

# Uganda makes it a crime to identify as LGBTQ

March 23, 2023

**In news**— Uganda's parliament passed a Bill recently making it illegal to identify as an LGBTQ person, going several steps ahead of neighbouring countries in the African continent which outlaw same-sex relationships and marriages.

## About the bill-

- The new law, if passed, will be the **first to outlaw merely identifying as lesbian, gay, bisexual, transgender and queer (LGBTQ)**.
- In addition to same-sex intercourse, the law bans "promoting and abetting" homosexuality as well as "conspiracy to engage in homosexuality".
- Violations under the law draw severe penalties, including death for so-called aggravated homosexuality and life in prison for gay sex.
- Aggravated homosexuality involves gay sex with people under the age of 18 or when the perpetrator is HIV positive, among other categories, according to the law.

## Status of LGBTQ rights in Africa-

- **More than 30 of Africa's 54 countries, including Uganda, already ban homosexuality.**
- **Additionally, of the 69 countries that have laws criminalising homosexuality, nearly half are in Africa.**
- **Angola in February 2023 brought into effect revised penal code to allow same-sex relationships and banned discrimination on the basis of sexual orientation.**
- **Gabon reversed a law that had criminalised homosexuality and made gay sex punishable with six months of imprisonment.**
- Meanwhile, **Botswana's High Court ruled in favour of**

**decriminalising homosexuality** in 2019 and

- **Mozambique and the Seychelles scrapped anti-homosexuality laws.**
- A Trinidad and Tobago court ruled that laws banning gay sex were unconstitutional.

### **Status of LGBTQ rights in India-**

- The Supreme Court recently referred to a five-judge Constitution Bench the petitions seeking legal recognition to same-sex marriages, saying the matter raises questions of “seminal importance”.
- In its order, a three-judge bench, headed by Chief Justice D Y Chandrachud, said the submissions on the issue involve the interplay between constitutional rights and specific legislative enactments, including the Special Marriage Act, besides the rights of transgender couples.
- **In 2018, the Supreme Court had repealed Section 377 of the Indian Penal Code (IPC), which criminalises homosexuality.**
- **However, there is no legal approval for adoption of children by same-sex couples and blood donation by LGBTQ people is banned.**

### **Status of LGBTQ rights in rest of the world-**

- According to Pew Research Center, **62 countries criminalise consensual same-sex acts by law, while 129 countries don't criminalise them.**
- **Only 28 countries in the world recognise same-sex marriages,** and 34 others provide for some partnership recognition for same-sex couples, according to International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA).
- **Death penalty is the legally prescribed punishment for homosexual acts in Brunei, Iran, Mauritania, Saudi Arabia and Yemen.**

- In the US, more than 450 anti-LGBTQ Bills have been introduced in various states, said White House spokesperson Karine Jean-Pierre, who pointed to a proposed Florida Bill that would give the state the right to separate transgender children from their parents.
- **Homosexual activity is legal in all 27 member states of the European Union, and in Central America.**
- All but five nations in the Caribbean and Guyana in South America also legally allow same-sex consensual activity.
- **Iraq is one of three Arab-majority countries in the Middle East that doesn't explicitly criminalize same-sex relationships.** The others are Jordan and Bahrain.
- However, the region largely remains opposed to the idea of homosexuality, which is evident in instances like Saudi government's campaign to remove rainbow-colored toys from shelves, a state clampdown and threats from a militant Christian group directed at LGBTQ communities in Lebanon, and a hashtag campaign that originated in **Egypt recently that uses "fetrah," the Arabic word for "instinct," to insist that there can only be two genders.**
- In the Asian subcontinent, **Afghanistan is the only country that has a death penalty in force for homosexuality**, but strict punishments are awarded in Bangladesh, Maldives, Sri Lanka, Myanmar, Malaysia and Brunei.
- On the brighter side, **Singapore repealed a law that criminalised sex between men**, while Vietnam declared that conversion therapy would be banned.