

REPORT ON VIOLENCE AND VIOLATIONS BASED ON REAL OR PRESUMED SEXUAL ORIENTATION OR GENDER IDENTITY IN THE SEVENTH MONTH OF THE COMING INTO FORCE OF THE ANTI-HOMOSEXUALITY ACT, 2023 (DECEMBER 2023)

10th January 2023

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1. Introduction

The Anti Homosexuality Act, 2023 has, as at the end of December 2023, been in force for a period of seven months. Human Rights Awareness and Promotion Forum (HRAPF) has continued to monitor the human rights situation and lived realities of LGBTIQ

persons in the wake of the passing of the Anti-Homosexuality Act (AHA) and its subsequent enforcement, and to document cases of violence and human rights violations based on real or presumed sexual orientation or gender identity. HRAPF documents and reports on cases reported to and handled by HRAPF's legal aid clinic, and has published monthly reports on this data for every month. This is the report of the seventh month of the AHA's enforcement, exploring cases reported in the month of December 2023 in which known or suspected LGBTIQ persons were targeted for violence and violations purely on the basis of their sexual orientation and gender identity or expression (SOGIE). This report builds on the reports produced earlier in this series and therefore seeks to build on the data available about the enforcement of the AHA 2023 from the 30th of May 2023 (when the AHA came into force) to date.

2. Methodology

As with previous reports in this series, this report provides an overview of reported cases of violence and human rights violations on the basis of SOGIE that were reported to and handled by the HRAPF legal aid clinic in the month of December 2023. The report employs both qualitative and quantitative methods of data collection to collect and analyse the data shared in this report.

Quantitative data was obtained from a review of case files to ascertain the number of cases handled and the cases in which the particular incidents of violence and violations reported herein occurred. This data was then subjected to a further indepth qualitative analysis to ascertain the circumstances under which the incidents occurred. Only cases in which there is reason to believe that the actions in the incidents deliberately targeted LGBTQ persons primarily or wholly on the basis of their real or presumed sexuality are included in the report.

This report contains only cases that have been reported to HRAPF through our countrywide network of community paralegals, regional legal aid centres, specialised legal aid desks and the central legal aid clinic. This network is spread out enough to cover the majority of the districts in the country and all regions, but it is worth noting that there may indeed be areas where cases are not reported at all, thus limiting the data available for this report. HRAPF also recognises that not all cases that occurred in the month of December were reported to HRAPF and that some may not have been reported at all. This report therefore presents a fair picture of the situation for LGBTIQ persons as reported to HRAPF, but may not necessarily be representative of the lived realities of all LGBTQ persons across the country.

3. Nature and number of cases reported

HRAPF handled a total of 83 cases in the month of December 2023, marking an increase of 57.3% from the 69 cases handled in November 2023. Out of the 83 cases handled, 47 cases involved actions that directly targeted people for negative treatment on the basis of their SOGIE, representing 56.6% of all the cases handled during the month of December 2023, which is about the same percentage as was noted in November 2023 (56.95%).

Out of the 47 cases in which LGBTQ people were specifically targeted for detrimental treatment during the month of December 2023, 27 were cases of unlawful evictions from rented properties and villages of residence, 14 were cases of violence and threats of violence and 6 were arrests for sexuality-related reasons. These actions affected a total of 62 individuals.

This section of the report provides detailed data on these cases.

3.1 Evictions from rented property

In December 2023, there were 27 cases of unlawful evictions from rented property that were reported to HRAPF's legal aid clinic, affecting 33 persons. The cases were reported from the districts of Wakiso (13), Kampala (9), Jinja (2), Gulu (1), Mbarara (1), and Mukono (1). The evictions were perpetrated primarily by the property owners/ landlords (18), followed by local council authorities working with the property owners (6), local leaders working with the general community (2), and family members (1). In many of these cases, the neighbors expressed suspicion and discomfort about the victim's sexuality, prompting the landlords and local area leaders to evict the clients.

The table below discusses these cases in detail:

No.	Case code	Date of reporting	District	Perpetrator	Brief facts	Number of victims
1.	HRAPF/PA/276/2023	4/12/23	Kampala	Landlord	The client, who works as an M&E officer at an LGBTQ support organisation in Kampala, was given an eviction notice by his landlady. This happened after the neighbours, who had noticed his work colleagues visiting him several times at home (the organisation's staff had started working	1

					from home following security challenges at their offices), reported that his colleagues looked like gays, and that he was also probably gay, thus forcing the landlady to evict him.	
2.	HRAPF/PA/ 277/2023	5/12/23	Wakiso	Landlord	An unknown person shared a post on Facebook of an old photo of the client before she started transitioning, and another photo after her transition started, and captioned it "A man turning into a woman". Her landlord saw the post and shared the same with her via WhatsApp, and requested an explanation from her. When she did not respond for three weeks, the landlord asked her to leave the premises because he could not be sure about her true identity and gender.	1
3.	HRAPF/PA/ 278/2023	6/12/23	Wakiso	Landlord	The client's mother went to visit him at his home and entered the house without knocking, upon which she found the client and his partner in an intimate embrace. She immediately made an alarm, stating that she had found homosexuals. The two were forced to run away for fear of being attacked by the neighbours, and when the landlord learnt about the incident, he called the client and asked them never to return to the premises.	2
4.	HRAPF/PA/ 279/2023	7/12/23	Kampala	Landlord, Local area leaders	The client's roommate hosted a party at their home, after which the neighbours started talking about the people who came to the party, and saying that they looked like homosexuals. Eventually,	1

					the rumour reached the landlord that the client and his friend were also homosexuals, and the landlord reported this to the area chairperson, who issued him with an eviction notice giving him one month to vacate their village.	
5.	HRAPF/PA/280/2023	8/12/23	Wakiso	Landlord, local council leaders	A neighbour of the client peeped into his house and saw him in intimate embrace with his partner, which the neighbour immediately reported to the landlady. The landlady reported the matter to the area chairperson, who invited the client and gave him a letter banishing him from the village and evicting him and his partner from his house by 31st December 2023.	2
6.	HRAPF/PA/281/2023	4/12/23	Wakiso	Landlord, local area leaders	The client in this case is an LGBTQ support organisation which was given an eviction notice by their landlord and the local area due to the fact that they work with LGBTI persons and the fact that they operate a crisis shelter which hosts LGBTI persons. They were asked to leave both the premises and the village.	1
7.	HRAPF/PA/282/2023	8/12/23	Wakiso	Landlord, local area leaders	The clients were attacked by their neighbours after the neighbours heard about the sexuality of one of them. They took them to the LC 1 chairperson while beating them and verbally insulting them, accusing them of bringing homosexuality to the area. The LC1 chairperson responded by serving them with letters asking them to leave the village within one week.	3

8.	HRAPF/PA/ 283	8/12/23	Mukono	Landlord	The client was arrested in a widely publicized incident in August, and later remanded to prison. While she was in prison, her landlord decided to evict her, and he informed her after her release that he was just afraid the residents would burn his property if he did not evict her. He removed all her properties from the house in her absence and gave them to the client's friend to keep them, and some of the properties were misplaced/ damaged during the process	1
9.	HRAPF/PA/ 284/2023	8/12/23	Kampala	Landlord	The client was given an eviction notice by his landlord, who informed him that he had received several complaints about the client's sexuality from the neighbours, and that he could not let him stay on the premises in those circumstances.	1
10.	HRAPF/PA/ 285/2023	8/12/23	Kampala	Landlord, local area leaders	The clients' landlord repeatedly questioned them about their sexuality and their relationship for weeks. Eventually, he went to the area chairperson and reported that they were homosexuals and requested the chairperson to assist him evict the clients from the village before they could become a problem. The chairperson agreed, and accordingly chased the clients away from the village.	2
11.	HRAPF/PA/	11/12/23	Kampala	Landlord	The client's landlord gave her 2 weeks	1

	286/2023				to vacate her rented premises, which notice required her to vacate the premises by 31 st December 2023. The landlord specifically communicated that he was not willing to keep the client, who often had a lot of friends visiting who used drugs and were homosexuals.	
12.	HRAPF/PA/ 287/2023	11/12/23	Mbarara	Landlord	The client's landlord informed him that he had received complaints from his other tenants that the client was a homosexual, and that such behavior could not be tolerated on his premises. He therefore proceeded to evict the client on this basis.	1
13.	HRAPF/PA/ 289/2023	11/12/23	Jinja	Landlord	The client was arrested and later remanded to prison on charges of indecent practices. Upon his release on bail, he found that his landlord, a pastor, had evicted him because of the accusations of homosexuality that were made during his arrest and arraignment. In addition, the pastor had confiscated all his personal property.	1
14.	HRAPF/PA/ 290/2023	11/12/23	Kampala	Landlord	The client's landlord told him to vacate his premises since most of his neighbors are not comfortable staying near him. This happened after weeks of sustained verbal abuse from the neighbours, who repeatedly referred to him with derogatory homophobic slurs.	1
15.	HRAPF/PA/ 291/2023	11/12/23	Kampala	Landlord, local council leaders	The client was evicted after his landlord was informed of an incident in October 2023 in which two of his friends, who	1

					were in a relationship, had a fight outside his house. The neighbours who heard the exchanges were able to conclude that the two were gay, and consequently assumed that the client must be gay as well, which prompted them to complain to the landlord about having homosexuals in their neighbourhood.	
16.	HRAPF/PA/292/23	11/12/23	Kampala	Landlord	The client's landlord started to become suspicious of the client's sexuality, and ended up asking the client to leave his premises even though he was never able to ascertain if the rumors were true.	1
17.	HRAPF/PA/293/23	15/12/23	Wakiso	Landlord	The client invited friends to her house for a birthday party on 4 th December 2023. Most of her guests were transgender women (her friends). When neighbours noticed that many of them had cross-dressed, they realized that the majority of the guests were LGBTIQ persons, which matter they immediately reported to the landlord. The landlord then ordered the client to leave his premises, stating that he could not host gay people in his houses.	1
18.	HRAPF/PA/294/2023	20/12/23	Wakiso	Local area leaders, community	The client works with a KP-support organisation, and often used the same two boda bodas to take her to work. Eventually, she found out that the riders of these boda bodas often had conversations with her neighbours and	1

					other riders at her stage about the people they sometimes saw entering the gate at her work place, and speculating that she works with homosexuals. In December, she had some friends visiting her at home, some of whom where transgender women, and after this incident the neighbours reported to the landlord that they were no longer comfortable with her since she had started bringing homosexuals to the house. The landlord wrote her an eviction notice, asking that she leave the house within the month.	
19.	HRAPF/PA/ 295/23	21/12/23	Wakiso	Landlord	The client was given two weeks' notice to vacate his rented accommodation by the landlord. This followed a period of a few weeks where he was hosting 8 LGBTIQ friends who had been rendered homeless after the passing of the AHA. The neighbours complained that there were too many people in the house, and that they were all homosexuals, which they were uncomfortable with.	1
20.	HRAPF/PA/ 296/23	21/12/23	Wakiso	Family	The client's mother found out that he is gay, and she immediately demanded that he move out of the family home and never return.	1
21.	HRAPF/PA/ 298/23	23/12/23	Wakiso	Landlord	The client was forced to stay home for several weeks after his employer terminated him few months after the AHA passed into law because of suspicion that he was a homosexual. During his enforced stay at home,	1

22.	HRAPF/PA/ 299/23	23/12/23	Wakiso	Landlord	The clients' landlord had them arrested and detained briefly on suspicion that they were homosexuals, and when they were released, he evicted them and threw their properties outside.	2
23.	HRAPF/PA/ 300/23	4/12/23	Jinja	Landlord	The client's landlord informed him that he was a Christian and he could not tolerate homosexuality as it was against his beliefs. He therefore asked him to move out of the rental house.	1
24.	HRAPF/PA/ 301/23	4/12/23	Wakiso	Landlord	The client was evicted from his rented house by his landlord. This was after one of his neighbors reported him to his landlord that he is a homosexual.	1
25.	HRAPF/PA/ 302/23	4/12/23	Wakiso	Landlord	The client was evicted by the landlord after his neighbors came to the client's home shouting that he is a homosexual.	1
26.	HRAPF/PA/ 303/23	4/12/23	Gulu	Landlord	The client was evicted from the house by the landlord because of his sexual orientation. The client's landlord had learnt about the clients' sexuality through rumors from the client's neighbors and some people around the village.	1
27.	HRAPF/PA/ 308/23	5/12/23	Kampala	Local area leaders	The client was asked by the area local leaders to leave the village following a series of events where a neighbour of the client, known only as Bishop, had been praying loudly near the client's house against the spirit of homosexuality. The local leaders demanded that the client leave if he did not want to face violence.	1

3.2 Cases of violence

There has been an increase in the number of cases of actual violence and threats of violence against individuals on basis of their real or/ presumed SOGIE. In December 2023, 14 cases were registered, affecting 20 persons, while in November 2023, 9 cases were registered affecting 9 persons. The number is however lower than the cases recorded in October, in which 28 cases involving violence and threats against individuals on the basis of their SOGIE were registered.

i) Cases of actual violence on the basis of sexual orientation/ gender identity

There were 10 cases of actual violence against persons on the basis of their real or presumed SOGIE in December 2023, affecting 13 persons. This violence was perpetrated by unknown persons in 5 cases and in 5 cases by known members of the communities in which the victims reside. Physical assaults were involved in 8 cases while in 1 case, the victim’s household property was destroyed and in the other the victim was subjected to cyber harassment.

Out of the 10 cases, 4 cases happened in Wakiso, 2 cases in Kampala, 2 cases in Arua, 1 case in Mbale and 1 case in Gulu district.

The details of these cases are discussed in the table below:

No.	Case code	Date of reporting	District	Nature of violence	Perpetrator	Brief facts	Number of Victims
1.	HRAPF/PA/288/2023	11/12/23	Wakiso	Malicious damage to property	General community	The client was arrested in a scuffle instigated when the community in which he lived tried to lynch him because of suspicion about his sexuality. He was remanded to a prison for several weeks and upon his release tried to return to his home. He however found that his house had been broken into and all his	1

						properties burnt, broken or otherwise damaged while the rest were stolen.	
2.	HRAPF/PA/305/2023	4/12/23	Wakiso	Physical assault	Unknown persons	The client was outed as a transgender woman in the neighbourhood by a man working near her home, and a few days after this, she was assaulted by two men unknown to her. The two men told her to vacate their village for her own peace because they did not want homosexuals.	1
3.	HRAPF/PA/306/2023	8/12/23	Wakiso	Physical Assault	Unknown persons	The clients were attacked by some men who were unknown to them while coming from the shop at around 9:00pm. The attackers told the clients that they would get all homosexuals out of Mukono district. They managed to escape and went to the paralegal's home for assistance.	2
4.	HRAPF/PA/307/2023	8/12/23	Wakiso	Physical assault	Unknown people	While on her way home, the client was attacked by two men travelling on a motorcycle and was badly injured. They also verbally abused her, and informed her that they knew she was a homosexual and would teach her a lesson so that she	1

						stops engaging in such conduct.	
5.	HRAPF/PA/310/2023	5/12/23	Kampala	Physical assault	Unknown people	The client was attacked while in the market selling clothes and during the attack, the client's phone was stolen. He replaced his sim card a short while after and then started receiving calls from persons unknown to him telling him to stop being a homosexual to avoid a repeat incident.	1
6.	HRAPF/PA/313/23	5/12/23	Gulu	Physical Assault	Unknown persons	The client was hanging out with friends in her house, singing and dancing, when two women from the neighbourhood barged in and told her that they knew she and all her friends were homosexuals. They then started randomly slapping the people, and one of the women picked up a bottle and hit the client on the head with it before the two ran away.	2
7.	HRAPF/PA/316/23	4/12/23	Arua	Physical Assault	General community	The client reported being attacked in the house he used to share with his partner by men from the neighbourhood. Their attackers told them that they knew they were homosexuals, and that they	2

						did not want them in their neighbourhood. They then proceeded to beat them up. Afterwards, they were both forced to flee the house, leaving all their properties.	
8.	HRAPF/PA/317/23	4/12/23	Arua	Physical Assault	General community	The client was attacked and stabbed by a person only known to him by face. During the attack, this individual stated that they wanted to see 'if homosexuals can bleed and die'.	1
9.	HRAPF/PA/318/23	6/12/23	Mbale	Physical assault	General community	Client states that while at his house in the night, he was called by a person well known to him as Baba, who told him that his partner was being assaulted, and asked him to come out of the compound and save him. When he got out, Baba and a group of other men set upon him and started beating him, inflicting severe injuries before running away from the scene.	1
10.	HRAPF/PA/321/23	29/12/23	Kampala	Cyber harassment	General community	The client's classmates at a university in Kampala opened a social media account that they use to share derogatory and abusive messages about the client on a routine basis on	1

						account of their suspicions that the client is a member of the LGBTQ community. The page has been running for several weeks, and the messages thereon are routinely forwarded to the client, which causes them significant psychological torture.	
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i) Cases involving threats of violence based on sexual orientation and/or gender identity

A total of 4 cases involving threats of violence against persons on the basis of their real or presumed SOGIE were reported in December 2023, affecting 7 persons. These threats were primarily threats of physical violence.

In all the 7 cases, the threats were perpetrated by members of the general community against the clients.

1 of these cases happened in Kampala, 2 cases happened in Wakiso and 1 case happened in Arua district.

This table provides a detailed breakdown of the threats:

No.	Case code	Date of reporting	District	Nature of threat	Perpetrator	Brief facts	Number of Victims
1.	HRAPF/PA/304/23	29/12/23	Wakiso	Threat of physical harm	Community	The leader of an organisation offering crisis shelter to LGBTQ persons who have been victims of violence was threatened with physical attacks, arson and violence against all residents by members of the general community where the shelter	1

						is located. The neighbours repeatedly stated that they would not tolerate homosexuals, and would get rid of them themselves if the local council leaders did not want to chase them.	
2.	HRAPF/PA/309/23	6/12/23	Wakiso	Threat of physical violence	Community	The clients were having sex inside their bedroom when a child peeped through the window and saw them, and ran to call the neighbours. They quickly ganged up on the two and attempted to lynch them but they were able to escape and run away while the crowd continued to hurl insults at them and threaten to harm them if they ever saw them again.	2
3.	HRAPF/PA/311/23	10/12/23	Kampala	Threat of physical harm	Community	The clients were threatened with physical violence by their neighbours. This happened when the neighbours were looking for a friend of the client, whom they wanted to lynch on suspicion that he had made inappropriate advances towards minors, but the clients were unable to provide information about his whereabouts because they did not know where he was.	2

4.	HRAPF/PA/314/23	4/12/23	Arua	Threat of physical violence	Community	A neighbour of the clients found out that they were in a relationship and reported them to their families and the general community, who attacked them and threatened to have them killed. They were forced to flee the village for their own safety.	2
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3.3 Cases of arrest

In December 2023, HRAPF handled a total of 6 cases in which individuals were arrested on sexuality related charges. Out of the 6 cases, 3 were charged with offences under the AHA. The 3 clients in all three cases in which charges were preferred under the AHA were released on police bond from Katwe Police Division Headquarters, Kibiri Police Station and Soroti Police station.

In the other 3 cases, the clients in 2 of the cases were released on bail by court (Busia and Makindye) while in 1 case, the client was granted police bond. All these cases are still pending.

A total of 9 individuals were affected in these cases, as illustrated in the table below.

No.	Case code	Date of reporting	District	Charge	Brief facts	Number of Victims
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1.	HRAPF/PA/322/23	17/12/23	Kampala	Homosexuality	On 15/12/23, the client met with his partner at a guest house in Makindye, where they stayed for about 3 hours before the partner left. As the client was leaving, he was approached by two men who immediately covered his mouth and started to squeeze his testicles, telling him that they were well aware that he was a homosexual. When he tried to resist, they informed him that they were police officers, and dragged him to Katwe Police Station, where they demanded money from him in exchange for his freedom. He was forced to give them all the money he had, and they released him later that night on police bond.	1
2.	HRAPF/PA/323/23	16/12 23	Kampala	Threatening violence	The clients state that their Chairperson accused them of having threatened to kill him because he suspected them to be homosexuals. They were detained at Katwe police station and consequently arraigned at Makindye Chief Magistrates Court on charges of threatening violence.	3
3.	HRAPF/PA/324/23	6/12/23	Gulu	Offensive communication	The client, a hairdresser and TikTok comedian who usually cross dresses in her videos, was attacked in the comment section of a video she had posted, with commenters accusing her of being a homosexual and issuing threats against her. She responded to the comments in kind, and two days	1

					later, two police officers came to her saloon and arrested her, accusing her of promoting homosexuality through her videos. The charge was however later amended to offensive communication on basis of the comments on TikTok, even though there had not been a single complaint laid at the police station.	
4.	HRAPF/PA/325/23	24/12/23	Wakiso	Promotion of homosexuality	The client states that he started an online flirtation with a man who seemed receptive to his advances, but when they agreed to meet up, the man came with five other individuals who beat him up brutally before taking him to Kibiri Police Station. He was held there on charges of promotion of homosexuality.	1
5.	HRAPF/PA/326/23	18/12/23	Soroti	Homosexuality	Police officers were tracking the phone of someone they suspected of being a homosexual and found that he regularly communicated with the client. They arrested the client on this basis, stating that he must also be a homosexual to be in such constant communication with a known homosexual, and that the two were probably lovers. The client was charged with homosexuality.	1
6.	HRAPF/PA/327/23	24/12/23	Busia	Possession of Narcotics	On 24 th December 2023, the clients were arrested at the Busia boarder while crossing from Uganda to Kenya on suspicion that they were	2

					homosexuals. They were searched and found to be in possession of condoms and lubricants, and on that basis charged with homosexuality and subjected to anal examinations. On 28 th December, they were arraigned before the Chief Magistrates Court at Busia, although the charges had been amended to possession of narcotics, an issue that had not come up once in the four days they had been detained.	
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5. Comparison with November 2023

There has been an increase in the number of cases reported overall as well as the number of cases involving actions that deliberately targeted persons for negative treatment on the basis of their real or presumed SOGIE. In November 2023, a total of 69 cases involving LGBTQ persons were reported across our networks while in December 2023, 83 cases were reported, marking an increase of 8.3%. In terms of cases that specifically targeted individuals on the basis of their SOGIE, there was an increase from 42 cases affecting 47 persons in November to 47 cases affecting 62 persons in December 2023.

In both months, the highest number of cases registered were evictions, with 20 evictions affecting 25 persons in November 2023 and 27 evictions affecting 33 persons in December 2023. The cases of violence and threats of violence increased from 9 cases affecting 9 persons in November 2023 to 14 cases affecting 20 persons in December 2023. It is however interesting to note that cases of arrests on sexuality related charges reduced from 9 in November affecting 9 persons to 6 in December 2023, affecting 9 persons.

6. Comparison with the period from 1st December 2022 to 31st December 2022

In November 2022, a total of 42 cases were handled involving LGBTIQ persons, of which 12 cases involved actions that directly targeted persons on the basis of their real or presumed SOGIE. The actions in these cases affected a total of 56 people, and included 6 cases of real or threatened violence and there was only 1 arrest.

The total number of cases handled in December 2023 has increased dramatically from the same period in 2022, from 42 to 83, as has the number of cases in which individuals have been targeted for detrimental treatment on the basis of their sexuality, from 12 cases in December 2022 to 47 cases in December 2023, an increase that can only be attributed to the AHA 2023.

8. The first seven months of the AHA 2023 in Uganda

In the first seven months of the AHA 2023, a total of 523 cases involving LGBTQ persons have been handled across the legal aid network, of which 349 (66.7%) targeted LGBTIQ people on the basis of their sexuality, affecting a total of 440 persons. The breakdown of cases so far is as follows:

Nature of violation	June 2023	July 2023	August 2023	September 2023	October 2023	November 2023	December 2023	Total number of cases
Evictions	19	26	22	22	26	20	27	162
Violence	23	21	19	24	33	9	14	143
Arrests	4	6	6	3	6	9	6	40
Other forms of discrimination based on SOGIE						4	0	4
Total	46	53	47	49	65	42	47	349

The victims in these cases are:

Nature of violation	June 2023	July 2023	August 2023	September 2023	October 2023	November 2023	December 2023	Total number of victims
Evictions	20	33	26	31	36	25	33	204
Violence	23	24	22	37	41	9	20	176
Arrests	7	10	11	5	10	9	9	61
Other forms of discrimination based on						4	0	4

OSGIE								
Total	50	67	59	73	87	47	62	445

In comparison with the same 7-months period in 2022, a total of 272 LGBTIQ cases were handled in that period, of which 91 cases (33.6%) contained actions that deliberately targeted LGBTIQ persons for detrimental treatment on the basis of their SOGIE. This translates to an increase of 251 cases in the overall total number of cases handled, from 272 cases in June to December 2022 to 523 cases in the period from June to November 2023, and an increase of 263 in the number of cases involving actions targeting LGBTQ persons specifically, from 91 cases in June to December 2022 to 354 cases in June to December 2023. This points to the conclusion that nearly all the cases by which the general case load has been increased are in fact homophobia-driven incidents that could be directly attributed to the enactment of the AHA.

9. Conclusion

While the Anti Homosexuality Act, 2023 has only been in force for 7 months, it is worth noting that, throughout the year 2023, discussion and debate around homosexuality, LGBTQ rights, transgenderism and intersexuality have taken centre stage in the national psyche, and therefore significantly affected the lives of LGBTIQ persons across all spheres of life. The public debate and political rhetoric around LGBTIQ rights, which started with statements made by the Deputy Speaker on the floor of Parliament in January 2023, sparked a public hysteria and moral panic that resulted in the enactment of the AHA. The impact on the rights of LGBTQ persons that this entire year has had is clearly visible at a glance: a total of 875 cases involving LGBTIQ persons were handled across all our networks in 2023, in which 949 persons were affected, as compared to 2022, during which 599 cases affecting 733 individuals were handled.

The cases which involved actions that directly targeted persons on the basis of their real or presumed SOGIE increased from 132 cases affecting 153 persons in 2022 to 416 cases affecting 522 persons in 2023. The cases of violence and threats of violence on the basis of SOGIE increased from 45 in 2022 to 175 in 2023; cases of evictions increased from 43 in 2022 to 181 in 2023, and arrests on sexuality related charges also increased from 34 cases in 2022 to 52 cases in 2023.

The increase in the number of cases, as has been noted from the monthly report series, is directly attributable to the increase in homophobic hate and violence during the year just concluded, a situation that grows ever more difficult for LGBTIQ persons to navigate.