' by Christian missionaries and later British administrators. Tamale (2003) points out that before colonialism, same-sex relations were not criminalised and neither fully accepted or fully oppressed. In Buganda, the word 'bisiyaga' (meaning sodomy) was used long before colonialism and had been part of Buganda's vocabulary historically (Jjuuko, 2008). In fact, 'ubuntu' (or African humanism) was a concept widely accepted and extended a tolerance towards people of all orientations including SOGIESC populations (SMUG, 2014). Murray and Roscoe (1998, as cited in SMUG, 2014) argue that colonialism did not introduce sexual and gender minority populations to Africa, but rather an intolerance to them and systems to survey, regulate and suppress them.

As Uganda transitioned to a nation state after colonialism, Ugandans struggled to maintain a sense of culture in a country then divided by disease, hunger, poverty, war and inter-ethnic conflicts. Today, these issues have resulted in shared experiences of loss; including a loss of cultural roots and the desire for safety and stability, which has intensified a desire to retain or revive 'traditional' beliefs and practices (Healy and Kanya, 2014). This manifested within the central role of the family, importance of childbearing, communal values and the fear of 'losing culture' in a fast-paced globalised world. This is not a unique phenomenon to Uganda and has been a source of suspicion in some nation states where a perceived shift toward individuality, such as identity politics, may appear to threaten 'traditional' notions and social bonds (Healy and Kanya, 2014). In doing this, parts of Africa, and Uganda in particular, are attempting to reinvent themselves as a heterosexual continent (Tamale, 2013).

# 5. WHAT IS LIFE LIKE FOR SOGIESC PEOPLE IN UGANDA?

## **Ugandan colonial laws and sexual and gender minority populations**

In 1930 Uganda got its own Penal Code under colonial rule, where legislation against homosexuality was strengthened under the 'unnatural offences' provisions. This was replaced by the 1950 Penal Code which is still in use today. Section 145(a) of the Penal Code describes unnatural offences as 'having carnal knowledge against the order of nature' and Section 145(c) criminalises this and carries a maximum sentence of life in prison, this law only being applicable to men (Jjuuko and Tumwesige, 2013). Once Uganda became an independent state on 9 October 1962 and had the opportunity to make its own laws and abolish the 1902 Order of the Council and the Penal Code (1950), the new government did not do this and some laws were simply rolled over (Jjuuko, 2013). Since then, the different presidents of Uganda; Milton Obote (1962–1971 and 1980–1985), Idi Amin (1971–1979) and since 1986 Yoweri Museveni, have retained it (Schäfer and Range, 2014).

During the Ugandan civil war (1980- 1986), where president Milton Obote was overthrown by the National Resistance Army (NRA) and was replaced by President Yoweri Museveni (Annan et al, 2011), sexualised violence against men was used as a widespread war tactic and to humiliate victims and move people from resource rich areas. This left populations highly traumatised by civil war and caused the spread of HIV and AIDS (Schäfer and Range, 2014). In this context of negative association of same-sex sexual relations, in 1990 the maximum sentence of the Penal Code was increased from 14 years imprisonment to life. The Ugandan government stating that increased sentencing was a response to the HIV pandemic for which SOGIESC populations were blamed and was justifiable for the control of the spread of HIV infection (Jjuuko and Tabengwa, 2018).

Alongside the Penal Code 1990 there is also a myriad of other laws, including now written in the Constitution of Uganda, an amendment which was made in 2005 under Article 31(2) (a), which states 'marriage between persons of the same sex is prohibited' (Jjuuko,2013, Kaleidoscope Trust, 2015). Criminal law reform in 2000 extended the law so that a same-sex practice amongst women was also criminalised (Schäfer and Range, 2014). Then in 2007, a further amendment was made to the Penal Code (1950), introducing the death penalty for 'aggravated defilers' which referred to the defilement of a child below 18 years of age or where the offender is a repeat offender. This could now also be used as a clause which increased the risk of arrests for sexual and gender minority populations under this loose provision (Jjuuko and Tumwesige, 2013). In the same year the Equal Opportunities Commission Act (2007) was introduced, which under Section 15(6) (d) prevents the Equal Opportunities Commission from investigating issues which are, "regarded as immoral or unacceptable by the majority of the social and cultural groupings in Uganda" (Jjuuko, 2013:388), therefore further weakening protection of sexual and gender minority populations people from prejudice and discrimination. The parliamentary Hansard states, "the homosexuals and the like have managed to forge their way through in other countries by identifying with minorities. If it is not properly put in the clause, they can easily find their way through fighting discrimination. They can claim that since they are part of the minority, they can fight against marginalisation" (Jjuuko, 2013:388).

# 5. WHAT IS LIFE LIKE FOR SOGIESC PEOPLE IN UGANDA?

## **The Anti-Homosexuality Act (AHA)**

Political rhetoric has also been heavily influenced by USA evangelist groups such as 'The Family' or 'The Fellowship,' who engage with post-war destabilised nations and seek to 'cure' homosexuality (Schäfer and Range, 2014). The fellowship's authority has been particularly influential in Uganda over a long period of time. The Bill was first introduced by David Bahati only a few months after a meeting convened by Stephen Langa of Family Life Network, where Scott Lively and his team stated that homosexuality was 'curable' and that they sought to cure it (Jjuuko, 2013). One month after Bahati tabled the Bill, a meeting was convened with American evangelicals—Scott Lively, Caleb Lee Brundidge, and Don Schmierer in Kampala where thousands attended. Various anti-gay marches were organised, drawing crowds in the streets to denounce homosexuality and the then Minister of Ethics and Integrity, Hon. Nsaba Buturo announced that a new 'tough law on gays' law would be coming (Jjuuko and Tumwesige, 2013).

It is in the context of strengthening laws that on 14th October 2009, MP for Ndoorwa East Constituency, Kabale District, David Bahati introduced a draft law to Parliament; the Anti-Homosexuality Bill (2009) (Jjuuko, 2013). This was aimed at tightening existing anti-homosexuality legislation and reducing the 'threat' to the traditional family and aimed at complimenting and supplementing the Section 145 of the existing Penal Code (Englander, 2011). It also sought to criminalise sexuality as an act rather than an orientation demonstrated by its included criminalisation of, "touching of another person with the intention of committing the act of homosexuality" (Clause 2(1) (c)) (Jjuuko, 2013:389).

Further provisions within the Bill were attempts to commit homosexuality, aggravated homosexuality, aiding and abetting homosexuality, procuring by threat and the promotion of homosexuality (Jjuuko, 2013) and the Bill sought to place an affirmative duty on all Ugandans to report incidents of homosexuality (Englander, 2011). The draft law proposed to introduce the death penalty for the offense of 'aggravated homosexuality' and was seen as the most damaging proposal aimed at sexual minority populations and was said to create the conditions of a looming gay genocide as it was more popularly known as the 'Kill the Gays Bill' (Englander, 2011)

Aggravated homosexuality was defined in the Bill as, "when the offender has previously been convicted of homosexuality, uses drugs to enable him or her to have homosexual sexual intercourse, has HIV, or is a parent or guardian of or is in a, "position of authority over the person against whom [homosexuality] is committed" (Englander, 2011). The draft law also proposed to ban organisations which supported SOGIESC populations and to remove the rights of treatment to people living with HIV within this group. The further crime of 'aiding and abetting homosexuality' would carry the sentence of 7 years imprisonment (Makofane et al, 2014) and it also mandated that individuals charged with Aggravated Homosexuality would be subjected to a mandatory HIV test to determine their status (Schäfer and Range, 2014, Englander, 2011). This elevated the offense of 'homosexuality' to the status of one of the most serious crimes in the country to the level of treason, murder and robbery, despite being a victimless offence (Jjuuko and Tumwesige, 2013).

# 5. WHAT IS LIFE LIKE FOR SOGIESC PEOPLE IN UGANDA?

The draft law was discussed in parliament on several occasions between 2011 and 2012 and homophobic attitudes continued to be incited by politicians. Speaker Rebecca Kadaga (a possible candidate to replace Museveni) sought to raise her profile by vowing to protect the purity of Ugandan traditions and culture and promised to have it passed before December 2012 as a 'Christmas gift' to Ugandans (Jjuuko and Tumwesige, 2013). In October 2012, politician Cecilia Barbara Atim-Ogwal at a Pan-African Parliament meeting, called for all sexual minorities in Africa to be 'locked-up.'

Religious leaders such as Pastor Martin Sempa of Makerere Community Church and Pastor Solomon Male, Executive Director of Arising for Christ, spearheaded an Anti-Homosexuality Coalition and a two million signature petition was submitted to Parliament supporting the Bill (Jjuuko, 2013). On 20th December 2013, the Ugandan Parliament adopted the Bill (Schäfer and Range, 2014).

From the outset of the Bill, acts of violence and human rights violations increased against SOGIESC populations in Uganda (Outrightinternational.Org, 2015). The Bill has however had the unexpected effect of catalysing support for SOGIESC activism both internally and from abroad. This is arguably due to the elevated profile of its two main sponsors, David Bahati, a Parliamentary backbencher when the Bill was first proposed who has risen rapidly through the party's ranks and has been seen to receive financial assistance and international exposure from evangelical Christian ministers and preachers from abroad, and Kadaga, who was a proposed frontrunner in succession to the current President (Kretz, 2013).



# 5. WHAT IS LIFE LIKE FOR SOGIESC PEOPLE IN UGANDA?

The Bill underwent 5 years of intermittent debate in Parliament (Makofane et al, 2014) before it was finally passed as The Anti-Homosexuality Act (AHA) on the 20th December 2013 and signed into law by President Yoweri Museveni on February 24, 2014; however the sentence for 'aggravated homosexuality' was changed to life imprisonment (Beyrer, 2014). The law also made it a crime to fail to report known or suspected homosexuality, making the activities of SOGIESC organisations and sexual health services significantly more difficult (Beyrer, 2014).

## **External and internal resistance to the AHA**

Uganda is a member state of the United Nations and has voluntarily ratified international human rights instruments including the International Covenant on Civil and Political Rights (ICCPR) (Jjuuko, 2013). However, under the current international legal system it is not currently forbidden to criminalise same-sex relations, yet Uganda stands out in its extremity as no country has moved towards adding the death penalty in its criminal code in recent history (Englander, 2011).

Within the AHA it also explicitly precludes the, "ratification of any international treaties, conventions, protocols, agreements and declarations which are contrary or inconsistent with the provisions of this Act" (Englander, 2011). In the absence of international treaties prohibiting criminalisation of same-sex relations it falls to 'ad hoc mechanisms' to stop pernicious laws progressing. A notable example of such is the International Covenant on Civil and Political Rights ("ICCPR"), which holds a Universal Periodic Review (UPR) to review nation states on their discriminatory legislation. Uganda was reviewed under the UPR programme in 2011 (Englander, 2011). This review openly criticised Uganda's move to extend anti-homosexual legislation and concluded with five recommendations for Uganda to repeal discriminatory laws against SOGIESC people and to investigate and tackle homophobic violence and discrimination (United Nations, 2011).

In 2014, the African Commission on Human and Peoples' Rights (African Commission), adopted a landmark resolution to protect SOGIESC human rights and called on governments to enforce laws to protect these human rights violations (Thapa, 2015). Prominent African leaders, such as Nobel Peace Prize laureate Desmond Tutu of South Africa openly condemned the development of the AHA (Thapa, 20115).

# 5. WHAT IS LIFE LIKE FOR SOGIESC PEOPLE IN UGANDA?

One of the most influential pressures upon the reduction of severity of sentencing of the AHA (from the death penalty to life imprisonment) and its eventual annulment was the international reaction and subsequent threat to Ugandan aid cuts. The World Bank, The United States, Denmark and Norway all threatened to withhold millions of dollars of aid to Uganda (Kaleidoscope Trust, 2015, The Royal Commonwealth Society, 2015). The World Bank threatened to suspend a \$90 million dollar loan towards the Ugandan healthcare system and the Centre for Disease Control (CDC) in the US threatened to withdraw a \$4million cooperative agreement with Uganda (Thapa, 2015). However this caused a reaction within Uganda and increased violations to SOGIESC populations as they were blamed for the resulting global outrage and proposed aid cuts (Thapa, 2015).

Internal pressures were also enacted upon the AHB and the eventual annulment of the AHA. The Judiciary has yet to establish itself as a co-equal branch of government and has been seen to enact pro-SOGIESC advances in some of its rulings. For example, the Ugandan High Court prevented Rolling Stone magazine from publishing the names of SOGIESC individuals, and where high-profile religious leaders have been charged with falsely accusing other leaders with homosexuality (Englander, 2011). Another notable case was Victor Juliet Mukasa and Yvonne Oyo v. The Attorney General of Uganda, Misc. Cause No. 247 of 2006, which was filed in the High Court of Uganda. This accused the state of having violated their human rights, namely rights to privacy, freedom from torture and inhuman and degrading punishment. This case was heard by Justice Stella Arach Amoko and treated no differently from any other (Jjuuko, 2013).

In conjunction with the objectivity of the judiciary, there was the involvement of particular political pressure groups which have used petitions to lobby Parliament. Uganda now has many SOGIESC activists, three of which have won prestigious international awards which has made the work of activists in Uganda very visible (Jjuuko, 2013). A coalition was formed, namely the Civil Society Coalition on Human Rights and Constitutional Law (CSCHRCL), which is an umbrella of 45 SOGIESC and mainstream human rights organisations.

These petitions called upon parliament not to further criminalise homosexuality by passing the Anti-Homosexuality Bill (Jjuuko, 2013). The Coalition presented a 14-page memorandum to the Legal and Parliamentary Affairs Committee and the Social Services Committee informing them of the unconstitutionality of the proposed Bill (Jjuuko, 2013). Engaging parliament has been an effective way of moving towards decriminalisation. The Anti-Homosexuality Bill failed to pass through the eighth parliament and was not considered in the 9th Parliament (Jjuuko, 2013).



# 5. WHAT IS LIFE LIKE FOR SOGIESC PEOPLE IN UGANDA?

## **The annulment of the AHA and the reaction to this**

A coalition of individuals and non-governmental organisations challenged the constitutionality of the Anti-Homosexuality Act (AHA) for violating human rights (Thapa, 2015), however it was finally annulled on technical grounds on 1st August 2014 by the Constitutional Court, stating that there was not a quorum and was therefore unconstitutional. The combined pressures of international scrutiny, proposed aid cuts, judicial objectivity and NGO activity arguably led the Constitutional Court to annul the AHA as unconstitutional and having being passed without the necessary quorum (Kaleidoscope Trust, 2015). The legal framework fell back to as is it was before the introduction of the AHA. This did however leave opportunity for Parliament or government to table an Anti-Homosexuality Bill in the future and there have been recent announcements in 2019 that a new Bill may be tabled in the 'near future' (Thapa, 2015, The Guardian, 2019).

As a reaction to all of this, in May 2015 Parliament proposed a so-called NGO Bill which would allow government to ban NGOs for any reason, including if it was in the public interest to do so. Many organisations are not able to register if their title includes LGBTQ/SOGIESC references and the Bill included the proviso that organisations could be banned from operating if not registered (Thapa, 2015). It also stated that no organisation could be registered if the objectives included in its constitution contravened the laws of Uganda (ILGA, 2017). This bill was passed on 27th November 2015 by Ugandan Parliament (HRAPF, 2016), therefore the position of activists and organisations in Uganda has been weakened. However, there has not been a proposed reintroduction or replacement of the AHA. Whilst many SOGIESC Ugandans have been recognised internationally, there have been threats and violence which has led some organisations to temporarily shut down their operations (ILGA, 2019).

## **A new narrative emerged?**

Behind the introduction (and eventual annulment) of the AHA, the following social myths could be propagated and deepened in wider Ugandan public attitudes toward SOGIESC people. This newer public narrative meant that the following beliefs would be seen as historically fixed in time, culturally approved and seen as a common-sense way in which to deal with a social problem.

This newer narrative emerged and argued that:

- a. homosexuality is alien to Africa;
- b. homosexuality is mutable and a mental disorder;
- c. expanded criminalisation is necessary to protect the traditional African family unit;
- d. expanded criminalisation is necessary to maintain strong religious convictions;
- e. expanded criminalisation will help prevent the spread of HIV;
- f. expanded criminalisation will help to prevent child abuse; and;
- g. gay and lesbian persons are asking for special rights and privileges (SMUG, 2004).

# 5. WHAT IS LIFE LIKE FOR SOGIESC PEOPLE IN UGANDA?

Behind this, some political and religious elites in Uganda continue to perpetuate paternalistic public discourses that cast SOGIESC populations as existential threats to the future of the nation. Anxieties over reproduction and fear of recruitment of children into 'homosexuality' are the common social trojans used against SOGIESC populations in public discourse (ILGA, 2019). There are key social and cultural factors that allow and enable anti-same sex narratives to flourish in Uganda. Anti-same sex rhetoric is studied in relationship to discourses of public morality and national sovereignty, with the construction of the West as a decadent 'Other' in contrast to a morally virtuous Uganda (Sadgrove, et al, 2012).

This nationalist narrative then continues to position individual Ugandans as caretakers of this morally virtuous state in their roles as parents, exemplars and community leaders to act as surveillance of non-normative sexual and gender identities. This rhetoric is then used as a site of anxiety which is used to link concerns about the decline of the nation state should same-sex activity ever be legalised and lifestyles 'permitted.' In rejecting reproductive capacities, SOGIESC people are perceived to threaten the wider well-being of the family and community, therefore transgressing social norms. As such, many in Uganda regard same-sex relationships as 'un-African' and 'un-Christian' (ORAM, 2014) and this is linked to wider threats of what is regarded as 'authentic' African values and traditions, whereby SOGIESC people are seen as 'pollutants' of the population or a moral danger (ORAM, 2014). In Uganda, leaders use, "the figure of the homosexual as a scapegoat and opportune diversion from the issues of high unemployment, rampant poverty, and bad governance" (Coly, 2013: 25). By creating moral panics around minority sexual and gender identities, a decoy can be used to project and "manipulate social anxieties" (Sadgrove, et al, 2012).

Schäfer and Range (2014) point out that that the introduction of new legislation can be used to divert attention from other issues in government and coincided with other important and controversial political issues together with a poorly performing economy (Thapa et al, 2015). For example, the draft AHA law was introduced around the same time as the embezzlement of 13 million US dollars which was diverted from aid intended for the development of North of Uganda, which was devastated by the civil war. It has also the effect of diverting attention from repeated interventions by the Ugandan military in the Democratic Republic of Congo and its alleged support for guerrilla organisations there. The Bill was reintroduced in May 2011, just days after demonstrations by opposition leader Colonel Kizza Besigye over the rising cost of living in Uganda.

# 5. WHAT IS LIFE LIKE FOR SOGIESC PEOPLE IN UGANDA?

The Bill was reintroduced again in February 2012 after the government entered into an agreement with a company named Tullow Oil, despite their being parliamentary disagreement over new oil production sharing agreements and around the time when several European countries had suspended aid to Uganda based upon suspicions of corruption (Makofane et al, 2014). Thapa et al (2015) argue that SOGIESC populations were used as a convenient scapegoat to channel Ugandans widespread frustration and anger about bad governance, corruption and the lack of economic opportunities, and to gain political capital and popularity.

## **Life for SOGIESC people in Uganda**

Uganda's openly hostile rhetoric has caused discrimination and violence against SOGIESC populations (ILGA, 2019). In 2015, 19 of these cases were physical attacks, 8 were cases of threatening violence, 3 of blackmail, 2 as banishment from villages, 1 a case of eviction and 1 as a case of gang rape (HRAPF, 2016). In 2015, it was noted that there were 171 human rights violations of SOGIESC people in 2015 due to sexual orientation and gender identity (HRAPF, 2016). 93 violations (54.4%) were perpetrated by non-state actors. This is unlike previous reports where state actors perpetrated more violations (HRAPF, 2016) In 2016, SMUG (2016) documented 264 verified cases of human rights violations against SOGIESC minorities based on their actual, or perceived, sexual orientation and gender identity. Violating gender norms through identity or expression can create a presumption of homosexuality and can lead to harassment or arrest, whether a person self-identifies as transgender, intersex or expresses their gender identity differently to perceived norms, they are at higher risk of persecution (ORAM, 2014).

Social attitudes toward SOGIESC people have been documented in a number of global surveys, such as that from the Pew Research Centre (2013), which found that 96% of Ugandans believed that 'homosexuality' should be rejected by society, being one of the most homophobic countries documented in the survey (the fifth highest rate of non-acceptance of all countries surveyed).

However, in 2017, ILGA found that attitudes toward SOGIESC people had changed, with 49% of Ugandans agreeing that SOGIESC people should have the same rights as heterosexual people. In addition to this, 56% believed that SOGIESC people should be protected from workplace discrimination, however 54% of Ugandans still believe that people in same-sex relationships should be treated as criminals (with 34% disagreeing). Regarding transgender people, 60% believed that they should have the same rights and 53% believe that they should change their legal gender. Whilst social attitudes may be changing, this does not always reflect the lived reality on the ground, and many SOGIESC persons are subject to societal harassment, discrimination, intimidation, and threats to their well-being and are frequently denied access to health services.

# 5. WHAT IS LIFE LIKE FOR SOGIESC PEOPLE IN UGANDA?

## **The media**

In 2006 and 2007, lists of SOGIESC people were published in the Ugandan tabloid 'Red Pepper' which not only exposed names, but also locations of where people lived. This led to several public police crackdowns, arrests and mob violence, which erupted as other newspapers continued a narrative that gay men were sexual predators with an aim to 'recruit new members' and even linking SOGIESC Ugandans as conspirators with terrorists in the July 2010 bombings in Kampala (ORAM, 2014, Home Office, 2017). On January 26th 2011 SOGIESC activist David Kato, who had successfully sued a local tabloid for the 2010 publication of his picture under the headline 'Hang Them,' was bludgeoned to death at his home outside Kampala.

In 2015, six media houses were documented as perpetuating eight violations against SOGIESC people, including TV stations, radio stations and print newspapers (HRAPF, 2016). Media run stories of transgender people with terms used such as 'imposters' and 'frauds' continue the narrative of transphobic suspicion and violates the presumption of innocence when the state controls them through arrests. The Broadcasting Council, established under the Electronic Media Act (1996) is similarly empowered to regulate radio content pursuant to the minimum broadcasting standards of First Schedule, which prohibits programmes that are contrary to 'public morality' and in 2004, it fined a radio station for hosting gay men during a live talk show on the basis that it was contrary to public morality (BBC, 2004, ILGA, 2019). Under Section 9 of the Press and Journalist Act (1995), the Media Council is authorised to censor films, plays and other media content for public consumption and in 2017, the Media Council banned a Dutch film for 'glorifying homosexuality' (BBC, 2017, ILGA, 2019). In 2017 the 'Queer Kampala International Film Festival' was closed down in Kampala by the police (Human Rights Watch, 2017). Opportunities for fair portrayal of SOGIESC people and their lives in the media are slim.

## **The family, safe spaces and housing**

In a report by HARPF (2016: 45) it states that, "Homophobia is still very prevalent in Uganda and therefore there is a prevalent lack of acceptance of LGBTI persons, even by their families. Family members have therefore been documented to perpetrate violations against their actual or perceived LGBTI relatives." In one of the few specific research pieces to explore the lived realities of lesbian, bisexual and queer (LBQ) women in Uganda, FARUG (2019) noted that women experience the effects of heterosexism and homophobia and are subject to violence and harassment. They were more likely to experience economic injustices through being dismissed from paid work, denied inheritance and denied family-based social welfare benefits. This elevated risk of exclusion compromises sexual orientation and gender identity to the point where they will comply with heterosexist family ideologies of marriage and procreation (FARUG, 2019). As evidence of this, the research further highlighted that a significant number of the women were in heterosexual relationships, whilst simultaneously preferring not to be and noting that this worked as a 'survival strategy' to ensure acceptance from their own families. This strategy was noted in more LBQ women in rural areas than their counterparts in urban areas, to maintain invisibility.

# 5. WHAT IS LIFE LIKE FOR SOGIESC PEOPLE IN UGANDA?

Some women found that family members would attempt to 'covert' them into heterosexuality using family prayer sessions and or via the use of a psychologist (Home Office, 2017, FARUG, 2019). LBQ women noted that religious beliefs posed as a significant challenge to positive recognition of SOGIESC rights and acceptance, with many subjected to negative messages within conservative religions about same-sex activity being unnatural, sinful or threatening to male supremacy. Some women who were outed by the media were banished from churches or forced to attend 'change prayers' where they were said to have demons inhabit their bodies. The narrative of 'illness' is often used by family members who see the need to 'correct' LBQ women and techniques have been used by family members to set expectations of how 'real women' should be in line with 'culture' (FARUG, 2019). Women who are masculine presenting in their gender expression noted that they were heavily at risk of sexual harassment, including threats of and actual, corrective rape (FARUG, 2019). This was particularly prevalent after arrest, due to their SOGIESC identity or for other minor offences, whereby masculine expressing women noted harassment in detention centres, including unnecessary strip searching and inappropriate body searches, verbal abuse and threats of rape.

A majority of the women in the FARUG (2019) study said that their pregnancies were a result of rape and in some cases, had their children taken away from them upon discovery of a woman's sexual orientation. Women who have sex with women (WSW) are exposed to increased risk of HIV and AIDS because of the risk of sexual assault, not helped by government programmes which ignore WSW because of the assumption that they are low risk (ORAM, 2014, FARUG, 2019).

Some SOGIESC people have faced outright evictions whilst others were subject to threats and attacks. Some property owners have continuously evicted suspected SOGIESC persons and in some cases, refused to pay them for money owed (HRAPF, 2016). Accusations of being 'gay' by landlords often spread quickly by word of mouth and have been known to spark mob violence in the surrounding community (Home Office, 2017). Indeed, it has been remarked that the mob violence, "is a worrying trend since it is much more difficult to bring individuals and non-state actors to book than it is with state actors. Also the fact that there are many cases of mob justice is very worrying since this is quite a common trend in Uganda and it usually results in deaths" (HRAPF, 2016: 51).

Raids on SOGIESC shelters have been documented by state operatives in recent years. In October 2019, a shelter was raided by a local mob and the 16 residents arrested by the police, who detained them and subjected them to forced anal examinations. The case was later dropped however this has not deterred other raids, when in 2020 after neighbours complained to local leaders about the presumed sexuality of COSF (Children of the Sun Foundation) shelter residents, a local Mayor Hajj Abdul Kiyimba led a raid on the shelter. Residents were beaten with a stick and 20 were remanded in prison under supposed COVID-19 related charges (Human Rights Watch, 2020a), however these charges were also later dropped, and the 20 people were offered damages by the High Court of Uganda. It is not only shelters that have been raided and in November 2019 the police raided 'RAM Bar,' a known SOGIESC friendly space and arrested 125 people, charging 67 of them with 'common nuisance' in the absence of evidence of a crime. The case is still open as of June 2020 (Human Rights Watch, 2020b).

# 5. WHAT IS LIFE LIKE FOR SOGIESC PEOPLE IN UGANDA?

## Health

When the AHA was being placed into law, concerns were raised by the UN Special Rapporteur on Health regarding the increased criminalisation of homosexuality in East Africa and the impact this would have upon the spread of HIV and AIDS, including the ability of SOGIESC people to access treatment (United Nations, 2012, Englander, 2011). In 2014, former Minister of Health, Ruhakana Rugunda made a statement that SOGIESC people would still enjoy full access to health treatment and that health professionals would still uphold their obligation to confidentiality, however the reality is very different and discrimination in health settings is rife (SMUG, 2018).

It has been noted that medical students continue to use either religious frameworks or outdated course books which refer to homosexuality as a 'disease' and instructors have been observed presenting scientific information on topics referring to intersex and transgender identities, incorrectly or through stigmatising them (SMUG, 2018). When accessing care, sexual and gender minorities living in Uganda are more likely to be discriminated against at health care clinics than their heterosexual counterparts, with discrimination so normalised that, "documentation is almost non-existent" (SMUG, 2018: 4). This is compounded with other factors, such as; the refusal of services to somebody with an outward identity or gender expression which conflicts with conventional binaries, the use of (disproven) anal examinations and the 'outing' of people by healthcare workers. This has meant that only 20% of client referrals to healthcare services between 2012-2017 have been completed by one organisation alone (SMUG, 2018).

Sexual and gender minorities perform worse in terms of all health measures such as: poor mental health, substance use, violence and risk sexual behaviour. More than half of SOGIESC women admit to using alcohol as a coping mechanism to overcome mental health challenges, with a majority of respondents noted using recreational drugs and cigarettes to cope (FARUG, 2019). Thapa (2015:) noted that "homophobic, sexist and transphobic practices and attitudes on the part of healthcare providers deter LGBT persons from seeking services out of concerns around breaches of confidentiality, stigma, and potentially violent reprisals." In their 2014 report, SMUG (2014) argue that the increased criminalisation of homosexuality does not help to control the spread of HIV and AIDs and actually has the effect of increasing it.

## People who are intersex

In most of East Africa, intersexuality has been considered to be a form of sexual orientation, which is not the case and is often poorly understood. People who are intersex may take any gender identity and sexual orientation, but this does not always mean being primarily gay, lesbian or bisexual (SIPD, 2015). In Uganda, intersex children are often hidden from view by families or in some cases, have been reported as being abandoned by parents. Having an intersex child is seen as a bad omen to mothers, who themselves often face abandonment by their partners and families. "In most cases the mother of such a child will be frowned upon and usually superstitions loom large as families consult witchdoctors, mediums and traditional healers for a solution. In many instances, the mother will work with either a traditional medicine practitioner or some other ally to kill the child" (SIPD, 2015: 6). In many cases, poorly operated non-consensual 'corrective' surgery can lead to complications in children and adults, higher drop-out rates in education and deep levels of prejudice, including a lack of access to healthcare. Intersex people who do not conform to rigid female or male identities are ostracised and are often forced to conform to the two normative binaries.

# 5. WHAT IS LIFE LIKE FOR SOGIESC PEOPLE IN UGANDA?

Many people with intersex conditions experience significant stigma and discrimination in Uganda, such as humiliation, ostracism, exploratory rape, evictions from accommodation. Mirroring some of the issues faced by other SOGIE people, they may face exclusion from families, communities, employment and healthcare. However, intersex children also face additional problems of ritualistic murders of intersex infants and a lack of knowledge of intersexuality when they are adults (SIPD, 2015).



## **Employment**

Employment opportunities for SOGIESC people are mixed but outing is always a risk for individuals, as there are no employment protections in place. SOGIESC people are less likely to be regularly employed as they face eviction from their homes more frequently and so holding onto long-term employment becomes more difficult. Finding work can be problematic for many sexual and gender minority Ugandans and when jobs are found, it almost always requires them to stay in the closet (SMUG, 2016). In SMUG's (2016) report, researchers documented 24 cases of sexual and gender minorities being terminated based on their sexual orientation or gender identity. When this happens, they face social exclusion from the community and difficulties in providing support for themselves and their families. Some studies have shown that LBQ women with higher qualifications were more likely to be employed (albeit not always 'out' at work) but those from a higher socio-economic background reported more bargaining power at their workplace, which affected how they would be treated. This is not the case for all women however, as many without formal qualifications highlighted difficulties in accessing employment opportunities (FARUG, 2019).

# 5. WHAT IS LIFE LIKE FOR SOGIESC PEOPLE IN UGANDA?

Underprivileged and less educated SOGIESC people are often pushed into less regulated and under-paying jobs and so self-employment has become important for many LGBT Ugandans, with a number of individuals using commercial sex work as the only available option (ORAM, 2014). The perceived green light of the legislation and even after the nullification of the Anti-Homosexuality Act, between 2014 and 2015 approximately 400 Ugandan refugees (most of whom self-define as gay men) fled across the Kenyan border into the Kakuma Refugee Camp, whereby they left one insecure environment for another (Zomorodi, 2015). Despite same-sex activity being criminalised in Kenya, the perception of Kenya as safer was cited as a pull factor for migration, despite in 2019 only 14% of the Kenyan population believing that homosexuality should be accepted – though rising from 1% in 2002 (Pew Research Centre, 2020). Sexual and gender minority Ugandans who flee to Kenya continue to engage in precarious and often dangerous work, with an estimated quarter of these Ugandan asylum seekers support themselves with commercial sex work in Nairobi (Zomorodi, 2015). Those who have stayed behind in Uganda and who have resorted to commercial sex work face frequent rape, and it is has been estimated that rapes of sexual and gender minority sex workers take place on a weekly basis (Home Office, 2017).

## **Conclusion**

It is evident from the literature so far that the human rights of SOGIESC people in Uganda are not being met, and in many cases, are being abused by a range of social actors and institutions. There is a dearth of literature written about SOGIESC Ugandans from the perspective of the lived experiences of SOGIESC people themselves, and so this research hopes to add to the existing literature to bring these voices, and their lives, to light.



# 6. METHODOLOGY

## **Survey aim**

The aim of this survey was to find out the lived experiences of SOGIESC people in Uganda. As partners, we launched this survey so we can use the document to help to inform social change in Uganda and to support Ugandan SOGIESC organisations to achieve their own objectives.

## **The objectives of this survey were:**

- to examine the lived experiences of SOGIESC people in and from, Uganda;
- to explore the barriers that SOGIESC people face in their everyday lives;
- to measure social, legal, political and cultural pressures faced by SOGIESC people;
- to evaluate any issues raised by this research so that it may feed into policy decisions and activism moving forward.

## **Literature review**

The report draws from relevant published sources; including United Nations documents, reports by other human rights organisations, Ugandan SOGIESC organisations, reputable news sites, surveys and academic articles. This was in order to triangulate the literature already published to mirror this against our own findings.

## **Method**

After several meetings and co-construction of the survey questions between ReportOUT and our partners, the survey went out via the partner organisations based in Uganda to their service users and clients. The survey was also informed by previous survey design from the Bisi Alimi Foundation who granted us permission to use and modify elements of their survey design to make it specific to Uganda and the lived experiences of SOGIESC Ugandans. A comprehensive survey of 116 questions was devised to ask about both opinions of how SOGIESC people in Uganda view homo/bi/transphobia in their society, as well as questions about their own particular lived experiences within Uganda itself as well as how they have been impacted by homo/bi/transphobia. You can request a copy of the survey questions by contacting us at: [contact@reportout.org](mailto:contact@reportout.org)

## **Data collection and analysis**

This report is based on information collected from our partner organisations from June 26th 2020 to August 31st 2020. Working in partnership with seven Ugandan organisations who work with LGBTQI+ people: Children of the Sun Foundation (COSF), Let's Walk Uganda, Kuchu Shiners Uganda, Out and Proud Uganda, Wave of Legacy Alliance, Fem Alliance Uganda and Kampus Liberty Uganda. A total of 76 respondents completed the survey which we view as successful, due to SOGIESC people being a particularly hard to reach group in Uganda.

The findings of the survey were analysed by ReportOUT and given to our partners for quality checking before publication. The key headline survey findings are reported in this report, and qualitative comments in the survey were themed using thematic analysis to check for themes across the data, as well as using quotes to highlight particular areas of SOGIESC people's own lived experiences.

# 6. METHODOLOGY

## **Participants and ethics**

Participants in this research were voluntarily asked to take part in this study and were given information about the survey via an information and consent process on the survey. Participants were not compensated for taking part and neither ReportOUT nor any of the partner organisations received any financial gain for this research study. Survey respondents were anonymous and strictly confidential, and in some cases other identifying information has been withheld to protect their privacy and safety. The survey was conducted in line with the Ugandan Data Protection and Privacy Act (2019) and the UK Data Protection Act (2018). This research was also approved by the University of Sunderland's Ethics Review Panel (Reference Number: 006176) to ensure that all ethical safeguards were in place.

## **Limitations**

As with all research there are limitations. We recognise that we have very small sample sizes of people who are intersex and hope that an additional study can rectify this. Due to a self-identifying marker in the survey of 'Kuchu' being used to describe both sexual orientation and gender identity/expression, this made it difficult to separate the data out and so it is likely that more women (both trans and cisgender) came under this header. We also recognise that many of our partners are urban based and younger, and this is reflected in the sample, and so a future study of both rural and older SOGIESC people would be recommended. Nonetheless, with no funding behind this survey, we believe we have managed to attain a comprehensive picture of what life is like for many SOGIESC Ugandans.

# 7. RESPONDENTS DEMOGRAPHICS

Of the 76 respondents who took part in the survey, they were a mixed group in terms of demographics. The findings below tell you more about the respondents as a whole.



## **SOGIESC people tend to live in urban areas**

42.1% live in a city, 28.9% live in a town, 17.1% live in the suburbs outside of a city, 7.9% in a village, 1.3% in a farm and 2.6% no longer live in Uganda.



## **SOGIESC people completing this survey were mainly aged under 40**

18-20 (26.3%), 21-29 (61.8%), 30-39 (7.9%), 40-49 (1.3%), 50-59 (1.3%) and prefer not to say (1.3%). No age ranges reported over 60 years of age.



## **SOGIESC people define their gender identity in many ways**

Cisgender male (43.4%), Kuchu\* (26.3%), cisgender female (6.6%), trans woman (6.6%), trans man (7.9%), non-binary (3.9%), genderqueer (1.3%) and intersex (1.3%). 2.6% preferred not to say.



## **SOGIESC people define their sexual orientation in many ways**

Gay man (51.3%), Kuchu\* (18.4%), bisexual man (15.8%), lesbian or gay woman (6.6%) and asexual (1.3%). 6.6% preferred not to say.



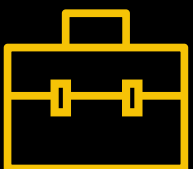
## **SOGIESC people are mainly religious or profess to be part of a religion**

Christian - various denominations (73.7%), (Sunni) Muslim (21.1%) and Traditional African Religions (1.3%). Humanists and atheists made up 3.9% of the respondents and 7.9% preferred not to say.



## **SOGIESC people are often educated beyond secondary schooling**

College or university (48.7%), post-secondary education - not university (10.5%), secondary education (36.8%) and primary education (3.9%).



## **Despite being educated, many SOGIESC people have poor job security**

Work full-time (18.4%), work part-time (17.1%), self-employed (7.9%), temporary/seasonal (7.9%) unemployed (44.7%), volunteering (2.6%) or as a carer (1.3%).

\*Please note that the term 'Kuchu' is a 'catch all' umbrella description used by some Ugandans to describe both sexual orientation and gender identity

# 8. KEY FINDINGS: FINANCIAL PRECARITY

As the figures below show, there are some key concerns with levels of poverty, security, job market discrimination, precarious work and support faced by SOGIESC Ugandans.



**Added to the job insecurity, a sizeable number of SOGIESC people do not have a bank account.**

**57.9% have a bank account whilst 42.1% do not have a bank account. This can significantly affect future savings and stability for older age.**



**Many SOGIESC Ugandans live in extreme poverty. Most live on less than \$1.90 per day (The World Bank's International Poverty Line)**

**65.8% live in extreme poverty below this figure and only 34.2% have a higher daily rate. There are extreme levels of poverty amongst SOGIESC Ugandans.**



**Around a third of SOGIESC Ugandans live on less than the minimum wage (6,000 Ugandan Shillings per month)**

**Over a third (32.9%) live below the Ugandan National Minimum Wage (already one of the lowest in the world), showing further financial hardship.**



**The job market is tough in Uganda for many and SOGIESC people have an especially difficult time. When asked, how difficult is it to access the job market in Uganda? (Scale: 1 very easy and 10 very difficult)**

**72.3% of respondents gave a score of 8 or higher (51.3% said 10).**



**When asked whether respondents SOGIESC identity has meant that they have missed out on employment prospects, the figures are concerning:**

**65.8% agreed that their SOGIESC identity has meant that they have missed out on employment prospects.**



**Of the SOGIESC Ugandans not working, they self-identified the main ways in which they supported themselves financially (top three most common responses, in order, from qualitative survey comments):**

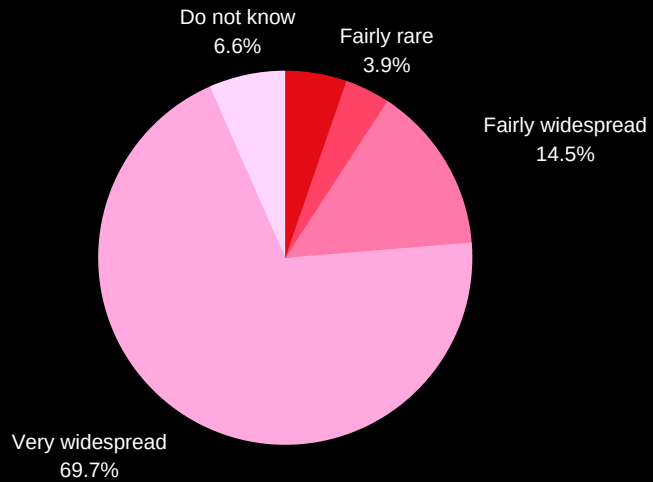
**1) Family; 2) Sex work, and; 3) Friendship groups**

**This is problematic as many SOGIESC people face family isolation and financial hardship after coming out. Sex work is extremely dangerous for SOGIESC people in Uganda.**

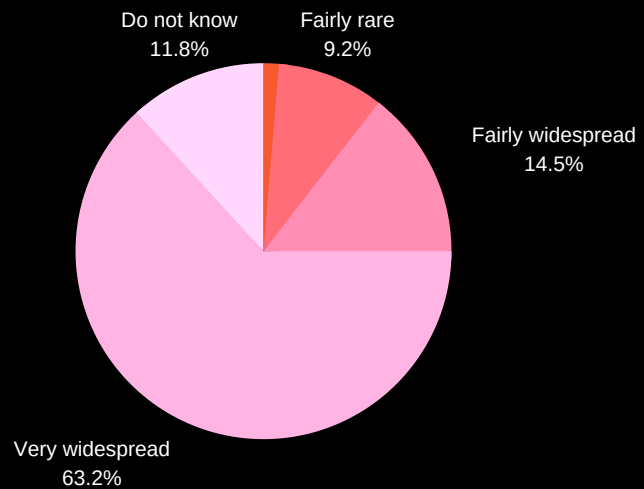
# 9. PERCEPTIONS: PREJUDICE AND DISCRIMINATION

SOGIESC respondents were asked about their opinions and perceptions about prejudice and discrimination in their wider society around them. As well as 76.3% of respondents who answered that negative casual jokes about SOGIESC people were either 'fairly' or 'very widespread' (25% and 51.3% respectively). The results also showed clear perceptions of discrimination in everyday life, in employment and from landlords.\* They are as follows:

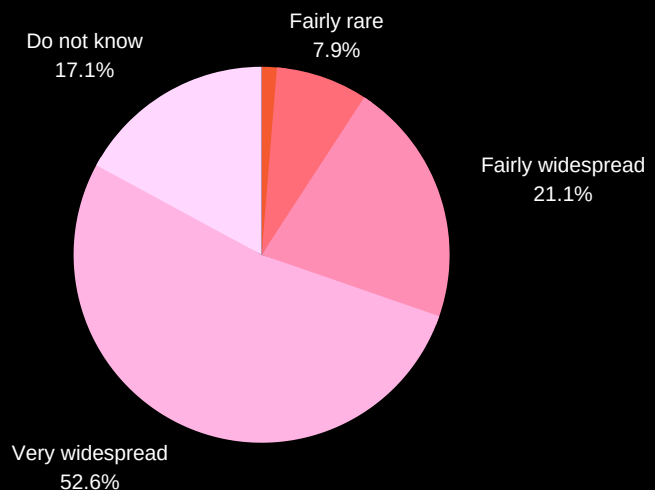
**In your opinion, how widespread are general expressions of hatred and aversion toward SOGIESC people from the public?**



**In your opinion, how widespread is discrimination from employers toward SOGIESC people?**



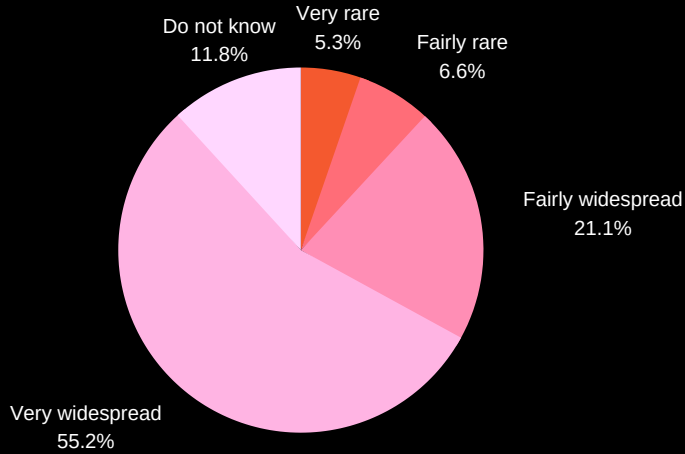
**In your opinion, how widespread is discrimination from landlords toward SOGIESC people?**



**\*Please note that SOGIESC people may not only perceive these findings but may also experience them simultaneously.**

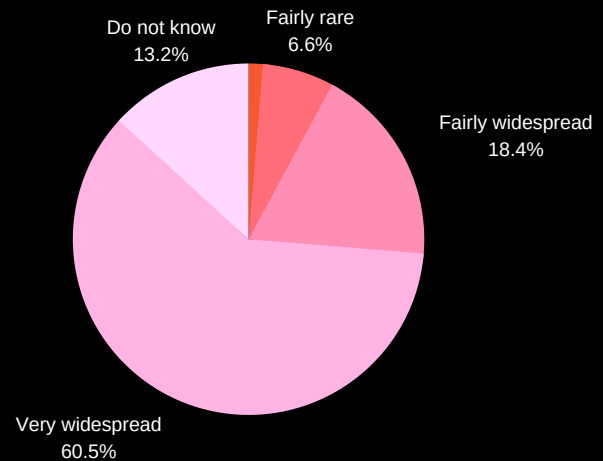
# 9. PERCEPTIONS: PREJUDICE AND DISCRIMINATION

SOGIESC respondents were asked about their opinions and perceptions about key institutions in their wider society around them. The results revealed worrying levels of institutions such as politicians feeding into hate speech, police brutality, false imprisonment by the state and an anti-SOGIESC media.\* The results are as follows:

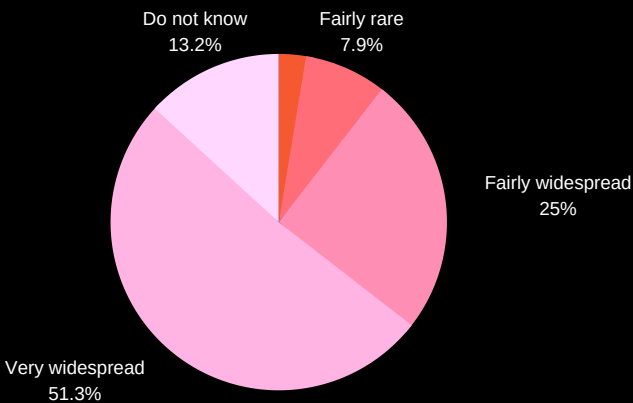


**In your opinion, how widespread is offensive language about SOGIESC people by politicians?**

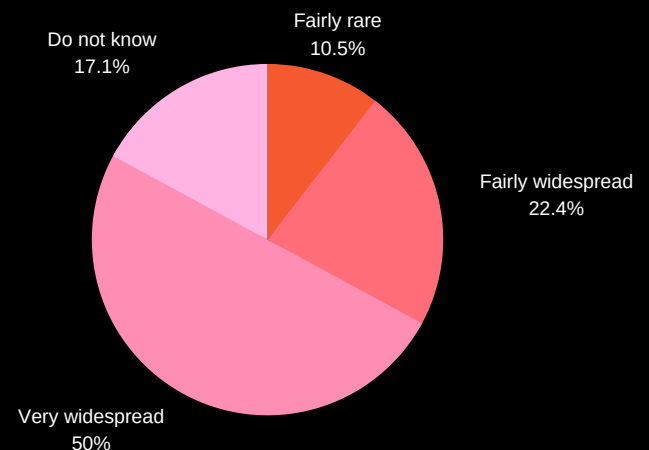
**In your opinion, how widespread is the false imprisonment, by the police, of SOGIESC people?**



**In your opinion, how widespread is police brutality toward SOGIESC people?**



**In your opinion, how widespread are anti-SOGIESC media stories?**



**\*Please note that SOGIESC people may not only perceive these findings but may also experience them simultaneously.**

# 9. KEY FINDINGS: PREJUDICE AND DISCRIMINATION

**Prejudice and discrimination against SOGIESC people in Uganda feed into all aspects of SOGIESC people's lives and social worlds. Ugandan state institutions and their actors actively participate in the discrimination against many SOGIESC people.**

A significant number of respondents had been arrested for 'offences' related to their identity (42.1%) with cases of police brutality reported by over a third of respondents (38.2%) who faced physical or verbal assaults once arrested. In instances of being a victim of violence, over half of the respondents (52.6%) did not report the crime to the police (with only 14.5% reporting it). The three key reasons why SOGIESC respondents did not report crimes and hate against them to the police, were as follows:

1. they did not think that the police could/would do anything;
2. they felt shame, embarrassment and didn't want anyone to worry;
3. they had a fear of homo/bi/transphobic reactions from the police.

Other state organisations actively discriminate against SOGIESC people, with respondents noting this happening from social services staff (53.9%), healthcare staff (51.3%), the police (46.1%) and 'any other government departments' (52.6%).

Within everyday life, SOGIESC people face discrimination in a range of settings which cut across a range of institutions. Three key areas where these were highlighted, included: school/university staff (55.3%), when looking for a job (63.2%) and when looking for accommodation to rent or buy (51.3%). Due to the financial precarity of many of the SOGIESC respondents, facing prejudice and discrimination in education, job seeking and finding accommodation compounds poverty further, and leads to homelessness and fragmented opportunities to seek financial stability. Worryingly, a quarter of respondents when seeking support from NGOs, had suffered from discrimination (26.3%).

Other key places where prejudice and discrimination were faced by a sizeable portion of the respondents included; in place of worship (47.4%), cafes, restaurant and bars (48.7%) and public spaces such as shops and markets (53.9%). Many transgender and Kuchu respondents noted discrimination faced by them when showing official ID documents that identifies their gender. Of deep concern was the level of abuse faced by SOGIESC people online, with SOGIESC people facing it via email and social media (72.4%) and through phone calls and WhatsApp (78.9%) which impact upon feelings of safety and mental health.

The right to not be discriminated against, to have an education, to own property, the right to privacy and have equal protection of the law are all enshrined within the UN Declaration of Human Rights and Uganda is a signatory of this. The Ugandan state must fulfil its obligations in this regard to these areas for all SOGIESC people.

## 9. KEY FINDINGS: PREJUDICE AND DISCRIMINATION\*

***"After my family getting to know who I was, they blocked all my paths of getting employed because they went on telling all people I was connected to that am gay hence these people also turned on me yet they had various business opportunities. And therefore I cannot approach them for such opportunities"***

***"First of all in Uganda they look at being gay persons as a taboo and illegal so no one can employ you if you are gay, and if they do, they feel if you are employed a person will use that chance to promote and recruit other people to be gay, hence making a lot of LGBTI persons in Uganda unemployed"***

***"I'm somewhat a feminine guy, so everywhere I go people see me pass by they laugh at me and that has given me some kind of burden, coz I've tried to act macho n look tough, it only brought me a lot of chest pain. I once went looking for a job as a receptionist at a hotel. The manager told me that how I talked n walked would scare away customers. I swear to God I went back home n cried so hard that day, I badly needed a job while in school"***

***"I think it's so because if only schools could understand who we are, it would be better. I could apply for a job and work well with documents that match my gender and also it reduces on the fears, but instead it has limited us in those fields leaving me helpless, and living like a beggar because even my family can't help....."***

## 9. KEY FINDINGS: PREJUDICE AND DISCRIMINATION\*

*"I was arrested by my own family because of my gender, put in cells beaten and verbally abused. I had to seek for help from [organisation]. When my family noticed that I got some defense from lawyers, they changed all the statements and charges from being behaving like a man to very annoying cases of debts, theft and drug abuse and many more"*

*"I was arrested because I provided accommodation to my fellow LGBTI person that were attacked and finally chased from the nearby village. When I accommodated them for like two weeks as they were planning to find themselves another place, my village leaders were called in by the community. They alleged that I illegally assembled people into the village without reporting them to local authorities and the promotion of homosexuality to my village, which eventually got me arrested"*

*"According to what I have observed, the government officials are using this opportunity of the lock down to mark hot spots for the SOGI people. Therefore, every one has to take initiative of his or her life and when it comes to the law, they say that you are against the president's command and charged of treason"*

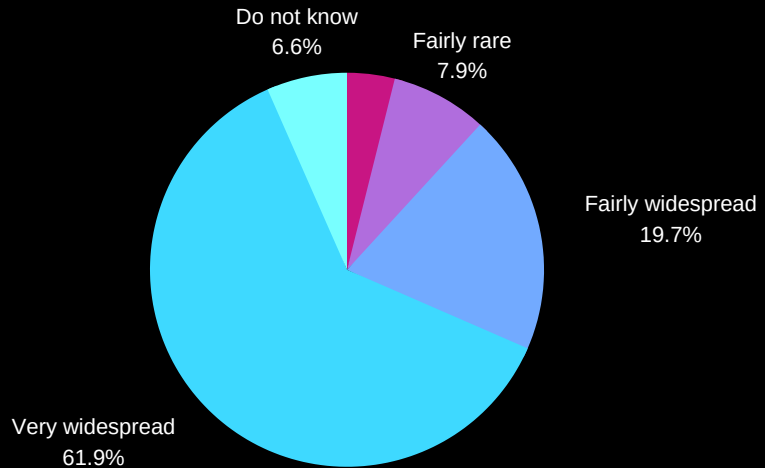
*"In Uganda we the LGBTQ community we face a lot of problems. We are illegally arrested and never charged in courts of law, always being violently attacked by the community...when you go report to police you may end up being arrested yet you the one who has reported the case"*

\*Please note that each quote on this page comes from a separate respondent

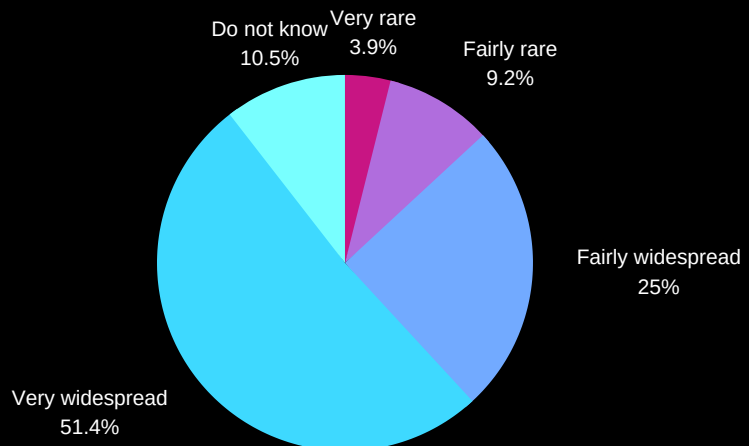
# 10. PERCEPTIONS: FORMS OF VIOLENCE

SOGIESC respondents were asked about their opinions and perceptions of violence. Often as a precursor to violence is blackmail, with a total of 77.7% of respondents who said that blackmail toward SOGIESC people (from others) was either 'fairly' or 'very widespread' (30.3% and 47.4% respectively). The trends showed deeply concerning levels of perceived violence, including the threat of physical assaults, mob reactions/violence, and the use of torture.\* The results are as follows:

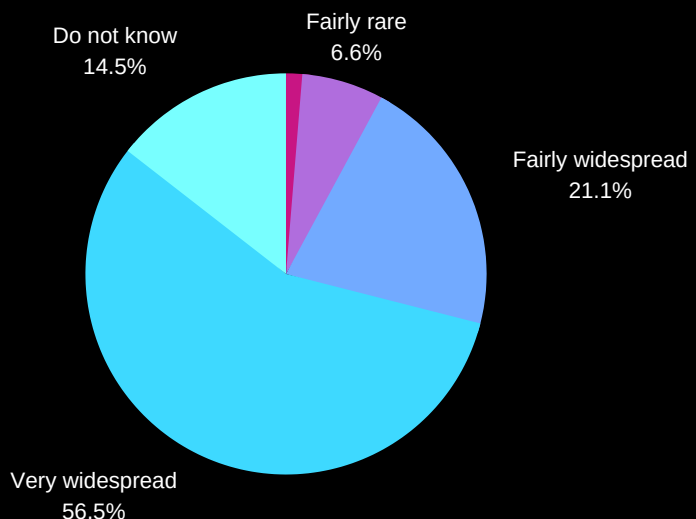
**In your opinion, how widespread are physical assaults toward SOGIESC people?**



**In your opinion, how widespread is mob violence or mob reactions against SOGIESC people?**



**In your opinion, how widespread is the use of torture toward SOGIESC people?**



**\*Please note that SOGIESC people may not only perceive these findings but may also experience them simultaneously.**

# 10. KEY FINDINGS: FORMS OF VIOLENCE

**A sizeable number of SOGIESC Ugandans have faced some form of threat, physical violent attack or sexual violence. They regularly receive online abuse, and many have been tortured.**

When asked about threats and attacks of physical and sexual violence the results were alarming. In the past twelve months 22.4% of SOGIESC people reported being threatened with violence or violently attacked twice as a result of their SOGIESC identity. It was evident from the results that perpetrators tend to commit threats of violence and violent attacks in groups which suggests mob violence is commonplace when targeting the SOGIESC population in Uganda. Almost half (47.4%) of these respondents claimed that there was more than one perpetrator when threatened or physically attacked. Of these, it was reported that neighbours or a local community member were the perpetrators of threats or violent attacks against the SOGIESC population (42.1%), followed by family or household members (26.3%). This implies a relational familiarity between the victim and the perpetrator as the data suggests a sizeable number of perpetrators know the victim on a personal or social level.

Another distressing theme which arose from the data was the concerning levels of sexual violence both threatened and carried out against the SOGIESC population in Uganda. 38.2% of respondents said they had been attacked or threatened with sexual violence twice in the last 12 months, and 36.8% stated that there was more than one perpetrator involved. This presents a commonality between the nature of perpetrators involved in sexual attacks and violent physical attacks against SOGIESC Ugandans. It was reported that most perpetrators were strangers (19.7%), followed by a neighbour or local community member (18.4%). As almost half (48.6%) of SOGIESC Ugandans are unemployed leading to poverty and a low standard of living, sex work is commonly used as a means of income, which could reflect the percentage of sexual attacks and threats from strangers.

When asked about the safety of social media and dating apps as a means of communicating or meeting up with other SOGIESC people, many respondents deemed these as 'not safe at all'. Almost half (47.4) of respondents stated that cyber dating apps were 'not safe at all' and 42.1% stated that social media as a means of forming friendships or relationships with other SOGIESC people were 'not safe at all'. These findings suggest a difficulty to form friendships, relationships and communities via online platforms which can often lead to feelings of loneliness, depression and mental health issues commonly found among the SOGIESC Ugandan population.

When asked about the infliction of torture among SOGIESC Ugandans the results were extremely alarming. Overall, more than half (60.5%) of respondents reported that they had been tortured by another person because of their SOGIESC Identity. It is apparent that the SOGIESC population are being discriminated and deprived of their basic human rights. Freedom from torture and degrading treatment is a human right enshrined within the UN Declaration of Human Rights and Uganda is a signatory of this. The Ugandan state must fulfil its obligations in this regard to allow freedom from violence and torture for all.

Overall, 75% of the SOGIESC respondents stated that Uganda is 'very unsafe' for SOGIESC people.

**\*Please note that on a 1 (strongly disagree) to 10 (strongly agree) scale, we have combined the top highest scores (8, 9 and 10) and the bottom lowest (1, 2 and 3).**

# 10. KEY FINDINGS: FORMS OF VIOLENCE\*

***"I was imprisoned and tortured and I feel this shouldn't happen to anyone else"***

***"I feel not safe and walk in fear"***

***"In my country Uganda, the rate of Homophobia and TRANSPHOBIA is at a climax"***

***"I have really leaved a life full of fear but from the day I was arrested I really became so scared of my life and I get threats from people"***

***"I have experienced several attacks where my life was threatened"***

***"I [am a] transgender man...I was terribly beaten and bit by teeth... Am under going through medication but it does not feel enough"***

***"SOGI people are fought yet we can't change the desires we have, some are forced to marry opposite sex partners by families"***

***"It's because of the way I grew up I fear anything can happen to me physically"***

***"We need enough protection here in Uganda please help those who are helpless"***

**\*Please note that each quote on this page comes from a separate respondent**

# 11. KEY FINDINGS: HEALTH AND MENTAL HEALTH

**A sizeable number of SOGIESC Ugandans have poor mental health, are depressed and show signs of trauma. A majority refuse to access healthcare services due to perceived and actual discrimination.**

When asked about health and mental health, the results of the survey revealed some worrying mental health concerns amongst some respondents and some of the findings are bleak. On a rating scale,\* 50% of all respondents stated 'strongly agree' when asked whether they have tried to control their sexual desires and attractions, and some felt deep levels of internalised homo/bi/transphobia with one in ten (10.5%) stating that they sometimes wish that they could become heterosexual.

A sizeable number of SOGIESC Ugandans show signs of trauma, and potentially PTSD, as they feel 'nervous' (38%), 'hopeless' (42.1%) and 'restless' (38.2%) 'all of the time' which are clear signs of poor mental health. Added to this, well over a third of SOGIESC Ugandans feel 'depressed' (42.1%), with strong feelings of being 'worthless' (43.4%) and 'scared' (67.9%) 'all of the time' within their own communities. At the time of this research, well over a third of respondents (44.7%) felt that these feelings were occurring 'more often' over the last three months of this survey being completed. It was interesting to note that drugs, alcohol and substances were only used as a coping mechanism for a very small minority of respondents, however it is very clear that many SOGIESC Ugandans are living with trauma and urgently need mental health support.

Over half of SOGIESC Ugandans refused to use hospitals or medical care because of their SOGIESC identity (52.6%). Though the reasons for not wanting to access healthcare settings is clear in other findings, in which respondents had experienced direct discrimination from healthcare staff (51.3%) and the precarious position of most of the respondents finances, employment and access to health care. Whilst slightly over a third (35.5%) reported their physical health to be in good condition, a notable quarter of respondents (26.3%) stated that their physical health was getting poorer. With discriminatory attitudes from healthcare staff and an environment which feels unsafe, much more needs to be done to allow sensitive and greater access to healthcare for SOGIESC Ugandans, alongside training for healthcare staff.

The right to health is a human right, enshrined within the UN Declaration of Human Rights and Uganda is a signatory of this. The Ugandan state must fulfil its obligations in this regard to allow health access and support for all.

**\*Please note that on a 1 (strongly disagree) to 10 (strongly agree) scale was used, we have combined the top highest scores (8, 9 and 10) and the bottom lowest (1, 2 and 3).**

# 11. KEY FINDINGS: HEALTH AND MENTAL HEALTH\*

*"I believe health services and legal support is more important to us SOGI because we really face a lot of torture and discrimination in the community and at police. In addition to that, we are also human beings, we get sick and we would need treatment, but health providers tend to hate and despise us"*

*"Lubricant should be given to SOGI communities in order to help us acquire it without fear and be free than getting it from [organisation] as we may find non SOGI members there and they do blackmail us hence leading us to unprotected sex"*

*"I sometimes feel like committing suicide but then I think of my family. Would wish to get someone to always talk to without getting tired of me"*

*"Due to homophobia in Uganda I can't say am in good physical health"*

*"There are personal things I cannot openly tell health workers for fear of discrimination"*

*"Sometimes I don't even have the energy to take a shower or even get up to drink a glass of water"*

*"In hospital they don't care about gays, anyway I felt ashamed to tell them all my problems"*

\*Please note that each quote on this page comes from a separate respondent

# 12. KEY FINDINGS: SEEKING SUPPORT AND SOCIAL CHANGE

**General support services are sparse and usually unavailable to SOGIESC Ugandans. Where support is available this is usually only via SOGIESC organisations. SOGIESC Ugandans have highlighted some of the key areas of future social change that they would like to see within the following areas: family life and relationships, national authorities and laws, and public services and institutions.**

An observation of the data presented worrying results when exploring support services for SOGIESC people in Uganda. Almost half (48.7%) of respondents said there are not enough support services and where there is any support, this is found only in SOGIESC organisations. 72.4% of the respondents stated that they seek support within these organisations and 38.2% stated that support came from friends. Very few (1.3%) reported finding support in their communities, from their neighbours or in government departments, which is reflected in the levels of violence inflicted by each of these groups onto the SOGIESC population in Uganda. It is evident that there is a lack of support in many of the areas explored making it difficult for SOGIESC people to relieve their stress, worries and fears.

## **Family life and relationships**

Although it is evident that lack of support for the SOGIESC populations in Uganda, the results from the survey exposed where SOGIESC people would like to see advancements in terms of social change and future support. One clear theme from the data highlighted the importance of families and opportunities to legally build relationships. 81.6% of respondents agree or strongly agree that they would like the possibility to marry or register a civil partnership. Where children are concerned, 82.9% of the respondents stated that they would like to be able to foster or adopt children and 85.5% would like to be able to raise children without fear of them being taken away. These statistics demonstrate the importance of family within the lives of SOGIESC Ugandans as well as highlighting some of the issues they currently face around building their own families.

## **National authorities and laws**

Statistics were particularly high in relation to a wanting social change in national authorities and laws. 82.9% of respondents want national authorities to promote the rights of SOGIESC people. Following on from this, 82.9% want laws specifically addressing hate crime against SOGIESC people in Uganda as rates of torture, violent and physical attacks have proven to be common. Having government officials, authorities and properly implemented laws support SOGIESC people would help to change the current abusive climate SOGIESC people face at present in Uganda.

## **Public services and institutions**

Public services and institutions also clearly require social change with more support needed in the workplace, schools, and among public servants. 75% want anti-discrimination policies protecting SOGIESC people implemented in workplaces and 80.3% agreed that anti-discrimination laws protecting SOGIESC people should be implemented in public services.

# 12. KEY FINDINGS: SEEKING SUPPORT AND SOCIAL CHANGE

Without implementation of laws within these areas, SOGIESC people in Uganda continue to be one of the most vulnerable minorities suffering from high rates of poverty and discrimination, due to a lack of equality and accessibility to public services and job sectors. 75% of respondents agreed or strongly agreed that measures should be implemented in school to respect SOGIESC people and 86.8% agreed or strongly agreed that training of public servants (doctors, police, teachers) would allow them to feel more comfortable. A wider and more informed understanding around the SOGIESC population is evidently needed among public servants in Uganda to ensure that discrimination within these services is non-existent.

The right to a family, marriage, freedom from discrimination and a standard of living are all human rights enshrined within the UN Declaration of Human Rights and Uganda is a signatory of this. The Ugandan state must fulfil its obligations in this regard to allow these rights to be met.

# 12. KEY FINDINGS: SEEKING SUPPORT AND SOCIAL CHANGE\*

*"All that's important and needed is more education and sensitization of community members about the lives and challenges faced by SOGI individuals in Uganda. There is a lot of ignorance going around regarding the lifestyle of LGBTIAQ persons and a little information regarding the same to the public would go a long way to change attitudes of society towards SOGI persons"*

*"We need funding, support and care"*

*"[we need] Safe houses for the homeless, politics interacting, good better jobs and freedom"*

*"I just feel like in order for me to achieve my potential as a young male enthusiastic about life, I have to get out of this country coz I know that I'm not also strong enough like other out activists who fight these emotionally draining battles"*

*"We need to kick homophobia out of Africa"*

*"Involve us the gays in activity implementation"*

*"Shelter of the SOGI members is most needed. Because many are still coming out of the closet yet the shelters are few and security is needed at a higher cost"*

\*Please note that each quote on this page comes from a separate respondent

# 13. RECOMMENDATIONS

The following are recommendations taken from the results of this extensive research study. ReportOUT recommend the following:

- SOGIESC Ugandans should not be weaponised as a threat to other Ugandans, either by government officials, media outlets or any other actors;
- the right to property and housing must be vigorously enforced for SOGIESC Ugandans. Landlords must be stopped in their discrimination against SOGIESC people;
- the right to have a family is a basic human right and this must be enforced as equally for SOGIESC Ugandans as it is for anyone else;
- in order to create safer and more productive workplaces, employers must enact anti-discrimination policies which also protect SOGIESC people;
- Uganda must ensure that the prohibition of torture and the use of cruel, inhuman or degrading treatment is implemented and adhered to;
- Uganda should remedy the lack of police accountability and brutality in order to ensure the protection of SOGIESC people's fundamental human rights. SOGIESC Ugandan's should not face arbitrary arrest;
- community and family led harm, including mob violence, should be thoroughly investigated and dealt with by the police;
- state departments and institutions need training which enables them to handle SOGIESC people with dignity, respect and mindful of their needs as citizens;
- organisations which deal with SOGIESC Ugandans need funding, training and support from the state and from other funders. The mental health needs of SOGIESC Ugandans urgently need to be supported.

Uganda has repeatedly promised to respect human rights and has signed and ratified a number of binding international human rights treaties, such as the:

- UN Declaration of Human Rights;
- International Covenant on Civil and Political Rights;
- African Charter on Human and Peoples' Rights;
- UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- Convention on the Elimination of All Forms of Discrimination against Women.

**SOGIESC people in Uganda and their human rights, are all covered by these treaties. To make Uganda a safer place, the state and those who govern it must be accountable and proactive in their approach to the protection of human rights for ALL Ugandans.**

**ReportOUT extends an invite to work together with the state and its bodies to ensure Uganda has a future in which SOGIESC people are safe and their human rights are respected.**

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ReportOUT

Pride Media Centre

Unit T1, Stonehills

Shields Road, Pelaw

Gateshead. NE10 0HW

United Kingdom

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