



**THE INTERNATIONAL
PRIDE CENTRE**

PROTECTION, RIGHTS, INCLUSION
IN DISPLACEMENT & EMERGENCIES

UGANDA

ASSISTING SOGIESC MINORITIES IN HUMANITARIAN SETTINGS

LEGAL ANALYSIS & RECOMMENDATIONS FOR AID AGENCIES

Acknowledgements

Written by: The PRIDE Centre

Acknowledgments: All of the refugee-led and Ugandan LGBTQIA+ organisations who helped to facilitate the key informant interviews and focus group discussions carried out as part of this research. We have not included the names of these organisations in this report for security reasons – but can facilitate introductions for anyone interested in understanding more about their work.

Layout and design: Carpe Diem Software Group

Suggested citation: The PRIDE Centre (2025) 'UGANDA - Assisting SOGIESC Minorities in Humanitarian Settings: Legal Analysis and Recommendations for Aid Agencies', available at: www.pridecentre.org.

About The PRIDE Centre: The PRIDE Centre (Protection, Rights, Inclusion in Displacement and Emergencies) provides legal and policy analysis, preparedness, and programming tools for aid workers, NGOs, and emergency response agencies to ensure inclusive programming for LGBTQIA+ persons in emergency, humanitarian, and development settings. The PRIDE Centre focuses on countries experiencing acute and protracted crises, in which the space for LGBTQIA+ rights and expression has become increasingly restricted.

For more information, visit:

Website: www.pridecentre.org

LinkedIn: The PRIDE Centre

Bluesky: @intl-pride-centre.bsky.social – The International PRIDE Centre

Mastadon: International_PRIDE_Centre

Tiktok: pride.centre

Youtube: @TheInternationalPrideCentre

The PRIDE Centre does not use X or any Meta platforms due to their transphobic and homophobic leadership and policies.



Table of Contents

Introduction	<u>4</u>
Background and methodology	<u>5</u>
Context: LGBTQIA+ people in humanitarian settings in Uganda	<u>5</u>
Perception of AHA amongst aid workers	<u>8</u>
Ugandan legal and policy frameworks relevant to SOGIESC minorities	<u>9</u>
Anti-Homosexuality Act	<u>9</u>
What the AHA says about homosexual identities	<u>11</u>
What the AHA says about the provision of assistance to SOGIESC minorities	<u>11</u>
Other laws that discriminate on the basis of SOGIESC	<u>14</u>
Laws and policies that provide some protection	<u>16</u>
Enforcement	<u>19</u>
Overall impact of the legal ecosystem on inclusion aid programming	<u>19</u>
Obligations of aid agencies and donors	<u>20</u>
Legal Obligations of aid agencies	<u>20</u>
Obligations of aid agencies and donors under their own laws	<u>21</u>
European Union	<u>21</u>
Germany	<u>22</u>
United States	<u>23</u>
Conclusion and recommendations	<u>23</u>
The PRIDE Centre	<u>26</u>

Introduction

This report provides aid actors working in humanitarian and displacement settings in Uganda with information about the legal environment, risks, and opportunities related to proactively including individuals who have diverse sexual orientations, gender identities or expressions, or sex characteristics (SOGIESC) in their programming. It concludes with a list of recommendations to assist aid organisations in navigating this complex terrain.

Many aid workers believe that it is not possible for their organisations to conduct programming targeting vulnerable LGBTQIA+ communities due to the Anti Homosexuality Act (2023) (AHA) and the potential legal consequences with the Government of Uganda (GoU). It is the assessment of the PRIDE Centre that though careful risk assessments and mitigation measures are required, the **legal space for carrying out targeted humanitarian interventions for LGBTQIA+ communities is substantially more permissive than envisioned by these actors.**

Another relatively common perception amongst aid workers is that the AHA, other anti-LGBTQIA+ laws and policies, and the general environment of hostility in Uganda have not detrimentally impacted the ability of queer people to access humanitarian aid or essential services. Research conducted by the PRIDE Centre consistently and comprehensively demonstrates that this is inaccurate. **LGBTQIA+ individuals – both refugees and Ugandans – face enormous difficulties in accessing basic services, and require targeted and proactive interventions to enable them to overcome these challenges.**

Ugandan law is not the only law applicable to aid actors in Uganda. Regional and international law, and law applicable to donors and aid organisations, **require that humanitarian aid reaches populations based on need, and without discrimination on the basis of SOGIESC.** Aid agencies and donors must find ways to ensure they are meeting these requirements, even while abiding by the laws of Uganda.

Neither the AHA nor the new restrictions imposed by the US government's expanded Mexico City Policy remove the human rights and non-discrimination obligations of implementing organisations and donors under regional and international law, the legal regimes of the country and/or region in which they are registered, and their contractual requirements of their grant agreements. Aid agencies, including donors, must understand and identify strategies for navigating these complex and contradicting legal regimes.

The analysis of The PRIDE Centre is that humanitarian and development actors in Uganda have the **practical ability, ethical responsibility, and legal obligation to more proactively include diverse SOGIESC populations** in their programming and operations. This report concludes with a list of practical recommendations to assist them to do this in practice.

Background and methodology

This report is the first of two to be released by The PRIDE Centre about Uganda, and focuses on the laws and policies applicable to LGBTQIA+ inclusion in humanitarian and development programming. A forthcoming report will focus on the lived experiences of queer people in humanitarian need. To research these reports, The PRIDE Centre engaged with 92 LGBTQIA+ people in Uganda, including 28 refugees; 15 internally displaced people (IDPs); and the leadership of nine LGBTQIA+ organisations, including two refugee-led groups. We also spoke to 11 representatives from international aid organisations. Engagement took the form of key informant interviews (KIIs) and focus group discussions (FGDs), conducted in Kampala, Entebbe, Mbarara, and online.

In the interests of capturing the voices of interviewees as faithfully as possible, their quotes been included in this report exactly as they were transcribed by The PRIDE Centre researchers, without corrections to improve accuracy or grammar.¹

Context: LGBTQIA+ people in humanitarian settings in Uganda

Across countries and contexts, **LGBTQIA+ communities struggle disproportionately to access aid and humanitarian services** in humanitarian and displacement settings. In Uganda – a country with one of the harshest anti-homosexuality laws in the world – these struggles are **compounded and amplified**. The low risk tolerance of international actors and misunderstanding about the extent of the AHA exacerbate the situation.

Humanitarian and displacement settings in Uganda include **refugee settlements**, communities of refugees and asylum seekers living **outside of settlements**, responses to **severe weather and climate change disruption**, and **food insecurity**. This report also considers individuals who have been displaced from their homes due to SOGIESC-based persecution, and/or who are struggling to survive, to be in **humanitarian need**.

Uganda currently hosts approximately 1.99 million registered refugees and asylum seekers (hereafter referred to cumulatively as 'refugees') — the largest refugee population in Africa.² The majority of these come from South Sudan (52.1%) and the Democratic Republic of Congo (DRC) (32.9%).³ The PRIDE Centre's LGBTQIA+ population estimate methodology estimates that at least 5% of any population are from a SOGIESC minority, meaning that **the number of LGBTQIA+ refugees residing in Uganda is at least 99,500**. These numbers refer only to those registered as refugees or asylum seekers with the government; there are many more LGBTQIA+ people who have fled into Uganda, but not registered themselves as refugees – particularly in urban areas. For example, while UNHCR figures show around 134,691 registered refugees in Kampala (approximately 7% of the total), the Kampala Capital City Authority (KCCA) estimated in 2024 that it hosted over 340,000 undocumented asylum seekers.⁴

In an effort to reduce the number of refugees living in Kampala, the government suspended urban registration for Somali asylum seekers in March 2023; Sudanese asylum seekers in January 2024; and Eritrean asylum seekers in January 2025.⁵ In November 2025, Uganda's Minister for Relief, Disaster Preparedness and Refugees announced the

¹ These quotes were given during KIIs and FGDs and transcribed by a notetaker from PRIDE – usually in English or Swahili, languages spoken by PRIDE staff, though sometimes through a translator.

² UNHCR (2026) 'Uganda Comprehensive', available at <https://data.unhcr.org/en/country/uga>

³ Uganda Office of the Prime Minister (2025) 'Home: Refugee Management', available at <https://opm.go.ug/refugees/>

⁴ International Institute for Environment and Development (2024) 'Driving change for Kampala's urban refugee population', available at www.iied.org/driving-change-for-kampalas-urban-refugee-population

⁵ East Africa Daily (2025) 'Caught in Limbo: Uganda's Unregistered refugees face arrests amidst registration closures', available at <https://theeastafricandaily.com/2025/09/07/caught-in-limbo-kampalas-undocumented-refugees-face-arrests-amid-registration-closures/>

suspension of refugee registration for Somali, Ethiopian, and Eritrean refugees.⁶ These policy decisions have incentivised many urban-based refugees to live in Uganda without documentation. Research undertaken by The PRIDE Centre across the region consistently suggests that LGBTQIA+ populations are more likely to seek refuge in and on the outskirts of urban centres than amongst the refugee population. The reasons for this include the high risks of violence and discrimination in camp and settlement settings, the comparative anonymity of life in an urban centre, and for proximity to queer communities. Anecdotal evidence provided to our team in Uganda suggests a similar pattern. Taking the KCCA's 2024 estimate of the number of undocumented asylum seekers in Kampala and The PRIDE Centre's 5% figure, **the number of queer refugees in Kampala is at least 17,000. In reality, however, given this context, the population is likely significantly larger.**

In April 2025, I met two men and they beat me very badly... I couldn't stay in Nakivale. I went to Mbarara. In September 2025, I went back to see my family. When I went back, they attacked me. So I left there again, for my safety. I came to Kampala.

Trans refugee woman, Kampala

In Nakivale, I was living with some friends who were also trans ... we got attacked and beaten really badly. The people who attacked us started watching us, and attacking us whenever we left the house. So my friends and I came to Kampala, for our safety.

Trans refugee woman, Kampala

The neighbour got to see us [dressing as women]. They reported us to the landlord. ... The landlord said I had a few hours to leave the house. I went to the house of my friend to decide where to run to. We decided to run to Kampala.

Trans woman refugee living on the outskirts of Nairobi

The research informing this report's findings relating to refugee settlement contexts draws on FGDs and KIIs conducted with queer refugees living in Nakivale – host to approximately 188,914 refugees.⁷ The LGBTQIA+ population of Nakivale is estimated to include **at least 9,445 LGBTQIA+ individuals**. A queer-led refugee led organisation (RLO) based in the settlement informed the PRIDE team that they **regularly engage with a group of 504 highly vulnerable LGBTQIA+ people** across four settlements: Nakivale, Rwamwanja, Oruchinga, and Kyaka II.

UGANDA
1.99m refugees
At least 99,500 LGBTQIA+

KAMPALA
340,000 refugees
At least 17,000 LGBTQIA+

NAKIVALE
188,914 refugees
At least 9,445 LGBTQIA+

⁶ Hiraan Online (2025) 'Uganda bars new Somali, Eritrean and Ethiopian refugees as aid funding falls', available at www.hiraan.com/news/4/2025/Nov/203749/uganda_bars_new_somali_eritrean_and_ethiopian_refugees_as_aid_funding_falls.aspx; Nile Post (2025) 'Uganda Stops Granting Refugee Status to Ethiopians, Somalis, Eritreans', available at <https://nilepost.co.ug/news/306213/uganda-stops-granting-refugee-status-to-ethiopians-somalis-eritreans>; AllAfrica (2025) 'East Africa: Uganda Stops Granting Refugee Status to Ethiopians, Somalis, Eritreans', available at <https://allafrica.com/stories/202511280482.html>

⁷ UNHCR (2026) 'Uganda Comprehensive', available at <https://data.unhcr.org/en/country/uga>

The PRIDE Centre recognises persons of diverse SOGIESC who are forced or compelled to flee their homes or places of habitual residence as a result of banishment, violence, persecution, or serious human rights violations by their families, communities, or other non-state or state actors as **Internally Displaced Persons (IDPs)** and in line with the UN definition of IDPs.⁸ This category of people are **often not considered to be IDPs by humanitarian actors**. It is our assessment that recognising them as such is important in fulfilling the humanitarian imperative of 'leave no-one behind'.

People who are identified as or perceived to be LGBTQIA+ throughout Uganda are constantly forced to move from their houses and villages, including within refugee settlements. Between May 2023 and May 2025, Uganda's Human Rights Awareness and Promotion Forum (HRAPF) documented 365 cases of eviction from rented premises or villages based on presumed sexuality or gender identity, affecting 443 persons.⁹ These individuals are forced to leave their community and place of residence and start again elsewhere — **exposing them to all of the challenges and vulnerabilities faced by other IDPs, though usually with less safety nets and support systems in place**. A lesbian woman in Kampala questioned, *"How many times do we have to relocate? Home is home. You feel at home, and then you have to move. What does it do to your mental health? And for those of us with children, when we are moving and moving, they are having to change schools constantly. And there are no funds. Sometimes we cannot relocate immediately... and we are not safe"*¹⁰

Official notice directing a resident to leave their village

KATABI- BUSAMBAGA LOCAL COUNCIL 1

KATABI WARD DIVISION "A" ENTEBBE

P.O.BOX 34, Entebbe-Uganda

Our ref: KATABI/34

Your ref:.....

Date: 2025

Dear Sir,

RE: CHASED AWAY FROM THE VILLAGE

..... we are here to inform you that you are no longer a resident of Katabi-Busambaga due to the anti-social behaviors of homo-sexuality that you are teaching the young youth in the village who stay at your place and many cases have been brought to the village office. You are requested to leave this village by the end of this month; your harmful actions won't be tolerated. We have received many complaints from different parents from our village that you are practicing homo-sexuality with their children, so for the betterment of our village we would like to inform you that you are officially chased away from this village. Failure to comply with this letter will lead to an undesirable situation on your side.





Chairperson-LC1-Katabi Busambaga-village

Children and young people living on the streets

The school found out first. When the school chases you out, they tell the family why they are expelling you. When you are sent out from school, you can't even go to any other school. I went back to my family, and was chased out of the family home – left to be on the streets. My family looks at me as a curse and a sin.

FGD participant, Kampala

Evictions

The Community has not accepted us. We are always being evicted now and again. When they notify the LC, who is the community leader, and before you know it, you are excommunicated. We keep moving....

Transgender woman in Kampala

⁸ This position is grounded in the internationally endorsed definition of internal displacement articulated in the United Nations Guiding Principles on Internal Displacement, which define Internally Displaced Persons as persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognised State border.

⁹ HRAPF (2025) 'Two Years of the Anti-Homosexuality Act: Report on Violence and Violations Based on Real or Presumed Sexual Orientation or Gender Identity, May 2023 – May 2025', available at: <https://hrapf.org/violation-reports/>

¹⁰ FGD with lesbian organisation, outside Kampala, 27 February 2026.

Banishments

If they find out that you are gay, they tell you to leave. The Chairman in different villages are always giving us letters to kick us out of the area. They say, you are spoiling the area.

FGD participant, Kampala

We interviewed many LGBTQIA+ people, especially amongst the refugee and internally displaced community, who described eating once per day or less, and/or who had been denied access to essential medical care. One interviewee described having to “choose between medication and food.”¹¹

Perception of AHA amongst aid workers

Though the aid workers consulted during this research did not hold uniform views on the implications of AHA on their programming, across interviews, **two broad perspectives** on the subject emerged as common. The first is **an inaccurate perception that the AHA prohibits any aid targeting SOGIESC minorities**. This understanding was frequently accompanied by concerns about retaliation by the Ugandan government – including the possibility of being shut down or told to leave the country. These concerns are not without foundation: in 2023, the Ugandan government declined to renew the host country agreement for the Office of the UN High Commissioner for Human Rights (OHCHR) in what was widely interpreted as an effort to remove external oversight of the government’s human rights record.¹² The second commonly held belief was that though the AHA exists, and while SOGIESC identities are a sensitive topic in Uganda, **LGBTQIA+ people are able to access basic services on the same basis as anyone else**.

These perceptions are based on related and understandable misconceptions. The first has proliferated because it is widely understood that the AHA is one of the harshest pieces of anti-homosexuality legislation in the world; its intent to cause harm to LGBTQIA+ people is obvious.

In reality, neither the text of the AHA nor the official directives that have been issued since its passage go as far as is envisioned by many aid actors. They do not, on their face, prohibit targeted service provision to LGBTQIA+ communities.

The second perception has been able to flourish because **so much of the harm done to the LGBTQIA+ community happens in silence**. One of the most striking findings of our research was the degree to which LGBTQIA+ people and organisations in Uganda felt they had no one to speak to, did not know who could be trusted, feared exposure and re-victimisation, and **had no safe avenue through which to report or disclose what was happening to them**. This has resulted in some humanitarian and development actors believing that harm being done to the community is less egregious than our research demonstrates.

¹¹ FGD with LGBTQIA+ refugees, Kampala, 28 February 2026

¹² FIDH (2023) 'Uganda: UN Human Rights office must not be closed but strengthened', available at www.fidh.org/en/region/Africa/uganda/uganda-un-human-rights-office-must-not-be-closed-but-strengthened

Ugandan legal and policy frameworks relevant to SOGIESC minorities

This section examines the AHA; the other laws and policies in place in Uganda that discriminate on the basis of SOGIESC; and those that provide the community some level of protection.

Anti-Homosexuality Act

Law	Contents	Analysis
Provisions applicable to LGBTQIA+ individuals		
The offence of homosexuality ¹³	The Act provides, 'A person commits the offence of homosexuality if the person performs a sexual act or allows a person of the same sex to perform a sexual act on him or her.' • Punishable by life imprisonment. • Attempting to perform such an act is punishable by 10 years imprisonment.	'Homosexuality' is not defined as identifying as homosexual, but as engaging in a same sex act. This distinction is clarified in s2(5). No convictions have been made under the AHA since its introduction - but it is frequently referenced by the police when arresting, harassing, and extorting queer people.
Aggravated homosexuality ¹⁴	This is defined to include same sex acts that: • Involve a child (even if the act is consensual and between people under the age of 18). • Involve a person over the age of 75 or person with a disability (even if consensual). • Where the person has prior convictions under the Act. Punishable by the death penalty.	The first person to be charged with aggravated homosexuality had their charge downgraded and eventually dismissed in 2026. By that stage he had spent 2.5 years in prison, and was psychologically unwell.
Disqualification from employment ¹⁵	Any person convicted of homosexuality is barred from employment in any institution placing them in a position of authority over a child or vulnerable person, until deemed rehabilitated.	Though this provision mandates the disqualification to occur only after conviction under the Act, in practice, the dismissal of anyone suspected of merely identifying as LGBTQIA+ is extremely common.
Conversion therapy ¹⁶	Courts are granted the authority to order the provision of 'social services for purposes of rehabilitating the convicted person' upon conviction.	This amounts to court-ordered conversion therapy. The conversion therapy practices described by interviewees constitute serious human rights violations.

¹³ Anti-Homosexuality Act (2023), Act No. 7 of 2023, available at <https://ulii.org/akn/ug/act/2023/6/eng@2023-05-30/source>, s2.

¹⁴ Ibid, s3.

¹⁵ Ibid, s12.

¹⁶ Ibid, s16.

Provisions applicable to aid organisations		
Promotion of homosexuality ¹⁷	'Promotion' is defined to include: - Advertising, publishing, printing, broadcasting, or distributing any material promoting or encouraging 'homosexuality' (defined as same sex acts), including via the internet. - Operating an organisation which promotes, encourages or normalises same sex acts. - Those in violation of these provisions are liable to: 20 years' imprisonment. - In the case of an NGO or organisation, may be fined (equal to USD 270,000 in April 2026), and may have their organisation's licence suspended or cancelled.	- Though this provision is labelled promotion of 'homosexuality', it makes clear that it is referring to promoting the act of same sex intimacy – rather than homosexuality as an identity. - The prohibition on operating an organisation that promotes homosexuality goes further than the distribution/ broadcasting provision, also criminalising organisations that 'normalise' (not just encourage or promote) same sex acts. - There have been a handful of charges but no known prosecutions for the promotion of homosexuality, and no convictions.
Duty to report ¹⁸	Anyone who has reason to believe that an offence under the Act has been committed against a child or vulnerable person must report this to the police. Failure to do so is punishable by up to 5 years' imprisonment.	The original Act imposed the duty to report for anyone suspected of crimes under the Act; this was struck down by the constitutional court, but retained for children and vulnerable people.
Provisions applicable to donors		
Promotion of homosexuality ¹⁹	'Promotion' is defined to include providing financial support to facilitate activities that 'encourage homosexuality' or 'normalise' conduct prohibited by the Act. - The above provisions prohibiting operating an organisation that promotes, encourages, or normalises same sex intimacy may also apply to donors.	- The prohibition on providing financial support to organisations goes beyond those prohibiting the distribution of certain materials, which prohibit 'promoting' or 'encouraging' same sex intimacy, to also prohibiting 'normalising' such acts. - This also applies to the prohibition on operating an organisation that engages in these activities.

¹⁷ Ibid, s11
¹⁸ Ibid, s14(3).
¹⁹ Ibid, s11

What the AHA says about homosexual identities

Contrary to the perception of many queer people who live in Uganda — a perception shaped by messaging deliberately conveyed to them during arrests and police raids — **the AHA does not criminalise simply identifying as a member of the LGBTQIA+ community.** Though it misleadingly labels its central provision the ‘offence of homosexuality’, it defines ‘homosexuality’ not as an identity, but as a person performing a ‘sex act’ on someone of the same sex, or allowing the performance of such a sex act on them.

Despite this, arrests of LGBTQIA+ individuals based on how they present themselves, or who they associate with, are common. HRAPF, a main legal aid provider, provided legal assistance to 197 individuals arrested on charges relating to homosexuality between the Act’s adoption in May 2023 and May 2025. This number, representing around two arrests every week, accounts only for the arrests within HRAPF’s caseload – and only where either formal charges were laid, or the person was taken to the police station and was able to call HRAPF to represent them before they were charged. It does not account for the numbers of people being arbitrarily arrested or detained without charge, extorted, harassed, or abused without receiving legal assistance – violations which were described as being extremely common.

Some interviewees explained that they preferred to pay the bribe asked by the police to be released, if they were able, rather than risk further abuses in detention while they waited for lawyers to go through the formal process to release them. One man interviewed in Kampala recounted, *“I have been arrested about five times. ... They have the idea that when they arrest gay people, they will get money from them. Every time we are arrested, we have to try to bribe the police to get out. The advocates will come and do all the legal processes – but it will take too long. There are people who were arrested in Jinja. It took them about eight months to get a police bond.”* **Gay men and trans women are systematically subjected to forced anal examinations following their arrests,** creating a further incentive for people to negotiate their way out before being brought to a police station.

Despite the frequency of the police harassment and abuse of LGBTQIA+ people, very few cases have ultimately been prosecuted under the AHA, and no convictions have been made to date. The arrests and charges documented by HRAPF are generally made against people without alleging evidence of a specific sexual interaction they have had with a person of the same sex – and can therefore not support a prosecution or conviction. Nevertheless, the spectre of the AHA and the abuse of the community by the police, casts a dark shadow over Uganda’s queer community. *“We have a lot of mental health issues,”* explained a non-binary individual in Kampala. *“When you think about the unlawful laws passed by the Parliament of Uganda, there is the threat that you will be imprisoned for 20 years, just for being in a relationship. This is a threat that hangs over our head.”*

What the AHA says about the provision of assistance to SOGIESC minorities

Numerous aid workers interviewed by the PRIDE Centre stated a belief that the AHA criminalises all forms of working with LGBTQIA+ community. This is inaccurate. The

²⁰ Anti-Homosexuality Act (2023), Act No. 7 of 2023, available at https://ulii.org/akn/ug/act/2023/6/eng@2023-05-30/source_s2.

²¹ HRAPF (2025) ‘Two Years of the Anti-Homosexuality Act: Report on Violence and Violations Based on Real or Presumed Sexual Orientation or Gender Identity, May 2023 – May 2025’, available at: <https://hrapf.org/violation-reports/>

²² FGD with community members in Kampala, 19 February 2026

²³ FGD with community members in Kampala, 19 February 2026

AHA's provisions on the 'promotion' of homosexuality – which are the main sections of the Act relevant to aid organisations – criminalise 'promoting' or 'encouraging' homosexuality as it is defined in the legislation – that is, ***promoting or encouraging a sexual act between people of the same sex.***

Determining what would encourage two people of the same sex to enter into a sexual act with each other is a subjective and debatable question – one that is inherently inappropriate for inclusion in a piece of legislation, which must provide clear parameters for prosecutors and predictability for citizens. This opaqueness is likely part of the reason no prosecutions for the promotion of homosexuality have been carried out to date. In an effort to navigate this uncertainty, The PRIDE Centre has included an analysis of how the law *could* apply to different types of programming – all of which are urgently needed by queer people in Uganda.

At workshops held for regional NGO leadership in Nairobi, the PRIDE Centre asked participants to speculate on whether these types of aid programming would be criminalised under the definition of 'promotion of homosexuality' under the Act. Many participants speculated on the kinds of arguments that could be made by the government of Uganda or others to argue that certain programmes do in fact promote or encourage same sex intimacy. These arguments have been incorporated into the table to bolster its comprehensiveness.

Type of programming	Does this promote or encourage sex acts between people of the same sex?
Protection from violence	
• GBV response • Emergency medical care • Immediate protection, such as through relocation to safer areas or short term protection grants • Security assistance • Interventions with the police	It is the assessment of The PRIDE Centre that it is difficult to argue that efforts to protect queer people from violence would encourage them to engage in sex acts with each other. To make an analogy: if outbreaks of violence within a prison were common, organisations doing programming to reduce this violence, or response actors providing treatment and support to those who had been hurt and victimised, would be unlikely to be seen as encouraging the crimes for which those prisoners were incarcerated.
Shelter	
• Providing shelter to LGBTQIA+ people who are unhoused • Safe spaces and safe house for LGBTQIA+ people at risk • Intervening with village Chairmen to prevent them from banishing queer people in their community	A conceivable though problematic argument could be made that providing safe shelters for LGBTQIA+ people could encourage sexual intimacy between them. In reality, most shelters in Uganda already have strict rules against this. It is our legal assessment that a safe shelter for LGBTQIA+ people, with appropriate rules and safeguards in place, would not violate the AHA on its face. The Act does not mandate or sanction the eviction of LGBTQIA+ people from their villages. There is no legal basis for this practice. It would be difficult to argue that sensitising Village Chairmen to this fact could encourage or promote same sex intimacy.

Healthcare, including sexual and reproductive healthcare	
• Safe clinics for LGBTQIA+ people, where they will not be discriminated against • Emergency healthcare for people subjected to SOGIESC-related violence • Interventions with healthcare providers to prevent discrimination	Providing healthcare to a person cannot be interpreted to encourage them to engage in sexual conduct. The Ugandan constitution, Public Health Act, HIV policy, and the government directives enumerated below give all people in Uganda the right to healthcare. Certain parts of the AHA – including imposing the death penalty for the transmission of a terminal illness and the criminalisation of landlords renting their premises for crimes committed under the Act – were struck down in order to protect access to healthcare for all. The Ministry of Health has issued directives affirming that medical actors cannot discriminate on the basis of a patient's SOGIESC.
• Tailored sexual and reproductive healthcare for LGBTQIA+ populations • HIV prevention and management targeting those most at risk of HIV, including men who have sex with men (MSM) and trans people • Safe clinics • Programming around safe sex, including the provision of condoms, lubricant	The distribution of condoms and lubricants to MSM and trans people has not only been a key component of HIV programming in Uganda even after the passage of the AHA, but has been carried out by government HIV actors and public hospitals. Thus, while these activities should be treated with caution, it is evident that there are established protocols through which such programming could be carried out—even with governmental approval. Interventions aimed at enabling people to engage in safe sexual practices <i>could</i> be seen as promoting or encouraging same sex intimacy, and to be therefore criminalised under the AHA. This argument is commonly made by certain religious actors, including proponents of abstinence as a means of birth control.
Food and cash assistance	
• Considering diverse SOGIESC as a vulnerability marker for inclusion in food distributions and cash programming • Organising separate times for food distributions	Ensuring that queer people have enough resources to survive does not promote or encourage them to be sexually intimate with each other. For LGBTQIA+ people who do qualify for food assistance—protection best practice would be for implementing partners to carry these out distributions for members of this community separately. This also does not encourage same sex intimacy. To the best of our knowledge, vulnerabilities relating to SOGIESC minority status are not included in assessment criteria for food or cash assistance in Uganda. Research demonstrates that LGBTQIA+ vulnerabilities are not recognised or accommodated in food or cash programming. However, LGBTQIA+ persons face extreme challenges in making their own money, participating in livelihood programmes, or getting enough food to meet their daily caloric needs.

Risks of inclusive programming

In workshops conducted by the PRIDE Centre, a common response was that even if certain programmes or activities would be technically considered legal under the law, this would not mean they would be accepted by the government in practice, nor that the organisation undertaking them would avoid political pushback and retaliation.

Indeed, the GoU does have a history of targeting LGBTQIA+ organisations. Uganda’s leading gay rights organisation, Sexual Minorities Uganda (SMUG), had its activities suspended in 2022 for failing to register as an NGO – a registration that the NGO Board had declined to grant the group since 2012. In 2025, the Court of Appeal upheld this refusal, on the basis that the registration of the group was not in the public interest.²⁴ In January 2023, a report published by the NGO Bureau detailed the investigations and actions the agency had taken against several organisations it described as *promoting LGBTQIA+ rights*, including denying the registration applications of SMUG and a handful of other queer rights groups. However, **all of the organisations whose applications were denied by the Board were outspoken advocacy organisations**, not humanitarian organisations.²⁵ The report also identified about twenty other organisations that would be under further scrutiny, including HRAFP. Since the report, HRAFP – a legal aid and documentation organisation – has been allowed to continue to operate.

Referencing these examples, a human rights organisation in Kampala explained that “*getting involved in political issues and democratic governance issues in Uganda*”, as an NGO, could “**get you expelled**”.²⁶ Interviewees pointed out, however, that there is **a distinction to be made between advocacy; engagement in the politics and governance space; and service provision**. Staff members of the Kampala-based human rights organisation were of the opinion that providing services to LGBTQIA+ populations in humanitarian need was **unlikely to cause an organisation to be evicted from the country** – and pointed out that in the healthcare space, this type of targeted service provision is already occurring.²⁷

Other laws that discriminate on the basis of SOGIESC

Law	Content	
The Penal Code (1950) ²⁸	• ‘Carnal knowledge against the order of nature’ is punishable by life imprisonment. This has been interpreted by the courts to mean specifically penetrative sex between men.²⁹ • Criminalises ‘impersonation’, which is used to target trans people.	The original punishment for carnal knowledge against the order of nature was 14 years, as is the case in British-era Penal Codes across Africa. Uganda upgraded this to life imprisonment in 1990 – 24 years before the passage of the AHA.

²⁴ S. Wepukhulu (2024) ‘How a court ruling on a company name threatens LGBTIQ rights in Uganda’, OpenDemocracy, available at www.opendemocracy.net/en/uganda-high-court-smug-lgbt-aha/
²⁵ Ibid.
²⁶ KII with legal advocacy organisation in Kampala, 20 November 2026
²⁷ Ibid.
²⁸ Chapter 120, Laws of Uganda (as amended), available at: <https://ulii.org/akn/ug/act/ord/1950/12>
²⁹ Kisingiri v. Uganda, Court of Appeal of Uganda, Criminal Appeal No. 35 of 2008, decided 2011.

National Sexuality Education Framework (NSEF) (2018); National Curriculum Development Centre directives	NSEF: - Requires all materials relating to sexuality education in Uganda (whether in schools or NGO settings) to comply with 'the laws and policies of Uganda'. - Not current implemented. Directives: - Requires screening of school materials to remove any that 'promote homosexuality'.	- In 2016, the government issued directives banning all sexual and reproductive health education in Uganda following public outcry over allegations that children were being taught homosexuality through a Dutch NGO curriculum. - The 2018 NSEF replaced the ban, and allowed for some sexuality education, in compliance with Ugandan laws – but it is opposed by religious leaders and is not being implemented. - In 2021, the constitutional court found that the failure of the government to develop a sexual education policy violated the constitution, and ordered the government to pass such a policy within 2 years. It has not done so.
Press and Journalist Act (1995)³⁰	Establishes the Media Council and authorises it to censor films, plays, and other media content.	In 2017, the Media Council banned a Dutch film for 'glorifying homosexuality'.³¹
Communications Act (2013); Standards for General Broadcast Programming in Uganda (2019)	Act: - Establishes the Uganda Communications Commission (UCC) - Obliges broadcasters to ensure that any programme is not contrary to 'public morality'. Standards: - Provides that information, shared about 'homosexuality, lesbianism, bisexuality, transsexualism, transvestism, paedophilia and incest' should not be too detailed/explicit, and should not should not 'promote, justify or glamorize' these 'lifestyles'.³² - Sex education programmes should not encourage or promote 'unnatural sex acts'.³³	The UCC has become a central actor in Uganda's media environment, frequently issuing threats to online content creators and broadcasters for violating 'public morality'. In October 2024 it warned media houses that their employees' personal social media accounts could cost them their broadcast licences.³⁴ The 2019 Standards apply specifically to broadcasters, not to NGOs or humanitarian programming. However, the UCC has asserted jurisdiction over all online platforms, websites, and social media – meaning that online content by aid organisations may be considered subject to these regulations.

³⁰ Chapter 105, Laws of Uganda (as amended), available at: <https://ulii.org/akn/ug/act/statute/1995/6/eng@2000-12-31>

³¹ ILGA World Database (2026) 'Uganda', available at <https://database.ilga.org/uganda-lgbti>

Registration of Persons Act (2015) ³⁵	Allows for 'a child born a hermaphrodite' who 'through an operation, changes from a female to a male or from a male to a female' to be given a new gender marker; but has not provision allowing this for trans people.	The requirement for intersex children to go through a medical operation to change their gender marker contravenes international standards, as it incentivises intrusive and unnecessary medical procedures performed on children who cannot consent.
--	---	--

As the table above illustrates, discrimination against LGBTQIA+ people is **embedded across Uganda's legal and policy landscape through a web of instruments, many of which predate even the 2014 AHA**. Interviews conducted by the PRIDE Centre confirm that the AHA and the political and media attention it has generated have intensified the hostility and exclusion experienced by queer people in Uganda – but also speak to the challenges that have long existed for the community.

We got a lot of raids even before the AHA. We got these raids all over the country.

Gay man, Kampala

Personally, I don't see a lot of difference from before when the bill passed and now.

Gay man, Kampala

Ever since the AHA was passed, the risks have become too much.

Trans woman, outside Kampala

Before the AHA passed, things were easier. Even the number of organisations doing work here was many. There were many people you could reach out to if you had any problem. But now... it's not safe.

Trans woman, Kampala

The instruments described above were not drafted with NGOs or humanitarian actors specifically in mind. However, these laws and policies can impact the operations of aid actors. Thus, for humanitarian actors operating in Uganda, awareness of the full legislative ecosystem — not only the AHA — is vital.

Laws and policies that provide some protection

Law	Content	Analysis
Constitution (1995) ³⁶	- Protects the rights of every person in Uganda (not only citizens) to equality and freedom from discrimination. - Confers rights to dignity, freedom and security of the person, privacy, and against torture and ill-treatment.	Unlike international law and most comparable constitutions, where the constitution lists the prohibited grounds of discrimination, the Ugandan constitution does not include a catchall category of 'any other status' – meaning the language that provides the entry point for protections against

³² Article 6(5)

³³ Article 8(6)

³⁴ ICNL (2026) 'Uganda: Recent Developments', available at www.icnl.org/resources/civic-freedom-monitor/uganda

³⁵ Act 4 of 2015, Chapter 332, Laws of Uganda, available at: <https://ulii.org/akn/ug/act/2015/4/eng@2015-03-26>

	• Commits the government to providing quality healthcare as one of its National Objectives. • Incorporates international treaties that were ratified before 1995 into Ugandan law³⁷ – including treaties which enshrine the right to health.	SOGIESC-based discrimination does not exist in Uganda. Nevertheless, Uganda's constitutional court has held that LGBTQIA+ people are entitled to the rights guaranteed by the constitution. • The rights to health and privacy were relied on to strike down parts of the AHA.
Public Health (Amendment) Act (2023)	Gives the government an obligation to ensure that all Ugandans have access to health services.	Relying on the right to health to protect LGBTQIA+ people has been an effective strategy in Uganda.
Ministry of Health (MOH) Circular (June 2023); Director of General Health Services Public Statement (2023), Uganda Patient's Charter (2009)	MOH circular: • Health facilities must not discriminate against patients on the basis of their SOGI.³⁸ Public statement: • Health workers must not discriminate against or stigmatise anyone seeking healthcare on any basis, including sexual orientation. • States that the AHA 'does not forbid any person from seeking medical services from a health facility or hospital.'³⁹ Patient's Charter • Protects patients' right to privacy. This was relied on by the MOH circular.	These instruments do not carry the force of law, and police officers have no obligation to enforce them. They have also been criticised as being an attempt to allay the concerns of in international community, while having no practical effect.⁴⁰ The PRIDE Centre agrees with these assessments and concerns. We also view the engagement by donors on this issue and the steps taken by the GoU to be evidence that it is possible to engage with the government on this issue, without being sanctioned or told to leave the country.
HIV policy ⁴¹ and law ⁴²	Law: • Contains protections against discrimination on the basis of actual or perceived HIV status. Policy: • Explicitly includes Key Populations (KPs), including MSM, as priority groups, and sets specific targets for HIV testing and treatment.	• The GoU was supported to develop its HIV strategy by PEPFAR, UNAIDS, and UNFPA, who advocate for the inclusion of MSM and trans people as KPs to be targeted with services – demonstrating the possibility of engaging with the government on LGBTQIA+ inclusion in service provision.

³⁶ (As amended 2017), available at https://www.constituteproject.org/constitution/Uganda_2017

³⁷ This include: African Charter on Human and Peoples' Rights; ICESCR; ICCPR; OAU Convention on Refugee Problems in Africa ; both the 1951 Refugee Convention and its 1967 Protocol in 1976.

³⁸ Ministry of Health, Republic of Uganda, Circular on Non-Discrimination in Health Service Delivery, 5 June 2023

³⁹ Ministry of Health, Republic of Uganda, Statement by Dr Henry Mwebesa, Director General Health Services, 'Uganda's Health Services Are Non-Discriminatory', 8 August 2023. Reported in: Daily Monitor, 'Uganda's Health Services Are Non-Discriminatory, Says Health Ministry', 8 August 2023, <https://www.monitor.co.ug/uganda/news/national/uganda-s-health-services-are-non-discriminatory-says-health-ministry-4330876>

⁴⁰ Outright International (2023) 'Outright International Calls Upon the World Bank to Suspend Loans to the Ugandan Government', available at <https://outrightinternational.org/press-release/uganda-worldbank>

	Though trans people are not named in the policy, they have been targeted in PEPFAR-supported government programming.	The mid-term review for the implementation of the policy showed that HIV testing among MSM increased from 85% to 96%.⁴³
Department of Public Prosecutions (DPP) circular (2023)	- Clarifies the AHA only criminalises offences where a sexual act has been performed. - Provides that any charges brought under the AHA requires approval of the Director of the DPP.	Like the MOH circular, this has been criticised as being issued primarily as a signal to international actors. The DPP is the authority responsible for sanctioning prosecutions. This requirement is, theoretically, a genuine procedural check.
World Bank mitigating measures	The mitigating measures include: - Instructions to all service providers in World Bank-financed operations to ensure LGBTQIA+ inclusion and non-discrimination, delivered through government circulars, contract clauses, and workers' codes of conduct. - Establishing safe and confidential grievance redress mechanisms for complaints of SOGIESC-related discrimination. - A protocol for the GoU and World Bank for addressing cases of exclusion or discrimination.	It is the <u>position of The PRIDE Centre</u> that it is not possible to ensure non-discrimination against SOGIESC minorities – whether in World Bank funded projects or otherwise – in a country in which the AHA remains in place. However, the example set by the World Bank demonstrates that it is possible to engage with the GoU on these issues, and advocate for the adoption of strategies to ensure the inclusion of and non-discrimination against LGBTQIA+ people in service delivery.

The above laws and policies are inadequate for protecting the rights of SOGIESC minorities in Uganda. The majority are government policies or directives, which do not supersede the AHA, and cannot be enforced by the police. Some of the statutory and constitutional protections above were relied on in the court challenge to the AHA, and were able to support the striking down of some provisions of the Act – including the duty to report any person suspected of violating it; the imposition of the death penalty for the transmission of a terminal illness through same sex activity; and the criminalisation of landlords for renting premises for any act prohibited under the Act. This demonstrates that these legal provisions do have some protective capacity.

⁴² Uganda AIDS Commission, Mid-Term Review of the National HIV and AIDS Strategic Plan 2020/21–2024/25, Uganda AIDS Commission, Kampala, December 2022. Available at: https://uac.go.ug/images/2024/Strategies/mtr-consolidated-report_final.pdf

⁴³ World Justice Project (2026) 'Uganda', available at <https://worldjusticeproject.org/rule-of-law-index/country/2025>

Enforcement

Uganda has consistently ranked among the weakest performers in both sub-Saharan Africa and globally in the World Justice Project's Rule of Law Index. In 2024, Uganda ranked 130th out of 142 countries, performing particularly poorly on constraints on government powers, civil and criminal justice, judicial independence, and the non-discriminatory application of laws.⁴⁴ This context renders the task of analysing the laws in Uganda and their implications for aid organisations a difficult one. The gap between what the law technically permits and what the state chooses to do has been a recurring feature of civic life across many sectors. For humanitarian, development, and human rights organisations, the inability to know with any confidence what will or will not attract state attention has generated a climate of fear and self-censorship that is arguably more powerful than the laws themselves.

It is the position of the PRIDE Centre that aid organisations must know what the law actually says, should be able to demonstrate that its activities fall within lawful parameters, and should be prepared to articulate this if challenged. Risk management in the Ugandan context requires an organisation to understand the legal framework and conduct ongoing assessments of government agendas, the political climate, and the likely enforcement of these laws in practice.

Overall impact of the legal ecosystem on inclusion aid programming

The strongest and most consistent precedent for how international organisations can engage on LGBTQIA+ issues in Uganda comes from the HIV prevention sector. For decades, international public health actors — including USAID, PEPFAR, UNAIDS, the Global Fund, and their implementing partners — funded local LGBTQIA+ organisations, ran drop-in centres, and worked with the government to provide targeted HIV programming for MSM and trans people in public health facilities.⁴⁵ The influence of these actors in Uganda has now declined – not because of the AHA, but due to US funding cuts that disproportionately impacted the HIV prevention space. Their influence, however, continues to be felt: MSM were recognised as Key Populations in the most recent national HIV strategy, and significant improvements in HIV prevention and response amongst both MSM and trans people have been made.⁴⁶ One of the main providers of HIV services for these groups in Uganda is the Most At Risk Populations Initiative (MARPI) – a GoU-affiliated NGO that works through the Ministry of Health.⁴⁷ The fact that these interventions have been possible indicates that **there is an established space for international actors to engage with LGBTQIA+ communities in Uganda – when the framing is on service provision and public health, rather than political advocacy.**

The World Bank's response to the AHA provides a further illustration of how international organisations may insist on the inclusion of LGBTQIA+ populations in programming. In August 2023, the World Bank suspended all new public lending to Uganda, stating that the AHA 'fundamentally contradicts the World Bank Group's values' of inclusion and non-discrimination.⁴⁸ The Bank subsequently worked with the government of Uganda to develop the mitigation measures described in the table above. While these measures are plainly inadequate they nonetheless represent an example of what is possible, in terms of **insisting on non-discriminatory service delivery, and simply raising this issue** without being forced to leave the country.

⁴⁴ World Justice Project (2026) 'Uganda', available at <https://worldjusticeproject.org/rule-of-law-index/country/2025>

⁴⁵ In 2023, PEPFAR supported 84 drop-in centres across Uganda providing comprehensive HIV prevention and treatment services specifically for Key Populations, clients including MSM, female sex workers, and transgender persons. Developmentactionrefugees

⁴⁶ Uganda AIDS Commission (2022) 'Mid-Term Review of the National HIV and AIDS Strategic Plan 2020/21–2024/25', available at https://uac.go.ug/images/2024/Strategies/mtr-consolidated-report_final.pdf; Y. Ding et al. (2024) 'Sustaining HIV Service Delivery to Key Population Clients Using Client-Centred Models During the Debate and Enactment of the Anti-Homosexuality Act in Uganda', Journal of the International AIDS Society, available at <https://pmc.ncbi.nlm.nih.gov/articles/PMC11075071/>

⁴⁷ Van Der Pol et al. (2021) 'Healthcare Worker Training to Improve Quality of Care for Sexual and Gender Minority People in Sub-Saharan Africa: Learning from Efforts in Uganda', Journal of the International AIDS Society, available at <https://pmc.ncbi.nlm.nih.gov/articles/PMC8242968/>; confirmed as continuing to be the case through our interviews.

Most of the recommendations in this report do not require engagement with government actors. Rather, they require proactive measures to ensure inclusion of and non-discrimination against LGBTQIA+ communities in aid and service provision – acts that are not, for the most part, prohibited by the AHA.

Obligations of aid agencies and donors

The legal frameworks applicable to aid agencies operating in Uganda are not limited to Ugandan law, but also include international human rights law, African regional law, the laws of the country in which they are registered, and the contract law governing each of their grant agreements. Donors are also regulated by international law and the laws of the country in which they are based.

This section focuses on laws and policies in place in the EU, Germany, and the US, as three of the largest donors to the humanitarian sector in Uganda. The EU and Germany are subject to EU and German laws requiring that their foreign aid expenditures abide by certain human rights standards, including the prohibition of discrimination on the basis of SOGIESC. The US, by contrast, has made receipt of funds contingent on US laws and policies that roll back protections for transgender people and other marginalised groups. Neither the passage of the AHA nor the new policies introduced by the US nullify the previously existing obligations held by aid agencies and their grantees under multiple legal regimes – including those in their own countries.

Legal Obligations of aid agencies

The African Commission on Human and People's Rights has held that non-state actors providing social services in Africa are subject to the requirement **'to exercise human rights due diligence to ensure that all their operations do not interfere with the enjoyment of human rights or facilitate abuse of rights by any third party.'**⁴⁹ This requires organisations to do the following:⁵⁰

- Put in place mechanisms to **regularly assess any adverse impacts** their operations, practices, and services may have on human rights.
- **Consult with affected groups** before, during and after the project cycle.
- Transparently and accessibly disclose financial and operational information.
- Refrain from imposing or facilitating policies that would impair State capacity to meet international human rights obligations.

Jus cogens norms

Overriding and absolute principles of international law, which cannot be altered or limited.

Though UN agencies and their officials are protected by privileges and immunities,⁵¹ these protections do not extend to violations of jus cogens norms, including the right to life and the prohibition against torture.⁵² The treatment of LGBTQIA+ people and denial of lifesaving assistance by service providers in Uganda has sometimes resulted in violations of these fundamental rights. Such instances will be documented in our forthcoming report.

⁴⁸ World Bank Group (2023) 'Statement on Uganda', available at: <https://www.worldbank.org/en/news/statement/2023/08/08/world-bank-group-statement-on-uganda>

⁴⁹ ACHPR (2022) 'General Comment 7: State Obligations Under the African Charter on Human and People's Rights in the Context of Private Provision of Social Services', available at <https://achpr.au.int/en/documents/2022-10-20/general-comment-7-state-obligations-under-african-charter-human>, p 35.

⁵⁰ Ibid, p 48.

Obligations of aid agencies and donors under their own laws

Donor entities have legal obligations under the laws of their own countries and regional systems, and often pass these obligations down to grantees through contractual agreement. This section focuses on laws and policies in place in the EU, Germany, and the US.

European Union

The EU is one of Uganda's largest humanitarian partners, donating more than €362 million for humanitarian aid to the country since 2017. Generally, organisations receiving EU funding are contractually required to implement their programmes in accordance with the same legal obligations that apply to the EU.

Law	Contents
TEU	Art 21 provides that EU actions shall be guided by principles including 'the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, [and] the principles of equality'.
TFEU	Prohibits discrimination in EU actions, including on the basis of sexual orientation.
Regulation 2021/947 (the 'Cooperation Regulation') ⁵⁴	Gives effect to Art 21 of the TEU by mandating a human rights-based approach (HRBA) to foreign aid that: • Supports 'right holders in claiming their rights', with a focus on poorer, marginalised and vulnerable people and groups'. • Is guided by the principles of 'leaving no one behind', equality and non-discrimination on any grounds.⁵⁵
European, Commission Staff Working Document: Applying the HRBA to International Partnerships (2021) ⁵⁶	Sets out the components of a HRBA, which include the requirements to: • Perform a context analysis before funding a particular project to identify possible sources of discrimination and structural barriers to the realisation of human rights. • Continuously monitor projects for human rights risks. • Implement appropriate mitigation measures. • Establish clear and accessible complaints procedures for those who could be subjected to human rights violations. The Working Document directs that if human rights risks are identified through the risk assessment process, one mitigation measure the EU may employ is to engage in a dialogue with the partner government about the importance of human rights.⁵⁷ However, if the risk of human rights violations is high, this is not sufficient – instead, the EU must make concrete interventions to reduce human rights violations itself.⁵⁸

⁵¹ Article III, Section 4 of the 1947 Convention on the Privileges and Immunities of the Specialized Agencies.

⁵² Regina v. Bow Street Metropolitan Stipendiary Magistrate, ex parte Pinochet Ugarte, 2 All ER 97; Teraya Koji, Emerging Hierarchy in International Human Rights and Beyond: From the Perspective of Non-derogable Rights, European Journal of International Law 917, 927 (2001).

⁵³ Regina v. Bow Street Metropolitan Stipendiary Magistrate, ex parte Pinochet Ugarte, 2 All ER 97; Teraya Koji, Emerging Hierarchy in International Human Rights and Beyond: From the Perspective of Non-derogable Rights, European Journal of International Law 917, 927 (2001).

⁵⁴ ECHO Uganda (2025) 'Humanitarian Aid Factsheet', available at https://civil-protection-humanitarian-aid.ec.europa.eu/where/africa/uganda_en

⁵⁵ EU Regulation (2021) 2021/947 of the European Parliament and of the Council of 9 June 2021 establishing the Neighbourhood, Development and International Cooperation Instrument.

⁵⁶ Ibid.

⁵⁷ European Commission, Commission Staff Working Document: Applying the Human Rights Based Approach to EU International Partnerships, SWD(2021) 179 final, Brussels, 30 June 2021.

“Samoa Agreement” between EU and the OACPS; Africa Regional Protocol⁵⁹

Requires Parties to the agreement, including the EU and Uganda, to ‘secure a high level of protection and assistance’ to forcibly displaced persons, including ensuring that they have safe access to basic services without discrimination.⁶⁰

If a party to the Agreement believes that another party has failed to fulfil any of the obligations, they may notify that party of their intent to engage in Article 101 dispute resolution procedures. These require the responding state to investigate the allegation and engage in consultations with the complaining state to reach a solution.⁶¹ If the states cannot ultimately reach an agreement, they can suspend the Agreement.

This dispute resolution process provides a straightforward forum for the EU to advocate for the protection of LGBTQIA+ individuals in countries and contexts receiving EU funding.

CASE STUDY:

In its 2021 *Working Document on the Human Rights-Based Approach*, the Commission cited a vocational training project in Sudan as an example of successful implementation of the HRBA. In that case, the EU funded a project implemented by an independent organisation. The EU was notified that few disabled individuals were participating in the programme. Concluding that this violated the principles of the HRBA, the Commission intervened; convened a working group to address the inaccessibility of the program; and ensured that accommodations were provided so that individuals with disabilities were supported to participate in it.⁶²

Germany

Support for refugees and host communities, focused along the humanitarian-development nexus, has been a key component of German aid in Uganda – including in terms of natural resource management, water supply, livelihoods and rural development, and food security.⁶³

Germany’s Federal Ministry for Economic Cooperation and Development (BMZ) imposes certain mandatory requirements of human rights due diligence on all foreign aid spending.⁶⁴ Mirroring the European system, the primary vehicle through which to meet these obligations is the implementation of a HRBA – though the requirements set down by German policy documents are more exacting than those set by the EU. For example, if, during the human rights risk assessment, it is determined that a project is likely to ‘strengthen one human right’ but interfere with another, the planners must propose how to navigate this. When adverse human rights effects are identified, BMZ must engage in dialogue with partner states – and if this does not adequately address concerns, **must develop an appropriate response, including the potential suspension or termination of the cooperation.**⁶⁵

⁵⁷ International Partnerships, SWD(2021) 179 final, Brussels, 30 June 2021.

⁵⁸ Ibid, 21.

⁵⁹ Ibid, 27.

⁶⁰ Partnership Agreement between the European Union and its Member States, of the one part, and the Members of the Organisation of African, Caribbean and Pacific States (OACPS), of the other part, known as the “Samoa Agreement”.

⁶¹ Samoa Agreement (Africa Regional Protocol), OJ (L 2023/2862), art. 79 § 1, 3.

⁶² Ibid.

⁶³ Ibid, at 29.

⁶⁴ BMZ (2026) ‘Uganda Country Profile’, available at <https://www.bmz.de/en/countries/uganda>

United States

On 26 February 2026, all recipients of USG funding became subject to an expanded version of its 'Mexico City Policy'. The new policy extends existing prohibitions on US foreign assistance to abortion to also encompass programmes that promote what the administration labels **'gender ideology' – which it uses to refer to the idea that a person's gender can be different to their sex assigned at birth**⁶⁶ - and/ or Diversity, Equity and Inclusion (DEI).⁶⁷ The primary relevance of this policy from the perspective of LGBTQIA+ inclusion is that it **prohibits the provision of gender affirming care to transgender and gender non-conforming (TGNC) people**. For organisations based outside the US, it also **prohibits the 'promotion' of the 'ideology' that transgender people exist**.

For a comprehensive analysis of the expanded Global Gag Rule, and how it will impact LGBTQIA+ communities in humanitarian settings, please read [our analysis](#).

Removing access to services for TGNC people or any other members of the LGBTQIA+ community would contravene the obligations of US-funded organisations under multiple other legal frameworks. None of the international legal regimes discussed in this briefing carve out exceptions for where donor requirements oblige implementers to contravene established human rights obligations.

Conclusion and recommendations for aid agencies

To ensure compliance with the obligations described in this brief, the PRIDE Centre makes the following recommendations, applicable to UN agencies, NGOs, INGOs, and donors.

1. Review current programming for compliance with all legal obligations

All aid organisations operating in Uganda should **conduct a review of their current programming** to assess their legal obligations under all the frameworks set out in this report – not just under the AHA. Organisations must identify the ways in which it is possible to **meet legal obligations to ensure inclusion and non-discrimination** while not falling afoul of the AHA – including through the entry points identified in this document.

2. Ensure non-discriminatory service delivery

Aid organisations must ensure that LGBTQIA+ individuals are able to access their without discrimination, in line with the humanitarian principles. In Uganda, refusal of even life-saving services to LGBTQIA+ individuals, both citizens and refugees, is shockingly common (as will be detailed in The PRIDE Centre's next report). Organisations **must identify these risks and occurrences and address them as a matter of urgency**.

⁶⁵ Ibid, at 4, 16, 20; BMZ Guidelines for Cooperation (2013), at 2, 12, 18, 19, 22.

⁶⁶ US State Department (27 January 2026) 'Combating Gender Ideology in Foreign Assistance', Public Notice: 12931, available at: www.federalregister.gov/documents/2026/01/27/2026-01516/combating-gender-ideology-in-foreign-assistance

⁶⁷ US State Department (27 January 2026) 'Combating Discriminatory Equity Ideology in Foreign Assistance Rules', Public Notice 12932, available at: www.federalregister.gov/documents/2026/01/27/2026-01517/combating-discriminatory-equity-ideology-in-foreign-assistance-rules

3. Recognise people who are internally displaced as a result of SOGIESC-based persecution as IDPs

Aid actors should formally recognise individuals who have been forcibly displaced from their homes or communities due to their SOGIESC as IDPs, in line with the UN Guiding Principles on Internal Displacement and the PRIDE Centre's position. This population has **largely been invisible** to humanitarian actors, and their recognition is a **prerequisite for addressing their needs**.

4. Support LGBTQIA+ organisations, including RLOs, and fund safe shelters

Make **flexible, multi-year funding** available to Ugandan LGBTQIA+ organisations — including refugee-led organisations — who are the primary providers of shelter, protection, legal assistance, food, healthcare, and community support to queer people in Uganda.

5. Provide dedicated support to LGBTQIA+ refugees in refugee settlements and Kampala

Resource shelters and support services for LGBTQIA+ refugees in refugee settlements and in Kampala, where refugees who have fled the settlement are concentrated. Ensure that **shelter, food, healthcare, legal assistance, and protection services** are available and accessible to this population — including to those who are undocumented.

6. Ensure LGBTQIA+ specific risk and vulnerabilities are recognised as criteria in determining eligibility for food and cash assistance

LGBTQIA+ refugees face unique vulnerabilities because of their SOGIESC status, which frequently prevent them from being able to earn a livelihood, participate in humanitarian and development livelihood programming, or even to make use of land for farming and gardening. In addition, they are at heightened risk of sexual and gender-based violence. However, these unique vulnerabilities are not included in WFP-UNHCR or NGO criteria assessing levels of need.

These indices **must be reevaluated** to accommodate these inclusions via a similar process to the inclusions of persons with disabilities, elderly persons, and other specific and unique risks.

7. Design humanitarian programmes to recognise and protect LGBTQIA+ refugees and persons in need

Humanitarian programming in Uganda has been victim of self-censorship and fear-based compliance since the introduction of the AHA. Knowing the legal realities of the AHA, programming should be re-evaluated to ensure that LGBTQIA+ persons in humanitarian need, including refugees, are recognised and **able to receive assistance free from any discrimination and demeaning treatment**, and that there are basic protections in place for them.

8. Mandate partners to include LGBTQIA+ analysis

Donors should mandate current and future grant recipients to include analysis of how their humanitarian programming will recognise and reach vulnerable LGBTQIA+ persons.

9. Ensure adequate and ongoing training for aid sector actors

Leadership, staff, partners, contractors and suppliers for UN Agencies, NGOs and International Organisation should receive annual training on principles of non-discrimination of LGBTQIA+ persons in humanitarian and development programming.

10. Establish a Third-Party monitoring and complaints mechanism

LGBTQIA+ refugee communities consistently express a lack of trust in the confidentiality of established humanitarian actors, and specifically UN Agencies. Donors should mandate and resource an **independent reporting and complaints mechanism to report and respond to complaints regarding discrimination and denial of service on their basis of SOGIESC status**. This mechanism must engage with LGBTQIA+ civil society to design mechanisms that are safe and accessible to the community.

11. Engage with and learn from the HIV sector

The HIV sector has demonstrated that **it is possible to provide targeted services to LGBTQIA+ people in Uganda** — including with government engagement. Aid actors in other sectors should draw on this experience, engaging with organisations such as UNAIDS, the Global Fund, MARPI, HRAPI, and LGBTQIA+ health clinics to understand how inclusive programming can be designed and implemented safely in the Ugandan context. The PRIDE Centre would be pleased to facilitate introductions to local LGBTQIA+ public health actors.

12. Implement human rights due diligence

Donors and implementing organisations should:

- Regularly **assess the risks** of SOGIESC-related exclusion and human rights violations associated with their programmes;
- Develop tailored **mitigation measures** for SOGIESC-related risks;
- **Consult LGBTQIA+ communities** before, during, and after the programme cycle; and
- Integrate findings from these engagements into programme design and management.

13. Increase resettlement numbers for LGBTQIA+ refugees

Countries adhering to principles of protection, safety, and non-discrimination of LGBTQIA+ persons should **substantially increase their resettlement spaces** for highly vulnerable LGBTQIA+ refugees, in recognition that their basic safety and protection are highly unlikely to be met within Uganda in the immediate or medium term.

14. Engage with the Government of Uganda on LGBTQIA+ inclusion in service delivery

Well-resourced international organisations with established relationships with the GoU should use available diplomatic and technical entry points to raise the issue of LGBTQIA+ inclusion in humanitarian and social service delivery. The precedents set by the MOH circular, the DPP guidance, the World Bank mitigation measures, and the HIV sector's engagement with government on Key Populations can provide examples and guidance for such engagement.

15. Review all applicable legal obligations — and where they conflict, seek guidance.

Organisations operating in Uganda are subject to overlapping and potentially conflicting legal obligations: the AHA and other Ugandan laws; international and regional law; the human rights due diligence requirements of the EU, Germany, and other donors; and, for US-funded organisations, the expanded Mexico City Policy. Organisations should conduct a careful review of all the legal frameworks applicable to them — **including a detailed analysis of what the AHA does and does not prohibit** — and map these against their current programming and grant agreements, to identify where obligations conflict. As this report demonstrates, the space permitted by the AHA is wider than is commonly assumed; **organisations should be careful not to treat fear-based assumptions about the law's reach as legal constraints**. Where genuine conflicts exist between applicable legal regimes, legal advice should be sought.

The International PRIDE Centre

The PRIDE Centre (Protection, Rights, Inclusion in Displacement & Emergencies) provides legal and policy analysis, preparedness, and programming tools for emergency response agencies to ensure inclusive programming for LGBTQIA+ persons in emergency, humanitarian, and development settings. For questions about this briefing or to discuss how the PRIDE Centre may be able to support your operations, please contact InternationalPrideCentre@pridecentre.org.

Acronyms

AHA	Anti-Homosexuality Act (2023)
BMZ	Germany's Federal Ministry for Economic Cooperation and Development
CJEU	Court of Justice of the EU
CSO	Civil society organisation
DEI	Diversity Equity and Inclusion
ECHO	European Civil Protection and Humanitarian Aid Operations
IntPa	EU Directorate General for International Partnerships
FWI	Family Watch International
FGD	Focus group discussion
GBV	Gender-based violence
GIZ	German Agency for International Cooperation
GoU	Government of Uganda
HRBA	Human Rights-Based Approach
(I)NGO	(International) Non-governmental organisation
ICJ	International Court of Justice
IDP	Internally Displaced Person
ILC	International Law Commission
IO	International Organisation
KII	Key informant interview
LGBTQIA+	Lesbian, Gay, Bisexual, Trans, Queer, Intersex, Asexual, and other identities
MSM	Men who have sex with men
MP	Member of Parliament
OPM	Office of the Prime Minister
RLO	Refugee-led organisation
RSD	Refugee status determination
SRH	Sexual and reproductive health
SOGIESC	Sexual orientation, gender identity or expression, and sex characteristics
OACPS	Organisation of African, Caribbean and Pacific States
TEU	Treaty on the European Union
TFEU	Treaty on the Functioning of the European Union
TGNC	Transgender and gender non-conforming
UNHCR	United Nations High Commission for Refugees
USG	US Government
WHO	World Health Organisation



The PRIDE Centre is rooted in a foundation of anti-racism and aid decolonisation across all outputs and operations. We embrace SOGIESC communities in all their diversity, inclusive of indigenous understandings of non-CIS sexual identity and gender expression and identity.

SUPPORTED BY



LUSH



Activity supported by the
Canada Fund for Local Initiatives
Activité réalisée avec l'appui du
Fonds canadien d'initiatives locales

Canada



THE UNIVERSITY OF CHICAGO
THE LAW SCHOOL
Global Human Rights Clinic

The PRIDE Centre wishes to thank the Global Human Rights Clinic at the University of Chicago Law School for their assistance on conducting the research for this report.