

**THE COMMUNITY SHADOW REPORT FOR THE UNIVERSAL PERIODIC REVIEW  
FOR UGANDA**  
**JOINT SUBMISSION BY CIVIL SOCIETY ORGANISATIONS WORKING WITH TRANS  
AND GENDER DIVERSE INDIVIDUALS' RIGHTS**

Submission to the Universal Periodic Review of Uganda

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**Jointly submitted by:** Civil Society Organizations Working with Trans and Gender Diverse  
Individuals' Rights in Uganda



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About PEDI: Prism Empowerment and Development Initiative (PEDI), and Partners, is an indigenous nonprofit advocacy organization, pioneering the rights of Trans and Gender Diverse Persons in Uganda. It is a legally registered non-profit entity, under the laws of Uganda.

## 1. (A). EXECUTIVE SUMMARY

This stakeholder report examines Uganda's compliance with its international human rights obligations, particularly concerning the rights of Trans and Gender-Diverse (TGD) persons within the broader LGBTI community. The report assesses Uganda's progress in implementing previous UPR commitments on TGD rights, highlighting persistent gaps in protection, access to justice, and equality. Despite Uganda's human rights commitments, TGD persons continue to live in a hostile and often dangerous environment, marked by violence, persecution, and systemic discrimination from both state and non-state actors. These conditions are compounded by regressive laws such as the Anti-

Homosexuality Act, 2023, which entrenches stigma and undermines access to essential services and justice. The report documents and spotlights these lived realities from the perspective of TGDs and offers community-informed, practical solutions to address structural injustices, and enhance safety, and promote meaningful participation in Uganda's human rights processes.

## **(B). INTRODUCTION**

- 1.1. As Uganda embarks on the 4th Cycle of the Universal Periodic Review (UPR), PEDI undertook a series of community consultations through a participatory research to document the lived experiences of Trans and Gender Diverse Persons (TGD) persons. The process explored the legal environment, access to essential services, and the state of justice for TGDs in Uganda. It also shed light on the broader operating context for community-based and national organizations working with TGD communities, highlighting both their resilience and the persistent challenges they face in advancing equality and protection. To capture a comprehensive picture of the realities faced by TGD persons in Uganda, PEDI engaged with a diverse range of voices through in-depth Key Informant Interviews and Focus Group Discussion. Participants included representatives from Eleven (11) organizations, members of the TGD community, norm-shift actors such as local and religious leaders, as well as officials from the judiciary, law enforcement, and healthcare sectors. Insights gathered from these discussions were carefully cross-verified with existing evidence-based research on TGD rights to ensure accuracy and reliability. The study also drew upon secondary sources, including media coverage, civil society reports, and analyses of national, regional, and international human rights instruments—to situate findings within the broader human rights context. Additionally, Uganda's previous UPR outcome reports were reviewed to assess the government's past commitments and evaluate the extent of progress made toward fulfilling its human rights obligations to TGD persons.
- 1.2. In this document, PEDI and partners outline concerns relating to the TGD rights. During Uganda's last UPR for the 2017–2021 cycle, the government noted but did not accept all recommendations related to sexual orientation and gender identity, signaling a continued reluctance to acknowledge and protect the rights of TGD persons. In 2023, the country went ahead to enact the Anti Homosexuality Bill into Law. The law which came into effect on 31 May 2023<sup>1</sup>, targets members of the Lesbian Gay Bisexual Transgender Intersex and Queer (LGBTIQ+) Community. It criminalizes any form of consensual same-sex relations and imposes harsh punishment upon conviction, including a death penalty. It entrenches discrimination against TGD individuals, violating several rights including but not limited to; equality and non-discrimination, privacy and freedom of expression and association. Based on the lived realities of the TGDs shared in the community consultation conducted<sup>2</sup>, in this document, we set out

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<sup>1</sup> ICJ. (2023). Uganda: The enactment of “the Anti-Homosexuality Act, 2023” will foster further stigma, discrimination and violence against lesbian, gay, bisexual, transgender and intersex persons. Hague: International Commission of Jurists (ICJ).

<sup>2</sup> Community Consultative Report On Trans And Gender Diverse Persons' Rights To Inform Upr Process In Uganda, 2025, -PEDI

several examples which are illustrative of government reaction on the rights of the TGDs and the broad spectrum of LGBTIQ+ individuals and organizations.

1.3. Out of the 273 recommendations received by Uganda during the 3rd Cycle of the UPR, 20 specifically addressed the human rights of TGD persons, as well as other sexual and gender minorities<sup>3</sup>. These recommendations, put forward by various member states, called on Uganda to decriminalize consensual same-sex relations, repeal discriminatory laws, strengthen protections against violence, stigma, and hate speech, elimination of legal and structural barriers that fuel discrimination, ensure accountability for abuses based on sexual orientation and gender identity, and promote equality before the law. They also urged the government to ensure equal access to justice, health, and social services, and to align national laws and policies with international human rights standards. However, Uganda's continued failure to decriminalize same-sex relations not only violates fundamental human rights but also entrenches economic inequality and social exclusion for trans and gender-diverse communities. The consequences are not abstract—they translate into daily struggles for survival. For many TGD persons, access to employment and economic security remains a distant dream, hindered by prejudice, workplace discrimination, and the absence of inclusive policies. As one TGD CSO representative explained, *"Many TG women are denied opportunities, dismissed once their identity is discovered, or subjected to harassment that drives them out of employment altogether. This systemic exclusion traps them in cycles of poverty, survival sex work, and economic dependence, making financial stability and self-reliance nearly impossible."*<sup>4</sup>

1.4. PEDI and partners express profound concern over the rapidly deteriorating human rights situation of TGD persons, as well as the broader spectrum of LGBTIQ+ individuals in Uganda. TGD persons continue to carry the face of the LGBTIQ community—which expose them to heightened risks under a punitive legal framework, particularly the Anti-Homosexuality Act (AHA) 2023 and sections 145, 146 and 148 of the Penal Code Act, Cap. 120, which criminalize same-sex relations and “unnatural offences”<sup>5</sup><sup>6</sup>. Even prior to enactment, bills like the Sexual Offences Bill, 2019, created a climate of fear and discrimination, further intensified by transphobia, and homophobic rhetoric from public figures, arbitrary arrests, extortion, evictions, and cyber harassment<sup>7</sup><sup>8</sup><sup>9</sup>. Reports from the Strategic Response

<sup>3</sup> Report of the Working Group on the Universal Periodic Review, Human Rights Council, Fiftieth session, A/HRC/50/11, 4 April 2022

<sup>4</sup>Community Consultative Report On Trans And Gender Diverse Persons' Rights To Inform Upr Process In Uganda, 2025, -- PEDI Page 24.

<sup>5</sup> Amnesty, I. (2024). Uganda Criminalization shrinks online civic space for LGBTQ people. Amnesty International.

<sup>6</sup> Watch, P. (2021). Report of the Sectoral Committee on Legal and Parliamentary Affairs on the Sexual Offences Bill. Retrieved from Parliament Watch: <https://parliamentwatch.ug/wp-content/uploads/2021/09/LPA3-21-Report-of-the-Sectoral-Committee-on-Legal-and-Parliamentary-Affairs-on-the-Sexual-Offences-Bill-2019.pdf>

<sup>7</sup> Peter, S. (2023, August 09). Uganda's health services are non-discriminatory, says health ministry. Retrieved from Daily Monitor: <https://www.monitor.co.ug/uganda/news/national/uganda-s-health-services-are-non-discriminatory-says-health-ministry-4330876>

<sup>8</sup> HRW. (2025, May 26). They're Putting Our Lives at Risk: How Uganda's Anti-LGBT Climate Unleashes Abuse. Retrieved from Human Rights Watch: <https://www.hrw.org/report/2025/05/26/theyre-putting-our-lives-risk/how-ugandas-anti-lgbt-climate-unleashes-abuse>

<sup>9</sup> ICIJ. (2023). Uganda: The enactment of “the Anti-Homosexuality Act, 2023” will foster further stigma, discrimination and violence against lesbian, gay, bisexual, transgender and intersex persons. Hague: International Commission of Jurists (ICJ).

Team documented 70 cases of physical violence between January and August 2023, rising to over 1,043 documented human rights violations by May 2024, while the African Human Rights Coalition reported 1,841 cases by August 2025, with nearly half involving targeted violations based on sexuality or gender identity<sup>10,11</sup>. These laws and practices systematically deny TGD persons access to justice, healthcare, housing, and employment, normalizing violence and marginalization. Although the Constitutional Court invalidated some provisions in April 2024, major components of the AHA remain, and Uganda continues to fall short of its obligation to the International Covenant on Economic, Social and Cultural Rights (ICESCR), International Covenant on Civil and Political Rights (ICCPR), and the African Charter on Human and Peoples' Rights, leaving TGD communities exposed to ongoing harm and systemic discrimination<sup>12</sup>.

## 2. (B) Legal and Policy Barriers Limiting Access to Health Care for TGD Persons

- 2.1. Chapter Four of Uganda's Constitution, guarantees several rights that are essential to realizing the right to health, including the right to life (Article 22), protection from inhuman or degrading treatment (Article 24), and the right to equality and freedom from discrimination (Article 21). These rights collectively obligate the state to create conditions that promote physical and mental well-being, ensure access to medical care without discrimination, and protect individuals from harmful practices that endanger health. Additionally, when combined together with the National Objectives and Directive Principles of State Policy, Chapter Four reinforces the government's responsibility to ensure access to quality healthcare and uphold the dignity and well-being of all Ugandans.
- 2.2. At Regional Level, Article 16: The right to health under the African Charter on Human and Peoples' Rights (ACHPR) guarantees every individual the ability to attain the highest possible standard of physical and mental well-being<sup>13</sup>. It requires State Parties to take proactive measures to protect public health and ensure access to medical services. This right extends beyond healthcare facilities to include essential determinants such as safe water, adequate sanitation, nutritious food, housing, healthy environments, and well-integrated health systems.
- 2.3. The right to health, as guaranteed under Article 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), affirms that every person is entitled to the highest attainable standard of physical and mental well-being<sup>14</sup>. This extends beyond medical care to include access to

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<sup>10</sup> HRW. (2025, May 26). They're Putting Our Lives at Risk: How Uganda's Anti-LGBT Climate Unleashes Abuse. Retrieved from Human Rights Watch: <https://www.hrw.org/report/2025/05/26/theyre-putting-our-lives-risk/how-ugandas-anti-lgbt-climate-unleashes-abuse>

<sup>11</sup> Nathan, M. (2025, August 14). POST AHA - July HRAPF Reports of LGBTQI+ Persecution and Violence in Uganda. Retrieved from African Human Rights Coalition: <https://www.africanhrc.org/single-post/post-aha-july-hrapf-reports-of-lgbtqi-persecution-and-violence-in-uganda>

<sup>12</sup> ILGA. (2023). ILGA World launches its 2023 annual report. Retrieved from ILGA World: <https://ilga.org/news/2023-annual-report-launch/>

<sup>13</sup> African Charter on Human and Peoples' Rights (Banjul Charter) adopted June 27, 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force Oct. 21, 1986

<sup>14</sup> The International Covenant on Economic, Social and Cultural Rights (ICESCR) [https://treaties.un.org/doc/treaties/1976/01/19760103%2009-57%20pm/ch\\_iv\\_03.pdf?utm](https://treaties.un.org/doc/treaties/1976/01/19760103%2009-57%20pm/ch_iv_03.pdf?utm)

essentials such as clean water, adequate food, housing, sanitation, and a healthy environment. TGD persons in Uganda, this right is far from realization. Despite Uganda's obligation to uphold the AAAQ principles—availability, accessibility, acceptability, and quality services (mandated through The National Health Policy (NHP II, 2021–2030)<sup>15</sup>, and the Public Health (Amendment) Act, 2023)—TGD individuals continue to face stigma, discrimination, and systemic barriers within health systems that hinder their access to appropriate and respectful care. Denial of gender-affirming services, fear of exposure, and mistreatment by healthcare workers compromise not only their physical health but also their mental and emotional well-being, reflecting a significant gap between Uganda's international commitments and lived realities of TGD persons. From the recent community consultation by PEDI<sup>16</sup>, the findings on Access to healthcare, showed that TGD persons continued to face major barriers in accessing essential healthcare services, largely due to stigma, discrimination, and systemic challenges, with Healthcare providers acknowledging the systemic shortcomings partly emanating from the recent integration of health services –for both KPs and general populations, and pointing to a shortage of essential supplies, such as lubricants and medications for sexually transmitted infections, which limits the quality and comprehensiveness of care. They also highlighted capacity gaps, noting that; “*many health workers are not adequately familiar with the specific health needs of transgender individuals, particularly hormone therapy, transition care, and other gender-affirming treatments.*<sup>17</sup>”

2.4. While the right to health for TGD persons was explicitly emphasized in Recommendation 125.80 of the A/HRC/50/11 report, UPR Third cycle<sup>18</sup>—urging Uganda to strengthen efforts in combating HIV/AIDS and to eliminate stigma and discriminatory practices that hinder access to sexual and reproductive health services for all, including LGBTIQ+ persons—progress remains limited and partially implemented. Although the Ministry of Health, on June 5, 2023, issued Guidelines on the Provision of Non-Discriminatory Health Services (ADM 180/01) directing public health facilities to provide care without discrimination following the enactment of the Anti-Homosexuality Act (AHA), 2023, implementation has been weak. In practice, stigma, fear, and discrimination within health facilities persist, forcing many TGD persons to avoid or delay seeking care. This exclusion not only violates Uganda's human rights obligations but also exacerbates health risks, contributing to higher HIV incidence, morbidity, and mortality among TGD populations.

PEDI and partners are further concerned about the unavailability of inclusive and gender affirming healthcare for TGDs. From the recent consultation on the rights of TGD by PEDI<sup>19</sup>, findings revealed

<sup>15</sup> The National Health Policy (NHP II, 2021–2030), Explicitly aims for “universal access to quality essential health and related services” for all people in Uganda. Promotes principles consistent with AAAQ, [https://www.health.gov.pg/pdf/NHP\\_1A15.pdf](https://www.health.gov.pg/pdf/NHP_1A15.pdf)

<sup>16</sup> Community Consultative Report On Trans And Gender Diverse Persons' Rights To Inform Upr Process In Uganda, 2025, --PEDI

<sup>17</sup> Interview with the Health Worker, Page 11, of Community Consultative Report On Trans And Gender Diverse Persons' Rights To Inform UPR Process In Uganda, 2025, --PEDI

<sup>18</sup> Report of the Working Group on the Universal Periodic Review: Uganda, A/HRC/50/11, Page14, Recommendation by Portugal. database.ilga.org/api/downloader/download/5/en-A\_HRC\_50\_11.pdf

<sup>19</sup> Community Consultative Report On Trans And Gender Diverse Persons' Rights To Inform UPR Process In Uganda, 2025, --PEDI -Page 11

that access to inclusive and gender affirming healthcare for TGD, particularly hormone therapy, has become extremely limited, costly, and unsafe due to the restrictive legal and social environment<sup>20</sup>. Services and commodities such as binders and hormone supplements, once available in some pharmacies, are no longer adequately accessible. Many TGD persons now resort to unregulated and unsafe channels, including black market purchases or reliance on brokers. High costs compound the situation, fueling cycles of anxiety and unsafe practices, as individuals feel pressured to rush their transition without proper medical supervision.

The consequences of these limited and unsafe healthcare options extend far beyond the physical; they deeply affect the emotional and psychological well-being of TGD. Many TGD in Uganda experience profound emotional pain rooted in rejection, discrimination, and constant fear of being targeted, as one TG CSO participant notes, *“The daily pressure to conceal their identity or endure harassment takes a severe toll, often leading to depression, anxiety, trauma, and isolation. Yet, access to mental health services that are safe, affirming, and affordable remains extremely limited.”* For TGD persons with disabilities, these challenges are compounded by inaccessible health facilities, communication barriers, and limited awareness among healthcare providers about their intersecting needs. *“The lack of adequate psychosocial support, disability inclusion, and affirming healthcare systems, is leaving many of us to navigate these struggles alone, which is reinforcing a cycle of vulnerability that endangers both our physical and emotional well-being.”* TG CSO representative.

*1.1.* The lack of adequately trained health professionals, coupled with insufficient focus on gender-affirming healthcare, particularly for trans men, further limits access. While some CSOs have introduced health monitoring services such as Liver Function Tests (LFTs) and Renal Function Tests (RFTs) to ensure safer hormone use, these initiatives remain fragmented and unconsidered in government health facilities, costly, and underfunded. Health workers themselves acknowledged the absence of structured gender-affirming healthcare services, noting that they mainly provide guidance, psychosocial support, and referrals. Collectively, this shows a healthcare crisis where transgender persons are left with unsafe, costly, and unsupported pathways to access essential gender-affirming care, with serious consequences for both physical and mental well-being, which can be witnessed through the respondents’ feedback *“Hormone therapy previously had a limited availability for trans people in some pharmacies in Kampala, but these are no longer available due to the legal environment. Today, it’s not easy to get, and many of us have to go through brokers or even turn to the black market, where the treatment is extremely expensive and risky. Because of the high costs and lack of proper prescriptions, some feel pressured to rush their transition, exposing themselves to serious health risks<sup>21</sup>.”* This indicates that the right to health, a core ESCR, remains one of the most severely violated rights of TGD persons, thus undermining Uganda’s obligations under the ICESCR and directly threatening the right to the highest attainable standard of physical and mental health for all.

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<sup>20</sup> Community Consultative Report On Trans And Gender Diverse Persons’ Rights To Inform UPR Process In Uganda, 2025, --PEDI

<sup>21</sup> Interview with the TGD CSO Representative, found on Page 12 of Community Consultative Report On Trans And Gender Diverse Persons’ Rights To Inform UPR Process In Uganda, 2025, --PEDI

## **Recommendations to the concerns raised above:**

- 1.2. Actively involve TGD organizations in the ongoing Health Services Integration process under the Ministry of Health, ensuring that their voices and expertise meaningfully shape the design and implementation of the new framework. This inclusion is critical to addressing service interruptions that have emerged from the integration agenda<sup>22</sup>, particularly those affecting TGD persons in accessing tailored, stigma-free healthcare. Engagement should prioritize safeguarding privacy and confidentiality, while strengthening linkages between community-based models—such as Drop-In Centres and formal health facility systems.
- 1.3. Stakeholders also stressed that strengthening peer-led models could improve trust and accessibility. There is an urgent need for inclusive health policies that guarantee access to services like hormone therapy.

- 1.4. Freedom from Torture, Cruel, Inhuman or Degrading Treatment.** The Article 7 of The International Covenant on Civil and Political Rights (ICCPR)<sup>23</sup>, Prohibits any form of physical or psychological abuse, including forced medical procedures, “conversion therapies,” or degrading treatment by law enforcement or healthcare providers targeting TGD persons. This is further echoed in the Article 23 and 24, reinforced and protected as a non-derogable right through Article 44(a) of the 1995 Constitution of the Republic of Uganda. However, in practice, this constitutional safeguard remains far from reality for many. Findings from PEDI’s community consultations reveal a distressing contradiction between Uganda’s legal commitments and the lived experiences of TGD, revealing a persistent pattern of unlawful evictions, arbitrary arrests, physical assaults, and detentions driven by stigma, criminalization, and the abuse of power by law enforcement. Nine (09) Trans Womxn in a Focus Group Discussion and Seven (07) CSO Key informants<sup>24</sup> shared deeply troubling accounts of harassment and arrests based solely on their gender expression, showing that the right to liberty and security for TGD persons remains gravely compromised.

**Arbitrary arrests have become tools of intimidation, stripping individuals of dignity, disrupting livelihoods, and restricting access to healthcare and community support systems.** One national Civil Society Organization (CSO) noted that violations have “escalated significantly simply because TGD persons were suspected of being queer,”<sup>25</sup> revealing a disturbing rise in transphobia, and dysphoria characterized by discrimination, job loss, and violence. These accounts highlight how criminalization is used to silence advocacy, suppress

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<sup>22</sup> The National Strategy for Integration of Sexual Reproductive Health and Rights and HIV/AIDS 2017–2021 (Ministry of Health, 2017) aimed at integrating SRH and HIV/AIDS policies, programs and services.

<sup>23</sup> International Covenant on Civil and Political Rights; <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

<sup>24</sup>Interview with the Trans womxn in FGD, and TGD CSO Representative, found on Page 12 of Community Consultative Report On Trans And Gender Diverse Persons’ Rights To Inform UPR Process In Uganda, 2025, --PEDI

<sup>25</sup> Interview with the National CSO Representative, found on Page 12 of Community Consultative Report On Trans And Gender Diverse Persons’ Rights To Inform UPR Process In Uganda, 2025, --PEDI

identity, and perpetuate cycles of exclusion and fear among TGD communities. The gory stories also revealed widespread physical violence, forced evictions, and systemic extortion against TGD persons, particularly following the passage of the Anti-Homosexuality Act 2023. Respondents described how victims face bribery, forced anal examinations, and humiliating public assaults, while police and local leaders often acted as perpetrators rather than protectors. One key informant explained, *“When a person reports a case and they discover that you are transgender, they turn the case against you.”*<sup>26</sup> Evictions have become increasingly common, often led by lower government leadership structural unit representatives like Local Council (LC1) authorities and landlords who accuse tenants of promoting homosexuality<sup>27</sup>. These violations are compounded by Uganda’s regressive legal environment, including the Penal Code and the AHA, which criminalize same-sex relations and reinforce discrimination. As one CSO respondent put it, *“The government went ahead to pass harsh laws, showing a lack of commitment to protecting everyone’s rights”*<sup>28</sup>. This environment has led to fear-driven isolation, with many TGD persons living in hiding, deprived of basic rights such as safe housing, bodily security, and access to justice. From the community experiences, TGD persons have become the visible face of Uganda’s broader LGBTQ+ community, making them more vulnerable to social stigma, violence, and institutional discrimination. Participants noted that transgender individuals are often the first to be targeted in arrests, raids, and public harassment. As one respondent shared, *“The TG community has become the face of the entire LGBTQ community—facing the worst of the violations.”*<sup>29</sup> The enforcement of discriminatory laws, coupled with harmful social attitudes, has created an environment where TGD persons are systematically dehumanized and excluded from public life. Beyond these daily violations lies an even more devastating reality — the occurrence of corrective transphobic rape, where some TGD individuals are subjected to horrific acts of sexual violence intended to “correct” or punish their gender identity. These attacks are often justified by perpetrators as attempts to “fix” someone, but they leave survivors deeply traumatized, unsafe, and silenced. Many cannot report these crimes due to stigma, fear of exposure, or the risk of further abuse from authorities. Adding to this trauma is the rise of online violence, which should offer freedom and community, has become another site of harm. TGS are frequently bullied,outed, and threatened on social media. These digital attacks are not just words, they often spill into real-life violence, with perpetrators using online information to stalk or physically harm victims. The emotional toll of such targeted hate leaves many living in constant fear and anxiety.

- 1.5. These realities represent a profound breach of Chapter Four (Articles 20–45) of the 1995 Constitution of the Republic of Uganda and international human rights obligations, particularly the right to dignity, equality, and freedom from torture and discrimination.

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<sup>26</sup> Interview with the KP CSO Representative, found on Page 16 of Community Consultative Report On Trans And Gender Diverse Persons’ Rights To Inform UPR Process In Uganda, 2025, --PEDI

<sup>27</sup> Community Consultative Report On Trans And Gender Diverse Persons’ Rights To Inform UPR Process In Uganda, 2025, --PEDI Page 16.

<sup>28</sup> Interview with the National CSO Representative, found on Page 12 of Community Consultative Report On Trans And Gender Diverse Persons’ Rights To Inform UPR Process In Uganda, 2025, --PEDI

<sup>29</sup> Interview with the KP CSO Representative, found on Page 16 of Community Consultative Report On Trans And Gender Diverse Persons’ Rights To Inform UPR Process In Uganda, 2025, --PEDI

**1.6. Legal existence and recognition of Transgender and Gender-Diverse (TGD) persons** in Uganda remain profoundly constrained, undermining their dignity, equality, and participation in society despite clear protections under Article 16 of the ICCPR, which guarantees that “*everyone shall have the right to recognition everywhere as a person before the law*”<sup>30</sup>. This right affirms that every individual must be legally acknowledged and possess identification documents, such as national IDs, passports, and birth certificates—that reflect their gender identity. However, findings from community consultation and key informant interviews conducted by PEDI reveal that this recognition is largely absent in Uganda, where punitive laws and structural stigma render TGD persons legally invisible<sup>31</sup>.

- 1.6.1. Participants repeatedly highlighted that restrictive legislation, particularly the AHA, 2023 and Penal Code Act (Cap. 120)<sup>32</sup>, directly curtail the freedoms and safety of KPs. As one civil society actor noted, “*The AHA and Penal Code Act have put a lot of limitations on the rights of KPs, e.g., the clause on unnatural offenses under the Penal Code*”<sup>33</sup>. These laws criminalize same-sex relations and gender diversity, violating Uganda’s obligations under the ICCPR Articles 2, 16, and 26, and the ACHPR Articles 2 and 3, which guarantee equality before the law and prohibit discrimination<sup>34</sup>.
- 1.6.2. Such legal constraints not only embolden abuse and discrimination but also exclude TGD persons from essential services and civic participation. The lack of legal gender recognition extends into critical areas of life, such as access to National Identification and Registration Authority (NIRA)<sup>35</sup> services, school certificates, and other identity records, which rarely align with TGD persons’ lived identities. As one respondent explained, “*As transgender persons we are often denied National IDs, or when issued, they reflect a gender that does not align with our lived identity. This mismatch exposes us to stigma and discrimination, effectively shutting us out of opportunities, official gatherings, and civic participation. In this way, we are denied not only recognition but also the fundamental right to belong in our own society.*”<sup>36</sup>
- 1.6.3. The absence of legal recognition also compounds broader patterns of violence and social exclusion. TGD persons are routinely denied jobs, housing, and safety, and Fourteen (14) FGD TGD members reported extreme violence. One participant lamented, “*Some of the transgender persons have been murdered... one of them was my friend who was beheaded and another was strangled and killed.*”<sup>37</sup> Advocacy organizations working with TGD communities also face government scrutiny, with one noting that “*the NGO Bureau asks*

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<sup>30</sup> International Covenant on Civil and Political Rights (ICCPR), adopted by the UN General Assembly, Resolution 2200A (XXI), 16 December 1966.

<sup>31</sup> Community Consultative Report On Trans And Gender Diverse Persons’ Rights To Inform UPR Process In Uganda, 2025, Page 17.

<sup>32</sup> Penal Code Act, Cap. 120 (Uganda) – Section 145 (“Unnatural Offences”).

<sup>33</sup> Interview with the KP CSO Representative, found on Page 17 of the Community Consultative Report On Trans And Gender Diverse Persons’ Rights To Inform UPR Process In Uganda, 2025

<sup>34</sup> African Charter on Human and Peoples’ Rights (ACHPR), adopted 1981, Articles 2 and 3

<sup>35</sup> National Identification and Registration Authority (NIRA) Act, 2015 (Uganda).

<sup>36</sup> Transwoman in the FGD interview. Found on Page 17, of the Community Consultative Report On Trans And Gender Diverse Persons’ Rights To Inform UPR Process In Uganda, 2025,

<sup>37</sup> FGD Participant. Found on Page 18, of the Community Consultative Report On Trans And Gender Diverse Persons’ Rights To Inform UPR Process In Uganda, 2025,

*for the social media handles to check the work you are doing,”* forcing many to operate covertly and under constant fear of deregistration<sup>38</sup>.

1.6.4. These realities illustrate a systemic denial of legal existence and protection for TGD persons in Uganda, contravening not only Article 16 of the ICCPR but also Recommendation 125.90 of the Third Cycle of the UPR, which urged Uganda to “*implement additional measures aimed at promoting equal rights before the law for LGBTI persons.*”<sup>39</sup> Furthermore, this situation stands in direct contradiction to domestic guarantees under Articles 20 and 21 of the 1995 Constitution of the Republic of Uganda, which uphold equality, dignity, and freedom from discrimination<sup>40</sup>. Denial of gender-affirming legal documents and state goodwill perpetuates cycles of stigma, invisibility, and violence, effectively erasing TGD persons from legal and civic life, and violating Uganda’s commitments under both international human rights law and its own constitutional framework.

## **1.7. Right to Equality Before the Law and Non-Discrimination**

Access to justice for TGD persons in Uganda remains deeply constrained, despite clear guarantees under Articles 2 and 26 of the ICCPR<sup>41</sup> and Articles 20, 21, 28, 44, and 50 of the Ugandan Constitution, which affirm equality before the law and freedom from discrimination<sup>42</sup>. Findings from community consultation reveal that justice remains elusive and costly for many TGDs, often characterized by imprisonment, extortion, and systemic neglect. Seven (7) FGD respondents shared that reporting violations frequently backfires, as victims risk arrest or further abuse. As one participant explained, “*Access to justice is difficult, when you report the case, it’s you who is incarcerated. There are few trans cases that have been successful, with only rare examples such as Cleopatra Kambugu, who managed to secure a national ID after sex reassignment.*”<sup>43</sup>. This captures a deep sense of fear and futility within a justice system that seems to punish rather than protect

1.8. TGD CSO participants also noted that restrictive laws, especially the Penal Code and the Anti-Homosexuality Act, have been misused to silence civil society and criminalize advocacy. As one CSO respondent explained, Restrictive laws are often misinterpreted to silence organizations working with KPs, creating barriers to advocacy and service provision. This leaves TGD persons with limited recourse, while perpetrators act with impunity.<sup>44</sup> Judicial officers themselves acknowledged the absence of protective legislation, with one officer stating, “*There is no law protecting such people. Some cases never reach court because they end at the police level, where ‘forced’ reconciliation is pushed instead of real justice. Fear of courts has*

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<sup>38</sup>Interview with the KP CSO Representative, found on Page 18 of the Community Consultative Report On Trans And Gender Diverse Persons’ Rights To Inform UPR Process In Uganda, 2025

<sup>39</sup> Report of the Working Group on the Universal Periodic Review: Uganda, A/HRC/50/11, Page 14. [database.ilga.org/api/downloader/download/5/en-A\\_HRC\\_50\\_11.pdf](http://database.ilga.org/api/downloader/download/5/en-A_HRC_50_11.pdf)

<sup>40</sup> Constitution of the Republic of Uganda (1995), Articles 20, 21, 24, and 44.

<sup>41</sup> Right to Equality Before the Law and Non-Discrimination

Article 2 & 26 of the ICCPR guarantees that every person has the right to equal protection and benefit of the law without discrimination based on race, sex, religion, political opinion, or other status (including gender identity), 16 December 1966, Adopted by the UN General Assembly resolution 2200A (XXI), <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

<sup>42</sup> Constitution of the Republic of Uganda; <https://ulii.org/en/akn/ug/act/statute/1995/constitution/eng@2023-12-31>

<sup>43</sup> Interview with the FGD respondents, found on Page 13 of Community Consultative Report On Trans And Gender Diverse Persons’ Rights To Inform UPR Process In Uganda, 2025, --PEDI

<sup>44</sup> Interview with the KP CSO Representative, found on Page 13 of Community Consultative Report On Trans And Gender Diverse Persons’ Rights To Inform UPR Process In Uganda, 2025, --PEDI

*left many vulnerable to bribery and extortion.<sup>45</sup>* These testimonies highlight a system that fails TGDs at every level –from police handling of complaints to courtroom bias. One magistrate candidly admitted personal prejudice, saying, “*I refused to handle a case of an LGBTI person because it contravened my faith values. Unless we go through transformation and stop being stereotyped, it will take time for us to change.*”<sup>46</sup>

## **1.9. Progressive judgements since the last Universal Periodic Review;**

Despite these challenges, there have been some progressive judgments since the last Third Cycle of UPR, where the Constitutional Court struck down several clauses of the Anti-Homosexuality Act, including those criminalizing renting to someone suspected of being LGBTIQ, requiring reporting, and provisions on aggravated homosexuality<sup>47,48</sup>. These repeals, though partial, marked an important step –which align with the call to action and recommendations: 125.85, 125.86, and 125.91 of the A/HRC/50/11 report of the UPR Third Cycle, which urged Uganda to repeal problematic laws that discriminate against TGD persons<sup>49</sup>. These recommendations, made by Argentina, Australia, and Ecuador, specifically called for the decriminalization of same-sex relations, the removal of discriminatory sections from the Penal Code, and the abolition of laws on “crimes against nature” that have historically been used to target and persecute TGD and other LGBTIQ+ individuals. Another noted the 2022 Francis Tumwesigye v. Attorney General ruling, where sections of the “rogue and vagabond” laws were declared unconstitutional<sup>50</sup>, reducing opportunities for police abuse and profiling of vulnerable groups, including members of the TGD community.

1.9.1. Other legal developments included, adoption and implementation of ODPP circulars (such as Circular No. 18/2023 and Circular No. 2/2024) guiding state attorneys to seek headquarters’ clearance before pursuing charges, which were intended to enhance procedural fairness after the enactment of the AHA, 2023<sup>51,52</sup>. Yet, such wins remain isolated. The justice system still largely denies TGDs fairness, equality, and dignity, leaving them to navigate a landscape where justice often feels like a privilege rather than a right.

## **Recommendations**

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<sup>45</sup> Interview with the Judicial officer, found on Page 14 of Community Consultative Report On Trans And Gender Diverse Persons’ Rights To Inform UPR Process In Uganda, 2025, --PEDI

<sup>46</sup> Interview with the Magistrate, found on Page 14 Community Consultative Report On Trans And Gender Diverse Persons’ Rights

<sup>47</sup> Interview with the National CSO Representative, found on Page 15 of Community Consultative Report On Trans And Gender Diverse Persons’ Rights To Inform UPR Process In Uganda, 2025, --PEDI

<sup>48</sup>Court upholds Anti-gay law, strikes out four sections, Wednesday, April 03, 2024, Daily Monitor, <https://www.monitor.co.ug/uganda/news/national/court-upholds-anti-gay-law-strikes-out-four-sections-4577208?utm>

<sup>49</sup> Report of the Working Group on the Universal Periodic Review: Uganda, A/HRC/50/11, Page14, Recommendation by Argentina, Australia, and Ecuador. database.ilga.org/api/downloader/download/5/en-A\_HRC\_50\_11.pdf.

<sup>50</sup> Why rogue and vagabonding are no longer offences in Uganda, court rules; December 7, 2022, <https://www.independent.co.ug/rogue-and-vagabonding-are-no-longer-offences-in-uganda-court-rules/?utm>

<sup>51</sup> Office of the Director of Public Prosecutions . (2023, August 25). ODPP Circular No. 18/2023 . Management of Cases with Charges Preferred Under the Anti-Homosexuality Act 2023, Circular No. 18/2023 . Kampala, Uganda: Office of the Director of Public Prosecutions (ODPP).

<sup>52</sup>Office of the Director of Public Prosecutions. (2024, April 4th). ODPP Circular No. 2/2024. Management of Cases with Charges Preferred Under the Anti-Homosexuality Act 2023, Circular No. 2/2024. Kampala, Uganda: Office of the Director of Public Prosecutions (ODPP).

1.10. PEDI, and Civil society partners recommend for judicial sensitization and collaboration with the Judicial Service Commission to promote fair and informed rulings. As Four (4) TG respondents acknowledged and noted, *‘Many cultural and religious biases influence judicial officers’ decisions, leading to unfair judgments or outright refusal to hear cases. Training and dialogue between the judiciary, civil society, and KPs can help bridge the gap between law and lived experience’*<sup>53</sup>

Develop and disseminate a simplified handbook for police officers that clearly explains current laws, ODPP circulars (such as Circular No. 18/2023 and No. 2/2024), and national policies in plain, accessible language. This will ensure that officers at all levels understand how to uphold the rights and dignity of TGD persons in line with Uganda’s legal framework and international obligations. This initiative stems from ongoing challenges reported by TGD community members and civil society organizations. As one TG CSO representative shared,

*‘Instead of protecting victims, some police officers use alternative charges, such as drug possession, impersonation, or identity theft — to harass or detain trans and gender-diverse individuals’*. This pattern of abuse and criminalization not only denies them justice but reinforces deep mistrust toward the justice system, leaving survivors without safe avenues for help and redress.

1.11. Regular sensitization and training sessions for police officers on the rights of TGDs and other KPs as reiterated in recommendation 125.77 of A/HRC/50/11 report of UPR Third Cycle<sup>54</sup>. These sessions should focus on reducing stigma, preventing extortion, and promoting fair handling of cases so that justice is not obstructed at the police level due to fear or prejudice.

1.12. Strengthen collaboration between police, communities, and civil society organizations to build trust and accountability. Such engagements directly with TGD led groups and their allies, will enable the police to better respond to rights violations, reduce unlawful arrests, and create safer spaces for reporting abuse without fear of bribery and discrimination.

1.13. Repeal restrictive and draconian laws such as the Penal Code Act and the Anti-Homosexuality Act, while also reforming civil recognition systems to allow Ugandans, including TGD persons, to identify in ways that reflect their lived realities, such as being able to change their gender on official documents.

1.14. Embed UPR recommendations into national legislative reforms, ensuring they are contextualized to Uganda’s realities, and create clear timelines and monitoring mechanisms for implementing these reforms, so that the commitments do not remain on paper but translate into tangible protections for TGDs persons,

1.15. Inclusive, nationwide awareness and sensitization programs targeting judicial officers, law enforcement, healthcare providers, norm shift actors. These programs should integrate SOGIESC education within professional and community training frameworks to promote empathy, equality, and human rights. As one respondent observed, *‘The community biases*

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<sup>53</sup> Interview with the KPS CSO Representatives, found on Page 14 of Community Consultative Report On Trans And Gender Diverse Persons’ Rights To Inform UPR Process In Uganda, 2025, --PEDI

<sup>54</sup> Report of the Working Group on the Universal Periodic Review: Uganda, A/HRC/50/11, Page14, Recommendation by Malta. [database.ilga.org/api/downloader/download/5/en-A\\_HRC\\_50\\_11.pdf](http://database.ilga.org/api/downloader/download/5/en-A_HRC_50_11.pdf)

*remain deeply entrenched, with TGD individuals often labeled as ‘spreading HIV,’ leaving them stripped of dignity”<sup>55</sup>.*

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<sup>55</sup> FGD Participant. Found on Page 18, of the Community Consultative Report On Trans And Gender Diverse Persons’ Rights To Inform UPR Process In Uganda, 2025,