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Uganda's Constitutional Court Set to Hear Challenge of the Discriminatory Anti-LGBTIQ Law on 18th December 2023

(Kampala, Uganda 11 December, 2023) Today, Uganda's Constitutional Court concluded the pre-hearing sessions of the four Constitutional Petitions challenging the constitutionality of the Anti-Homosexuality Act, 2023. The Court set Monday, 18th day of December 2023 as the tentative date to hear arguments of the petitioners on the consolidated petition.

"This law serves no legitimate purpose. It is a blatant attack on basic rights enshrined in both our Constitution and international human rights law, further erodes our democracy and obstructs access to essential health services," said Richard Lusimbo, of Uganda Key Populations Consortium and CFE-Co-convener. "All eyes should now be on Uganda's Constitutional Court to nullify it without delay."

The Court had previously advised all parties to file a list of remaining joint issues and now that parties have complied, the hearing is set to start. In final preparations ahead of the hearing on December 18, 2023, the Court has indicated that a panel of five Justices will sit on Wednesday December 13, 2023 to determine all applications of the various Amici Curiae (friends of Court) and persons who wish to be added as co-respondents to the consolidated petition.

This finalization of the conferencing of the petitions and the setting of dates for hearing of the Court cases challenging the AHA 2023, comes after the [US government imposed sanctions](#) on the Commissioner General of the Uganda Prisons Service for alleged human rights violations and several other persons. This is the first time the United States has publicly sanctioned a Ugandan for rights abuses of LGBTIQ people explicitly. In August, the [World Bank stated](#) that the Anti-Homosexuality Act fundamentally contradicts the World Bank Group's values and announced that it was suspending all lending to Uganda pending further review. The Biden Administration also announced non-public visa restrictions against Ugandan officials for human rights violations and [expelled Uganda from the US-Africa trade program](#) established by The African Growth and Opportunity Act. Businesses in Uganda have also announced their rejection of the law, citing harmful economic impact from discrimination.

"This unconstitutional law is being used to attempt to distract us from everyday priorities such as the fight against corruption, failing healthcare systems, unemployment, and the unbearably high cost of living. It must be overturned," said Frank Mugisha of Sexual Minorities Uganda, and CFE Co-Convener.

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[Recent reports have](#) documented the wide range of abuses by both government and private actors in 2023 in Uganda, including torture through forced anal/rectum exams on orders of the police officers, beatings, arbitrary arrests, forced evictions, blackmail, loss of employment, challenges in accessing healthcare services, and physical, sexual and psychological violence as a result of the enactment of the abhorrent law.

“LGBTQ+ Ugandans must be free from the discrimination and inequality,” said Clare Byarugaba of Chapter Four Uganda and CFE Co-Convener, “State sponsored homophobia and transphobia have no place in our democracy. This nightmare must end with nullification.”

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