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Institute of
Social Studies**

Erasmus

FREEDOM FROM FEAR!
OPPORTUNITIES AND ENCOUNTERS OF UGANDAN LGBTs IN THE
INTERGRATION PROCESS IN THE NETHERLANDS

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List of Acronyms

LGBT – Lesbian gay Bisexual Transgender

FRA – European Union Agency for Fundamental Rights

SMUG - Sexual Minorities Uganda (SMUG)

SOGI – Sexual Identity and Gender Identity

RDH – Rainbow Den Haag

AHA - Anti Homosexuality Act

COA - Central Agency for the Reception of Asylum Seekers

IND - Immigration and Naturalisation Service

FIS – Finish Immigration Service

DRC – Danish Refugee Council

EMN- The Organization of Reception Facilities for Asylum Seekers in Different Member States

UNICEF- United Nations Children's Fund

UNHCR- United Nations High Commissioner for Refugees

UN - United Nations

IDC - International Detention Coalition

UAF- Africa- Urgent Action Fund-Africa

ULII - Uganda Legal Information Institute

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Aluta Continua!

Abstract

Homosexual acts are illegal in 76 countries Uganda inclusive. Wide spread expression of condemnation, criticism, social discrimination, persecution and marginalization against LGBT community in Uganda has forced LGBT persons to seek asylum in neighboring countries or in Europe especially in the Netherlands being one of Europe most gay-friendly nation. The objective of the study was to gain insights into the experiences of Uganda LGBT migrants seeking asylum in The Netherlands to understand their opportunities, threats, and challenges comparable to their country of origin.

Six (6) weeks was dedicated to field work at the Ter Apel asylum camp and other arranged places to meet with willing participants. The study had a total of 15 LGBT respondents consisting of 9 male and 6 female with age range between 25 to 44 years. 9 respondents had received positive responses to their immigration application while 6 others are awaiting results. Primary data was collected through personal interviews aided by a checklist. Nussbaum (2003) “capabilities” approach theoretical concept was adapted for the research in order to identify core human capabilities critical to fulfilling functioning within the Dutch society and assessing the overall quality of life.

Result shows that all the 15 respondents indicated that compared to Uganda, that the Netherlands is safer for LGBT persons to seek refuge ,6 university-educated respondents indicated they would prefer to enroll for further studies in order to better their lives, 8 respondents indicated that employment opportunity/working condition for LGBT persons in the Netherlands is better, 7 respondent underline that the Dutch language is a big barrier to employment opportunities. All 15 respondents had not accommodation problem, found health care system in the Netherlands inclusive .3 respondents raised personal, critical concern the discrimination LGBT person within the asylum camp face restriction toward their ability to play and enjoy recreational activities , experience little or no control over their living environment, and have no rights in political participation even though they technically residents here, or rights to seek employment within restrictions or discrimination.

The Netherlands clearly has a long way towards achieving a true society of equality between the LGBT community and heterosexual individuals, regardless of the global image of tolerance and the pro-gay law is shown to the world. The immigration application, procedure, assessment and interviews at the IND should be flexible and more inclusive without preferences to LGBT persons considered as 'group at risk' alone. The Dutch government can work closely with LGBT community leaders and other grassroots organizations in order to combat all shades of discrimination to achieve equality under the law for homosexuals and heterosexuals who have found some atmosphere of safety, comfort, and freedom in the Netherlands as their country of residence.

Keywords

LGBT, Asylum seekers, Gender identity, Central Agency for the Reception of Asylum Seekers(COA), Immigration and Naturalisation Service (IND)

Chapter 1 Introduction

“During my university days, I was not aware that my parents knew about my sexual identity, my gay relationship with my boyfriend and they kept silent about it. I really don't know why they acted as such but I can only assume that their motives were because either it was a taboo to talk about such issues in my culture or that I am the only male child of the family. When the gay bill was passed in 2014, my boyfriend and I were amongst the very first arrested as LGBT persons in Uganda. In my case, it was my own Dad that reported me to the police. Until now it haunts me why a man who had initially kept my sexual orientation /identity secret could just give me away like that.

After my partner and I were jailed for two weeks we were released after bribing the police on the condition that we had to leave the country immediately for our safety and to protect the bribe they received. Even though it was very painful my boyfriend had to leave the country the same night to Kakuma refugee camp in Kenya, leaving me behind. After two weeks, I got a Turkish visa, traveled there. After some weeks I met a lady who advised me to move to the Netherlands when she heard my story.

Before I ran short of cash, I boarded a boat the very next day with my luggage which I eventually threw overboard because the captain feared the boat would have capsized because it was overcrowded beyond capacity. I lost everything except for some cash. I arrived at my destination saddened with untold emotional pain and the nagging thought I may never meet my partner again.

Upon arrival in the Netherlands, I was told about Tar Apel the main asylum reception center where all refugees must report first. I was lucky to have small cash left on me. It was like an unending journey to Tar Apel because I was really tired and unsure of what to expect upon my arrival there. I arrived there at 10pm struggling against the cold night and untold hunger. COA (The Central Agency for the Reception of Asylum Seekers) staffs who were on duty that night offered me a warm jacket, a snack and a bed to sleep. I was grateful that my immediate problem was solved.

The following day, started with proper asylum formalities such as registrations after which I had to wait for 2 more days before having my first interview with the IND (The Immigration and Naturalisation Service). I was later on relocated to the asylum camp in Nijmegen where my asylum procedure is expected to continue. It has been

over a year now that I am in Nijmegen and still haven't done any other interview since the last one in Tar Apel over one year ago. It's a long wait and a scary one as I have learnt that the second interview would determine my status in the Netherlands.

Waiting in uncertainty of my interview and possible outcome afterwards is very torturous, tricky and demotivating. I wonder why mine is taking this long when for some people from other countries finished their asylum procedure much quicker like 3 months or so and with positive result. Life in the asylum camp is becoming unbearable especially when it comes to sharing rooms with other people who are straight and worse, homophobic is another unprepared challenge confronting me daily. I have formally requested for transfer to a different camp where I can be accommodated with other Ugandans but that move too was denied.

How I wish I was not an outcast in my family. I feel everyone hates me, including my Dad. Life is not easy, feeling lonely, feeling separated from my country, my boyfriend, my relatives and friends, so far away from everything I have ever known. But still, I thank God that I am alive regardless of the challenges, I need to keep a positive attitude on how to adapt to my new situation and make the most out of the opportunities that come my way here in the Netherlands.”

This is a typical story of a gay man from Uganda, who reached the Netherlands in October 2015, which illustrates the courage and difficulties of the lives of LGBT refugees in The Netherlands, the story of this research paper.

1.0 Background of the problem

Homosexual acts are illegal in 76 countries (Jones & Itaborahy, 2011) Uganda inclusive. Mogul et al (2011) cited that homophobia and transphobia has led to fatal fierceness all over the whole world. A wide spread exhibition of blame, criticism, social discrimination and marginalization against LGBT community (including alleged LGBT persons) all across the countries of Africa, even including those countries which have not yet criminalize homosexuality. Unfortunately, criminalization of homosexuality has been seen as a silent justification or official incitement for violence against LGBT community which of course, further aggravates their social weakness and situation (FIS, 2005) (Kakwera 2016)

In the case of Uganda, Homosexuality is considered or believed by many as ‘un-African’ or some phenomenon imported from developed (western) countries. This perception or trust amongst Ugandans has slowly developed into homophobia; an irrational fear, disgust towards acts of homosexuality or hatred against people who are or are thought to be homosexuals (Tamale, 2011, UAF-Africa, 2005). LGBT people are often disliked by their own families and societies and are sometimes forced to leave home. The cultural norms and religious beliefs are root causes of the homophobic reactions against LGBT community. Human rights activists and LGBT community advocates in Uganda have scattered abroad due to serious threats on their lives (Kakwera 2016)

For example, in January 2011, David Kato a prominent Ugandan gay rights activist was cruelly murdered with a hammer blow to his head within his own home following cultural anger towards his support for LGBT community as influenced by news media (Cheney 2012:77-79). “There had been cases of such similar attacks have had subtle, crucial and adverse consequences on LGBT activism across Africa mostly in the thirty-six countries Uganda inclusive, where laws that outlaws’ homosexuality with harsh jail terms and even death penalty” (Itaborahy & jingshu 2013), (FIS 2015) (Kakwera 2016)

Several other cases reported in Uganda have been influenced by political and religious groups pursuing tighter anti-homosexual laws in order to ensure complete exclusion of the gay community from the larger society. Whenever the subject of homosexuality is raised many consider LGBT people as those who are undermining their cultural values and are infected with western decadent lifestyle. The religious community in Uganda and their leaders has contributed vastly in keeping the flames of homophobia burning against LGBT people. Every anti-gay opinion expressed by these religious leaders further incites hatred and strengthen the possibility of physical abuse and attack on LGBT persons and their properties (FIS, 2015; DRC, 2014) (Kakwera 2016)

Generally cultural and religious beliefs in Uganda have significantly contributed towards isolation, exclusion, discrimination and all other forms of negative and public-

ly exhibited attitudes against LGBT persons causing loss of rights and protection afforded by law (UAF- AFRICA, 2005). (Kakwera 2016)

1.1 Problem Statement

The LGBT (Lesbian, Gay, Bisexual, Transgender) community has largely remained invisible within Uganda society due to stigma, persecution, discrimination, shame, fear of attacks and even death. Suspected individuals or identified homosexuals have become victims of extortion, rape and other forms of abuse from the society and the state. Relocating from Uganda to neighboring countries and Europe especially The Netherlands, has been a major option for most LGBT persons in the face of continuous threats to their lives and property. (FIS, 2015; DRC, 2014). (Kakwera 2016).

Although the Ugandan LGBT refugees and asylum seekers in the Netherlands are resilient and strongly determined to carve out new lives and pursue new possibilities here in the Netherlands, their aspiration and dream seems unrealistic in the face of new challenges and vulnerabilities confronting them. Ugandan LGBT person lack social interactions, suffer isolation due to their sexual orientation. Their immigration procedures are not giving expected priority because they are officially not considered as ‘group at risk’ (Jansen 2010) despite the well-founded fact that the Ugandan government criminalizes homosexuality and the Ugandan society at large still continues to persecute the LGBT community. Can they lead a safe life here in the Netherlands without supports from government and non-government organizations? Can the external conditions in the Netherlands position or support their internal capabilities to function maximally, achieve or become what or whom they desire to be? These are issues of serious concern and focus in this study.

1.2 Research Objective

To gain insights into the experiences of Ugandan LGBT migrants in The Netherlands in order to understand their opportunities, threats and challenges comparable to their country of origin.

1.3 Research Questions

a. Main Question

- How has the migration of LGBT people from Uganda to the Netherlands impacted their livelihood and safety?

b. Sub Questions

- What makes the Netherlands a safe place to live for LGBT persons from Uganda?
- What type of social, economic and or family ties do these migrant LGBT persons have back in Uganda
- How is the Dutch society helping them to overcome social discrimination, victimization and shame?

1.4 Justification

Ugandan LGBT persons in the Netherlands lack social interactions, suffer isolation due to their sexual orientation. Accessing available health care services is majorly difficult due to the far distance between the camps and the health facilities. On a day to day basis, Ugandan LGBT's are confronted and coping with subtle, religiously motivated discrimination from Muslims within the asylum camp, they are denied access to some shared facilities (bathrooms, toilet, kitchen) in the asylum camp as at when required.

The immigration procedure also imposes a heavy burden of proof on them concerning their sexual orientation because Ugandan LGBT persons are not considered amongst the LGBT 'group at risk' LGBT persons (Jansen, 2010) from countries such as Iran, Afghanistan, Eritrea or Syria despite the bad records Uganda holds against homosexuality and gay rights.

This research study therefore seeks highlight the need for Ugandan LGBT person's rights to equal opportunities, their ability to make choices in freedom and right to live safely devoid of all forms of fear, oppression, violence or discrimination (Bettio and Sansonetti, 2015f; Nussbaum 2013) which had been their previous experiences back in Uganda.

1.5 Proposed Methodology

This research study was carried out through strategic desk study and field work which included ; the administration of structured questionnaires/personal in-depth interview of selected respondents, and key informants, personal observations and the use of data/ records accessed from relevant authorities such immigration authority, LGBT related organizations and NGO's in the Netherlands.

1.6 Organization of the Research

This research paper is divided into six chapters. The first chapter highlights background of the reseach, research problem, objective, research questions and the justification. Chapter two is the literature review about LGBT community, their likely challenges, threats and opportunities as asylum seekers in the diaspora, definition of some key concepts and the conceptual frame work. Chapter three talks about the background to the area of the research, methodology used to carry out the research, methods of data collection, and steps adopted to ensure quality outcomes. The forth chapter talks about the research findings and Chapter five offers the discussions of the findings of the paper. Chapter six covers the conclusion and recommendations.

Chapter 2 Literature Review

2.0 Homosexuality in African culture

The myth that 'homosexuality is un-African' is largely based on the age long notion or argument by scholars, politicians and some lay people about the African culture especially when rights involving sexual sovereignty and reproductive autonomy are being asserted. The usual but mistaken claim that anything is 'un-African' is attached on statement that Africa is a homogeneous continent. Nevertheless, the truth however is that the Africa continent consists of several thousand ethnic groups with diverse, rich cultures and sexualities. (Amory 1997; Itaborahy and Jingshu 2013)

The history of African is loaded with many examples of erotic and non-erotic same-sex affairs.

In precolonial Africa, besides erotic same-sex desire their existed same sex activities for spiritual rearmament and source of territorial powers amongsts tribes such as the Shona and Ndebele in Zimbabwe, the Nupe tribes in northern Nigeria, the Azande tribe of Sudan and Congo, and the Tutsi in Burundi and Rwanda. The "existence of evidence of ancient cave paintings of the San tribe near Guruve, Zimbabwe showed two men engaging in some form of ritual sex" (Amory 1997 :5-10).

Many African communities, homosexuality was believed to be a source of magical powers that guarantees bountiful crop yields, good health, abundant hunting and that it helps ward off of evil spirits. For example in Namibia and Angola, "all the male diviners group like chibados," "quimbanda", "zvibanda," gangas" and "kibambaa"- were said to posses strong feminin spirits in them that could transfer to other male through anal sex" (Amory 1997 :5-7). The "effeminate males from the Langi tribe of northern part of Uganda were considered as women and as such could marry other men". History also recorded that the king (Kabaka) Mwanga II, of Bunganda kingdom was gay. The exisiting fact remains about the long history of several African peoples engaging in same-sex relations. Indeed, there are evidence suggesting that historical processes of colonization and religious missionization that had consistently altered African sexual practices (Amory 1997 :5-10).

Tamale (2014) argue that, it is not the issue of homosexuality that is un-African but the laws that criminalizes same sex relationships. In other words, it is the legalized homophobia, exported by the imperialists to the African continent where tolerance and indifference to same sex relations previously existed.

2.1 Social discrimination, victimization and shame: The Ugandan case

Penal code laws in Uganda were announced by the British since the late 19th century and from historical records, homosexuality in Uganda was not fully condoned but was not totally suppressed either (Tamale 2003:29). The anti-homosexuality laws wave currently sweeping across the Africa continent including Uganda is partly political in order to entrench undemocratic and repressive regimes (Tamale 2014). “Same-sex sexual affairs (Male/Male, Female/Female) have continued to be unlawful in Uganda since the Penal Code Act in 1950 was put in place, and anyone condemned can receive up to a life sentence” (ULII 2011, DRC 2014; FIS 2015) (Kakwera 2016).

In 2009, a Ugandan Parliament Member, David Bahati introduced a bill proposing tighter condemnations on homosexuality despite the existence of the 1950 penal code act. The anti-homosexuality bill (see Appendix 1) which was passed in 2014 by the Ugandan parliament received international criticism that flooded Uganda like a storm for endorsing one of the harshest anti-gay laws within the African continent. The passing of the Anti-Homosexuality Bill further worsened the existing hostile environment for LGBT people. (Kakwera 2016)

The Anti Homosexuality Act first proposed the death penalty for some homosexual acts, but that was later overturned by a constitutional challenge on a technical issue and vast international criticism in August 2014. Nevertheless, the government continues to criminalize LGBT people (DRC 2014) penalizing homosexual behavior, related practices and supporters with either fines and or prison sentences lasting up to 14 years. The enacted laws were crafted in such a way that serious penalties targets not only the LBGT community alone but also all those (individuals, companies, or non-governmental organizations) that seek to ‘promote’, aid or support homosexual activities, including homosexual marriages (DRC 2014). The absence of criminalization does

not demonstrate the absence of risk of persecution of LGBT persons or sufficient state protection (Itaborahy & Jingshu 2013) (Kakwera 2016).

Uganda is not the only country in the anti-gay campaign. Recently, Nigeria too put in place similar laws that criminalises homosexuality. Some African countries like Kenya, Ethiopia, Tanzania, Sierra Leone and Cameroon have also articulated their interests in emulating Uganda and Nigeria. More than thirty African countries have already banned consensual same-sex behavior (Tamale 2011).

Prison cells also have been designated as safe havens for LGBT people— whose sexual orientation, gender character or gender manifestation does not follow to heteronormative societal norms. Hence life imprisonment sentences are not regarded as due punishment for LGBT persons except the death penalty juries are being asked to consider (UAF-Africa, 2005; Mogul et al. 2011). (Kakwera 2016)

2.2 Concealment of Sexual Orientation and/or Gender Identity.

Generally, homosexuality in Africa has been blamed on western influence and colonialism. But throughout history, in many African societies, same sex relationships are not uncommon. Unfortunately, modern skeptics are ignoring factual history because homosexuality and same gender behavior dates back to time even before colonialism and or the intervention of religion in Africa (Itaborahy & Jingshu, 2013) (Kakwera 2016).

Stigma has largely contributed to the invisibility of LGBT peoples within the bigger society. LGBT individuals frequently keep aspects and sometimes large parts of their lives very secret. The private lifestyle of LGBT persons is therefore another (and not a choice) due to the indirect violation of their right to freedom of association, gender expressions and sexual relationships (UAF-AFRICA 2005) (Kakwera 2016). Today many LGBT persons defeat their sexual orientation and/or gender identity (SOGI) in order to avoid severe consequences when discovered, such as the risk of incurring

harsh criminal penalties, discrimination, arbitrary house raids/loss of property, societal disapproval, or even family exclusion (UNHCR 2012).

The fear being attacked and shame have also caused most LGBT persons to have little or no social contacts at all which further isolates them. Some LGBT persons have become victims of extortion and abuse from police and other law enforcement agencies and are often afraid to come forward to seek help from refugee organizations owing to stigma (DRC 2014: n.p) (Kakwera 2016). Arbitrary custodies by police are mostly built on either public information or family members reporting, implicating or even turning over their own son or daughter who are or suspected to be LGBT individuals (DRC 2014: n.p) (ibid)

Although the Anti-gay bill was considered null and void by the courts of law with support from the human rights activists in Uganda. But Houttuin in the article “captured the worries of some LGBT persons that a new law is coming up and may be worse than the previous one and may not protect them (Houttuin 2015: n.p)

The police in Uganda are not adequately trained and the various arrests of LGBT persons could be credited to lack of information of the laws talking about homosexual acts because these police officers are not able to differentiate between existing, repealed or pending laws to be approved by the Ugandan parliament (DRC 2014: n.p) (Kakwera 2016)

2.3 Influences of religious activism on homosexuality in Uganda

Religious fundamentalism has been implicated concerning the homophobia against LGBT community in Uganda basically because of the idea that homosexuality is immoral, and the average Ugandan on the street would justify homophobia as doing the work of God by getting rid of homosexuals from the land through public lynching (Jjuuko, 2013) (Kakwera 2016). Over the year’s evangelicals from the USA have had some subtle or indirect influence on African politics and issues affecting gay legislation by speaking out loudly against homosexuality within the African continent (Walker 2014; Mogul et al 2011). The two main popular religions in Uganda - Christianity and

Islam, have had considerable influence on the public reaction to the criminalizing laws by bringing the issue of homosexuality to the fore front and to public consciousness especially within nation's capital- Kampala the where various street demonstrations in support of the 'African family' were carried out. Evangelical churches in Uganda have been noted to be the ones initially fanning the flames for anti-gay rhetoric in Uganda since the mid-2000s. Although homophobia has always existed one form or another in most African countries but the current anti-gay rage is relatively new due to the fact that the religious community considers homosexuality as an abomination (Cunningham, 2014) (Kakwera 2016)

Some 'devoted' Christians within Kampala city considered the church an avenue to protest against immoral sexual conduct as homosexuality connotes. For example, University Hill Church (UHC) near Makerere Kampala with membership constituted mainly of current and past university students. This particular church has been deeply involved in the Anti-homosexuality bill controversy (Boyd 2013). A conference titled - the gay agenda; that whole hidden and dark agenda- was held in Kampala one month before Bahati's introduced the Anti-Homosexuality bill to parliament. Three US based evangelical missionaries; Caleb Lee Brundidge, Don Schmierer and Scott Lively were guest host to deliberate on the implications of homosexuality on the traditional Christian African family values. Their discourse to thousand that attend the conference focused on converting homosexuals into heterosexuals, dealing with the sodomy of teenage boys by gay men, the possibility of substituting sexual promiscuity within a society of heterosexual marriage and how to overcome the immorality/ wickedness of the LGBT movement and (Regan 2015) (Kakwera 2016).

The local organizers of the conference subsequently participated in drafting the controversial anti-homosexual bill. Scott Lively, (one of the invited speakers from the US) met with Ugandan lawmakers to further deliberate on details of the bill, which MP David Bahati afterward introduced to the Ugandan parliament (Regan 2015). Unfortunately all three US Evangelicals distanced themselves from the proposed Anti-homosexual law by expressing that they had no intention to be involved in the capital punishment proposed against LGBT persons especially Scott Lively. He outrightly expressed his disappointment for the severity of the punishment contained in the bill.

Rick Warren another influential US Mega church pastor within Uganda political elites, (personally close to the president and supporter of MP David Bahati), visited Uganda in 2008 and spoke on homosexuality equaling to pedophilia. Pastor Martin Ssempe is also another outspoken key figure in Uganda on the Anti-homosexuality bill. Based on his radical views, Ssempe has been known to burn condom just to illustrate that abstinence and marriage are key factors against the AIDs epidemic. (Regan 2015 ; Cheney 2013) (Kakwera 2016)

Christianity teaches faith that encourages, "Love thy neighbor as thyself" unfortunately, this concept has been ignored due to some top religious leaders who preach hatred. Pastor Martin Ssempe of the Community of Makerere Church and Pastor Solomon Male, executive director of Arising for Christ, had been noted to have organized an Anti-Homosexuality Coalition in Uganda. And even at a certain point some muslim also joined the team of coalitors against LGBTs. Infact, a two-million man-signature appeal for supporting the Anti-homosexual bill which was reportedly collected and presented to Parliament (Jjuuko 2013) (Kakwera 2016)

2.4 Relocation Alternative (Internal Flight)

The standard 'excuse' or rationalization for enacting the Anti-Homosexual Act Uganda has been that LGBT people are understood to be a threat to a set of African family values (Regan, 2014).

Internal flight (IFA) concept refers to relocation to specific places within the same country as an alternative to possibly avoid risk of persecution and the individual can reasonably be able to establish him or herself again and live a normal life (UNHCR, 2012). Intolerance towards LGBT persons tends to exist nationwide in several situations, and therefore an internal flight alternative or relocation is not a relevant alternative since it will be a continuous or rather new forms of persecution as long as LGBT person cannot conceal their sexual orientation and/or gender identity to be safe. Family members, friends, partners, employers and neighbors are usually the ones who inform the police who do not proactively pursue LGBT persons except when informed. For example, a local radio station aired programmes in Jinja town (in the Eastern Region of Uganda), that incited hatred against homosexuals and encouraged the local people to be

vigilant and report homosexuals to local authorities such as the police and LCs (DRC, 2014) (Kakwera 2016)

2.5 Forced Migration: LGBT Asylum Seekers

All over the world, LGBT persons are confronted with various abuses, severe discrimination, extortions, arbitrary arrests, violence, and lack of state protection simply because of their sexual orientation and/or gender identity (Richard, 2013). This situation is also true even in countries where the legal environment for LGBT persons is observed to be relatively progressive. Yet many LGBT persons because of their sexual orientation still feel compelled to flee their homes and country, seeking solace and safety in another country to claim asylum so that they express themselves without the fear of violence, prison or death (Hojem 2009, Levitan and Tabak 2013).

The migration of Uganda LGBT persons to neighboring countries or to Europe is not voluntary but forced. The social, political and even the economic situation confronting the LGBT community in Uganda is unpredictable. Many LGBT person or suspected persons are constantly extorted by the police, those with regular jobs are victimized, discriminated, marginalized within the work place or even sacked, which leads to a vicious circle of economic hardship for these LGBT persons in Uganda - a socially and politically biased environment against the LGBT community. Life is unimaginable and uncomfortable if LGBT persons have to contend with the negativity of the socio-economic and political climate of the Uganda society. (UNHCR, 2012; DRC, 2014).

Theorists like Calvin Thomas and Judith Butler have suggested that homophobia can be rooted in oneself fear of being recognized as gay (Burton 2012) which is the situation of the LGBT persons in Uganda. The advocates and allies of the LGBT community in Uganda are going underground for fear of being harassed, arrested, jailed or even killed. Many of them have therefore fled to Europe or neighboring countries like Kenya and Rwanda where there are no punitive laws (Jjuuko 2013; DRC 2014) (Kakwera 2016)

Respect for LGBT rights is not fully a worldwide issue since in many countries especially in Africa including Uganda. Yearly, millions of refugees, stateless persons, migrants and asylum seekers, are at risk of immigration detention because of attempts

to reduce illegal migration and protection of national security as an expansion of migration policies. And this is continually resulting to human rights challenge globally. (UNHCR 2013).

Table 1: protection risks confronting LGBT refugees in the country of asylum

Specific protection risks faced by LGBT Persons	
<ul style="list-style-type: none"> Physical and sexual violence, including beatings, abductions, honour killings, and rape (of women as well as men), often to make LGBT individuals conform to society's gender roles and to intimidate others by setting "an example". 	<ul style="list-style-type: none"> Criminalization of consensual same-sex relations and associated risks of arrest, detention, prosecution and punishment. Elevated risks of abuse in detention
<ul style="list-style-type: none"> Being compelled to conceal their sexual orientation and/or gender identity, due to fear of abuse, violence and loss of assistance. 	<ul style="list-style-type: none"> Discriminatory laws and practices relating to employment, housing, health care, education and family law and child custody, resulting in severe difficulties accessing basic assistance.
<ul style="list-style-type: none"> Family and community rejection, lack of support networks, and vulnerability to honour-related violence. 	<ul style="list-style-type: none"> Lack of access to safe and appropriate housing for at-risk individuals, which may further increase the risk of physical and sexual abuse and exploitation.
<ul style="list-style-type: none"> Forced marriage. 	<ul style="list-style-type: none"> Dependence on abusive relationships involving exchanging sex for protection, shelter or food.
<ul style="list-style-type: none"> Evictions from homes due to landlords and others discovering their sexual orientation and/or gender identity. LGBT refugees may move frequently. 	<ul style="list-style-type: none"> Transgender individuals may be at particular risk where their self-identification and physical appearance do not match the legal sex on official documentation.
<ul style="list-style-type: none"> Severe psychological after-effects (e.g. PTSD, depression or anxiety) relating to past and ongoing physical and sexual violence, exclusion, and other harms flowing from LGBT identity. 	<ul style="list-style-type: none"> Prejudicial health care and lack of access to HIV prevention and treatment. Transgender individuals often do not have access to the treatment they need, including transition related care.
<ul style="list-style-type: none"> Harassment, threats and insults, sometimes on daily basis, in the street, at places of employment and sites of assistance, such as health care clinics. 	<ul style="list-style-type: none"> Lack of means of support due to discriminatory employment practices, risk of dismissal and abuse if their sexual orientation is discovered, and boycotting of LGBT small businesses.
<ul style="list-style-type: none"> Reliance on survival sex work, exposing individuals to various physical dangers and health risks, including sexual and physical violence, and sexually transmitted diseases. 	<ul style="list-style-type: none"> Lack of access to food, including by being removed from food queues or turned away at delivery points.

Source : UNHCR, 2013

Many of these risks highlighted in table 1 above are also common in the country of origin of LGBT asylum seekers and are the various forms of persecution experienced by LGBT person. (UNHCR, 2013).

2.6 Asylum on ground of Sexual orientation

The Application of International Human Rights Laws in relation to Sexual Orientation and Gender according to Yogyakarta Principle was launched in 2007 by a group consisting of 29 human rights experts. The basic objective was to apply existing international human rights law in the area of sexual orientation and gender identity. The principles derived by the experts have received support from several countries (Hojem 2009: 5).

2.7 Definitions and Concepts

Terms telling sexual orientation and gender identity (SOGI) differ by region, culture, and language. Sexual orientation and gender identity are two broad ideas which allow space for self-identification. Several decades of research have shown that sexual orientation can range along a continuum which can include exclusive and non-exclusive attraction to the same or opposite sex (UNHCR 2012).

Table 2 : DEFINITIONS AND CONCEPTS

SEXUAL ORIENTATION	GENDER IDENTITY	OTHER TERMS
Refer to a person’s sexual attraction, capacity for emotional and intimate relations with individuals of a different or the same gender.	Refers to: “each person’s deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body and other expressions of gender, including dress, speech and mannerisms”	Asylum seeker: person who has made an application to be recognized as a refugee, but who has not yet received a final decision on that application.
Lesbian: A lesbian is a woman whose enduring physical, romantic and/or emotional attraction is to other women. Gay: is often used to describe a	Transgender: Is an umbrella term for people whose gender identity and/or gender expression differs from the sex they were assigned at birth. Transition: The process in which transgender persons align	Ally: Refers to individuals who support and advocate for a community of which they are not members. Intersex: An umbrella term covering differences of sexual development, which

<p>man whose enduring physical, romantic and/or emotional attraction is to other men, although gay can also be used to describe both gay men and women (lesbians).</p> <p>Bisexual: Describes an individual who is physically, romantically, and/or emotionally attracted to both men and women.</p> <p>MSM: Men who have sex with men. MSM may not identify as gay or bisexual.</p> <p>WSW: Women who have sex with women. WSW may not identify as lesbians or bisexual</p>	<p>their physical appearances with their gender identity.</p> <p>FtM: Female to Male transgender individual.</p> <p>MtF: Male to female transgender individual.</p> <p>Passing: This term is used to describe the ability of transgender individuals to be perceived as the gender with which they identify, i.e. a transgender woman is perceived as a woman by others</p> <p>Gender Realignment Surgery: Refers to medical procedures individuals may undergo to align their genitalia and physical appearance with their gender identity.</p> <p>- <i>Top surgery:</i> Refers to surgeries involving the realignment of a transgender individual's body through chest reconstruction.</p> <p>- <i>Bottom surgery:</i> Refers to surgeries involving the realignment of a transgender individual's body through genital reconstruction.</p>	<p>can consist of diagnosable congenital conditions in which anatomic, chromosomal, or gonadal sexual development is atypical. Intersex individuals may have biological characteristics of both males and females. People who self-identify as intersex may be viewed by others as transgender, as there may simply be no understanding of the intersex condition in a given culture.</p> <p>Heterosexual: Describes an individual whose enduring physical, romantic, and/or emotional attraction is to someone of the opposite sex.</p> <p>Homosexual: Used to describe LGB individuals, this medical term is not often used by members of the LGBT community because of negative connotations.</p> <p>Heterosexism: Describes institutionalized oppression against non-heterosexual individuals and experiences.</p> <p>Homophobia: Refers to hostility, negative attitudes, and/or fear directed at LGB individuals.</p> <p>LGB individuals who feel shame and self-hatred because of their sexual orientation are said to experience <i>internalized homophobia</i>.</p> <p>Transphobia: Refers to hostility, negative attitudes, and/or fear directed at transgender individuals.</p> <p>Queer: An umbrella term</p>
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		<p>encompassing a variety of sexual orientations and gender identities excluding heterosexuality. The term was originally used as a slur but has been reclaimed by the LGBT community to also refer to political ideologies and sexual/gender expressions not adhering to heteronormativity or a gender-binary.</p> <p>Questioning: Refers to individuals who are unsure of their sexual orientation and/or gender identity</p>
<p>Sources; UNHCR,2012; Heart Alliance, 2012</p>		

Chapter 3 Methodology

3.0 Study Area

The choice of the Netherlands for the study is instructive because of all countries in the world, a significant number of Ugandans have either sought there or are currently in the process of seeking refuge there. The preference of Ugandan LGBTs for the Netherlands probably might have been driven by a public speech/statement delivered by the Dutch Secretary of State Hon. Fred Teeven on 25-February-2014, when he came out to address the complaints of the LGBT asylum seekers and powerfully disapproved Uganda and Nigeria for the harsh laws and assured protection to all those that were in the Netherlands to seek for asylum based on discrimination as a result of their sexual orientation. He also assured them on making the policies toward entry procedures and the deportation arrangements for the failed LGBT asylum seeker to Uganda and ever since this speech a lot of LGBT persons have been legally allowed as refugees in the Netherlands.

3.1 COA Reception Centers

The Central Agency for the Reception of Asylum Seekers (COA) is responsible for reception, gives assistance and coordinates the outflow of asylum seekers from each reception facilities located all over in the Netherlands. COA also ensures that the reception procedure offers equal services and facilities to each asylum seeker. Ter Apel a village in the province Groningen, northern Netherlands is the Central Reception Location which welcomes all asylum seekers on arrival in the Netherlands. Most of COA's reception centers are regular asylum seekers' centers while few special camps locations exist for unaccompanied minors and other vulnerable groups.

COA conducts regular interviews with the occupants during their stay at any of the reception center and give practical assistance according to the asylum phase/procedure for each seeker. Practical information and orientation about the events within the asylum center and health care are given to the incoming occupants in partnership with Dutch refugee council, Municipal health service etc. The Immigration and Naturalisation Service and the Repatriation and Departure Service are also chain part-

ners that works closely with COA to support all asylum seekers in the Netherlands (EMN 2013).

3.2 Study duration

This research was carried out in 6 months (from June to November 2016) out of which a total period of 1.5 month (6 weeks - between July 2016 to August 2016) was dedicated to field work.

3.3 Target groups and respondents sampling

3.3.1 Access to target group

Access to the LGBT respondents was facilitated by Rainbow Den Haag LGBT Refugees (an organization that works with LGBT refugees). Most of the LGBT respondents were access during their monthly meeting/gathering organized the host organization. Other LGBT respondents that also participated in the research were outside the forum of Rainbow Den Haag LGBT Refugee group. LGBT respondents were randomly accessed with assistance from a staff of RDH after a brief introduction of the objective of the study and the ethical concerns involved were made known to the prospective respondents.

3.3.2 Desk study

Besides the review of literature, desk study also gave me the insights needed for the field work through background information which was employed to source data/information on the various immigration laws and policies on LGBT issues as well as on the literature on LGBT issues in both Uganda and the Netherlands. The study of the Ugandan LGBT population in the Netherlands was conducted with data sourced through ethnographic methods such as the use of personal in-depth interviews. Given the sensitivity of the research topic, personal face-to-face interviews were preferred because they provided the space for communicating empathy whilst building the trust and rapport necessary for eliciting the right responses from respondents. In instances where respondents refused to participate in personal experience sharing interviews, structured questionnaires were administered. These tools were used to source data on the subject

from key informants such as Dutch immigration authorities processing Ugandan LGBT asylum seekers; LGBT friendly organizations and NGOs in the Netherlands.

3.3.3 Data collection instruments

The methods applied during the data collection was considered appropriate within the context of gaining insights into the experiences of Uganda LGBT migrants in The Netherlands. The main data was collected through interviews aided by a check-list (see annex 2 and 3) for each category of respondents. The questions were open ended and were outlined by the researcher from the research objective to solicit relevant information, interpretations, understanding, challenges, opportunities and their experiences as immigrant LGBT persons in the Netherlands.

3.3.4 Observational data collection

This method facilitated by collection of data on items that would have been difficult or perhaps impossible to collect through questionnaires or check list interviews or direct questioning due to the sensitive nature of the research as respondents were reluctant to talk about their sexuality or sexual orientation. Majority of the LGBT respondents were those still in the asylum procedure.

3.2.5 Interviews

One on one in-depth interviews were carried out for each respondent after which a group discussion was later arranged to further collaborate the information gathered at individual level. The research topic was introduced to each responded after giving h topic again and the aim of the research and I guaranteed that nothing would happen to them especially those who didn't feel very safe. I would also ask for permission to record the interview and take pictures of which they were all hesitant but accepted to record their stories.

Fig. 1 Research Design

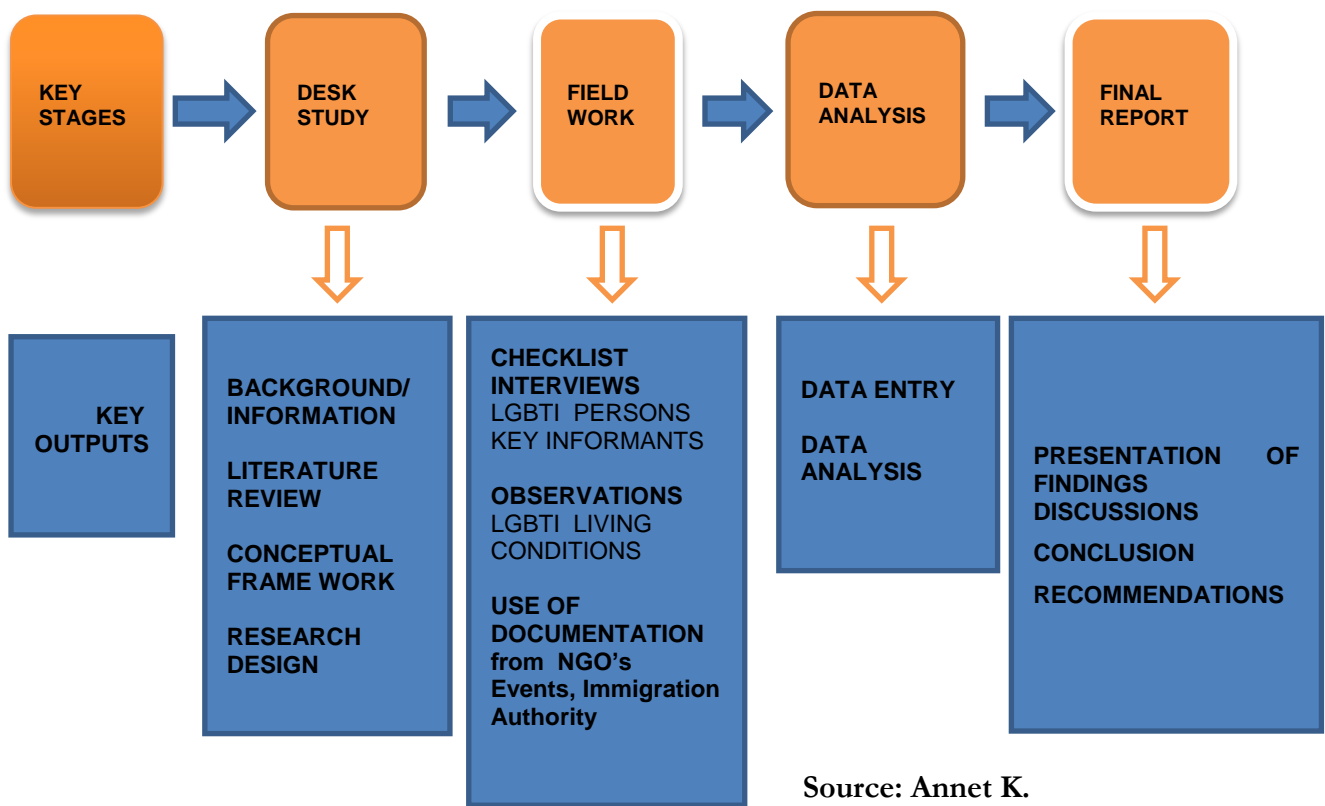
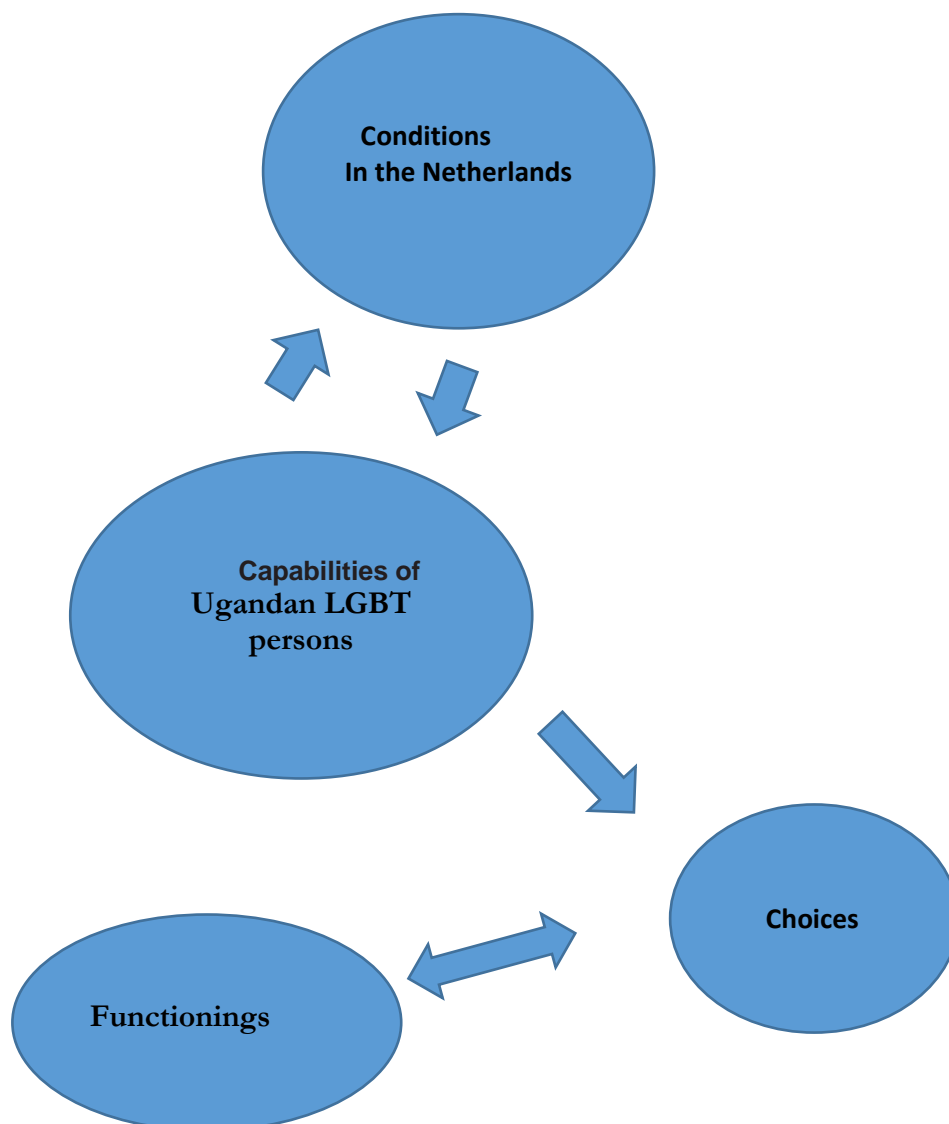


Fig.2 **CONCEPTUAL FRAME WORK**



Source: Annet K.

The above diagram is shows the theoretical frame work for this research project which is an adaptation that follows Nussbaum (2003) analysis of issues in development based on “capabilities” approach through to quality of life. Although capabilities approach,

human rights approach and gender mainstreaming can all be undertaken separately without any conflict or duplication yet they can all at same time complementary and mutually reinforcing each other. Gender mainstreaming advocates for the integration of gender based issues to development activities with the aim of achieving gender equality as the ultimate goal. While human rights-based approach makes analysis of inequalities embedded in development problems through and addresses the discrimination (including sex based discrimination) and unjust distribution of power that hinders the progress of development in human society (UNICEF, 2016).

The capabilities approach is a very practical and valuable way to address the issues of human dignity and fundamental entitlements entangled with issues of sexual equality.(Nassbaum 2003).This approach attempts to define human well-being from a personal and objective perspective by identifying a set of core human capabilities which are very critical to fulfilling human functioning and assessing human well-being (through success of development policies) by the extent which an individual circumstances can lead to the realization of these capabilities. Capabilities are referred to as set of (interrelated), real opportunities based on a person's ability to choose and to act in certain social situation(s).

The internal capabilities of LGBT person from Uganda require societal equity which cannot be effectively pursued outside the parameters of human rights framework, the same way human rights cannot be achieved as long as inequity exist /persists. Human right perspective on capabilities must be focused and accountable to the most deprived person within the society towards achieving sustainable progress and results (Unicef 2016).

Overcoming social inequalities requires that all forms of discrimination must first be identified, understood and challenged in order to achieve equitable and developed society one which the LGBT community must be empowered and given priority to shape the quality of their lives without fear or discrimination based on their sexual orientation (Unicef 2016).Internal or Human capabilities therefore termed to mean the totality of what an individual person is capable of doing or achieving (becoming) within an actual environment (the real world) they found themselves (Nussbaum, 2003,2011).

Capabilities are alternative combinations of functionings which are feasible to achieve for an individual person. Functioning's in the most basic sense consist of "beings and doings" or in other words can be referred to as the states and activities constituting a person's being to deal with the challenges of everyday living. The situation of LGBT Asylum respondent in this study is deprived and it reveals the structural exclusion and potential poverty which the state cannot address without providing the LGBT community with a voice and space to participate in decisions that are affecting them. Ugandan LGBT community require to be provided what they need and not what is generally provided for all persons within the asylum camp by the state which has power to shape the future of these LGBT person to a reasonable degree regardless of their internal human capabilities.

Comparing capabilities alongside functionings, it is important to state clearly that capability would mean the freedom of choice and the opportunity to make right choice(s) (Sen 1992; Nussbaum, 2000, 2003). Fig. 2 above indicates the external conditions or capabilities - political/social/economic environment /conditions provides the foundation upon which Ugandan LGBT persons in the Netherlands can function by making everyday life choices within the larger Dutch society. This theoretical framework therefore forms the conceptual frame work for this research work.

TABLE 3: Background Information of Ugandan LGBT Persons

AGE RANGE	No. LGBT
18-24	0
25-34	9
35-44	6
45-65	0
>65	0
SEXUAL ORIENTATION	
Gay (Male)	10
Lesbian (Female)	5
Bisexual (Male)	0
Bisexual (female)	0
Transgender (Male to Female)	0
Transgender (Female to Male)	0
Transsexual (Male to Female with surgery)	0
Transsexual (Female to Male with surgery)	0
Ally (Male/Female)	0
EDUCATIONAL LEVEL	
Primary	0
Secondary	1
University	6
Others (A-Levels)	8
None	0
YEARS OF GENDER IDENTITY	
<1 year	0
1-2 years	0
2-4 years	1
>5 years	14
From birth	0
Unknown	0
OCCUPATION (in Uganda)	
Drivers	1
Engineers	1
Hair stylists/Saloon	2
Managers/ Administrators/Admin. Assis-	8

tants(Administration)	
Communications	3
ANNUAL FAMILY INCOME (in Uganda)	
Less than \$1000	5
\$1000 - \$2,000	9
\$3,000 - 5000	0
\$6,000 or more	1
RELIGIOUS AFFILIATION	
Christian (Pentecostal)	8
Muslim	2
Orthodox	0
Catholic	5
No Religious Affiliation	0
IMMIGRATION STATUS	
Issued resident permit	9
Awaiting issuance	6
Denied Issuance	0

Chapter 4 Findings of the Research

4.0 Safety Issues in the Netherlands for LGBT Persons from Uganda

Relative to Uganda, field data collected indicated that Ugandan LGBT people coming to the Netherlands view the Netherlands as a safer place for LGBTs to seek refuge due to Dutch liberal laws and open social environment that protects the lives of LGBT persons and promotes their welfare. All 15 respondents interviewed agreed that living in the Netherlands is safer for them because the LGBT rights are recognised and respected.

“Personally find the Netherlands very safe compared to Uganda where even the police on the street can prosecute gay people as criminals at will” (male respondent 4).

orientation. For me, this country is really safe for gay people and my life is not at risk because I am openly gay” (Male respondent 6).

“For me, safety is really a big concern and the one very thing that i do not miss Uganda for at all because I could have been killed on the street like a dog due to suspicions about my sexuality. I just wanted to be treated as a human being not reduced to sexuality, gay or no gay which is just one tiny aspect of every man’s life. I just want a situation where I can contribute to the society, live a normal life and be happy the way I am not the way people think I should be or should have been” (Male respondent 5).

“I believe it is the issue of safety that made most LGBT persons to run to this country (Netherlands) in the first place for refuge. I know that this country legalizes same sex marriage and have liberal laws toward the LGBT people in general. This knowledge was what prompted me to come here also from Uganda, or else I may have been physically abused, severally raped, perhaps killed or even jailed if I had remained in Uganda who knows?” (Female respondent 2).

“Since I ha

“My life is very important to me. Very very important. Sometimes I wonder how people reason in the sense that gay people are bad and should be killed or jailed. Let’s not talk about death now, just imagine if they had jailed me in Uganda because of my sexual preferences how do I contribute to the Uganda society ? what happens to all knowledge acquired as a university graduate ? If you don’t bring up the issue of sexuality, I am as normal as any human being. Sometimes I think it’s because people are not in my shoes so they can’t know how it feels to be hated ” (Male respondent 1).

“The Netherlands is safe to live as an LGBT person regardless of the country you come from. I’m really grateful to God that I left Uganda even though it was difficult process for me both financially and emotionally. I know friends who have been seriously beaten and wounded by some crazy boys in the neighborhood. I think the anti-gay law actually empowered them to carry out this crazy acts against the LGBT people” (Female respondent 11).

“In the Netherlands, no one seems to bother if you are gay or not. Atleast that is my understanding so far since I haven’t seen any public beating or stoning of gay person unlike what I had seen several back in Uganda. In this country, everybody seems to be minding their own issues and business. But in Uganda, it’s like you are practically being hunted as a moving target even if you think you are hiding”. (female respondent 15).

“Let me tell you, a lesbian friend of mine who jokingly told a guy that she is a lesbian just to avoid the guy’s nasty advances towards her. If not that she quickly confesses that I was using that to tell him, I don’t like him. Do you know she would have been badly beaten up on the street in public when the guy made a public show because she rejected him? The issue of homosexuality is tough and like a taboo in Uganda even if you are just joking about it can still have serious consequences too. This country is tolerant and safe compared to my country Uganda” (female respondent 13).

4.1 Welfare and Living Conditions of Ugandan LGBT in the Netherlands

4.1.1 Education

Six (6) respondents who had undertaken university education in Uganda (as shown on table 3) indicated they would prefer to enroll for further studies in order to better their lives through job opportunities within the Dutch job market.

“I know that education can further improve my welfare and create more opportunities for me within the formal work place” (Female respondent 15).

“As a gay person living in a developed country like this...education is important in order to remain competitive in the job market. Even though the government can make education free for us as refugees nevertheless accessing it seems difficult because we don't have enough information on how to go about things and moreover, this asylum camp is very far from towns and cities where the likely schools are located and that makes it costly going to school. There are also lots of procedures to follow before you start school and a lot of paper works” (Male respondent 7).

“I actually dropped out of high school because of fear that I may be victimized sooner or later after the gay bill was passed in Uganda. I am hoping I can continue my education here somehow in the Netherlands as soon as I have the means” (Female respondent 13).

The remaining 9 respondents indicated that Dutch classes would probably be the only form of education that they require for now;

“What I have now is a temporary status, once I get my 5 year permit here in the Netherlands, then I shall seek further studies especially the language classes since this makes it easy for one to easily get a job or work to do and it's also a requirement for one to qualify for a permanent stay here” (Female respondent 2).

4.1.2 Work/Employment - Opportunity

More so, eight (8) respondents indicated that employment opportunity/working condition in the Netherlands is better than back home in Uganda because there are also equal rights at work for everyone without any sexual discrimination.

“Back home in Uganda, it is not possible for an LGBT person to access work due to the increased homophobia. Infact, any organization or company suspected to employ gay people, can easily loose its license or be entirely closed down. That is why a lot of companies have sacked those they consider as gay. Just for example, a former female journalist working for NTV (a famous TV station in Uganda) was sacked after she was found kissing a fellow female colleague in the toilet” (Male respondent 5)

The remaining 7 respondent interviewed instead do not see so many possibilities and underline that the Dutch language is a big barrier to employment opportunity and working environment.

Two notable comments by respondents indicate this below;

“As long as one understands the Dutch language then the jobs are available. Finding employment in the Netherlands is not easy because of language barrier.” (Female respondent 11)

“Although as asylum seekers, we are entitled to free (I mean paid for by the government) Dutch language classes, yet it is not easy to learnt this language. And the inability to learn language eventually affect the opportunity to find jobs, even cleaning jobs can you imagine?” (Female respondent 12).

4.1.3 Health Services

All the 15 respondents interviewed admitted that access to health care is much better in the Netherlands compared to Uganda. They found health care system in the Netherlands to be inclusive and does not discriminate based on sexual orientation. I also observed that there were Asylum Seekers Health Centre (GCA, Gezondheidscentrum asielzoekers) which offers free health services on the asylum camps site visited.

“For me and also for so many other LGBT person especially from Uganda, I believe that the Netherlands is still a better option for us Ugandan LGBTs since it is easier to access free health care/counselling services once you are properly registered within the asylum procedures or once you have valid health insurance policy in place” (Female respondent 13).

“Like me, every LGBT person has a health insurance card to help us gain access to health services, including access to free HIV/AIDS counselling and testing services unlike in Uganda where actually HIV/AIDS is on the rise amongst the LGBT community because it is difficult for an LGBT person to access any health services in the first case”. (male respondent 7).

“I cannot compare medical/health services available to LGBT persons in the Netherlands to the type of poor medical services obtainable in Uganda where, even if a doctor is being suspected to be treating or offering medical advices to LGBT people, such doctor can lose their practicing license. The homophobia in hospitals back home in Uganda too is also very high.” (male respondent 8).

The distance from the asylum camp is far to the available health facilities thereby making accessing health services is in most cases difficult since the Uganda LGBTI person have to travel long distances to reach hospitals or clinics. And besides that, there is also the challenge of communication due language barrier at the clinics/hospitals which is dangerous in cases of emergency.

“This country is different from Uganda in the sense that you can only see the doctor by appointment fixed so strictly on timing. For me it’s strange because in Uganda you don’t have to book appointment to see a doctor. This is quite risky. I know of a friend of mine who told me a sad story about a foreign student in one of the university in this country who died in his room 3 days before he was discovered. Ever since I heard that story I am thinking that he may have died before his appointment date with the doctor. Who knows? Most sickness or illness these days may not require an emergency situation” (Female respondent 2)

4.1.4 Housing

In addition, all the 15 respondent indicated that they did not have any accommodation challenges or problems. This is because asylum seekers in the Netherlands

regardless of sexual orientation are assigned temporary accommodation in the asylum centers during the procedures. Upon successful asylum procedure LGBT persons are entitled to and are allocated permanent housing. Nevertheless 2 respondents raised concerns about the general operation method of the asylum camp that it can be compared to being in a solitary confinement.

“I really cannot complain about the accommodation here in the asylum. It’s far more comfortable compared to being in Uganda where such accommodation in the first place cannot be given to LGBT persons whom the entire society don’t consider as human beings. Most land lords refuse to rent you their houses once they suspect you to be gay even if you have money for the rent’. It is as bad as that. So accommodation in the Netherlands is better and above all it’s free for us” (female respondent 14).

“Besides accommodation, there is provision for everything else which includes food, beddings and sometimes clothing. this is sharp contrast to the situation back in Uganda because even if your parents suspect you to be gay, they can disown you and throw you out of the house or can call in the police to pick you up” (male respondent 1).

“In this asylum camp we are just living together but not really together. How can one wake up every being idle, no one to really communicate to even though you have room mates and neighbors? Everyone seems to be depressed or troubled with one issue or another. There is a strange sense of isolation from each other in our minds more like being locked up. And that is not a good atmosphere to thrive in” (female respondent 15).

4.1.5 Overcoming Social Discrimination, Victimization and Shame

From field work observations LGBT persons (including those from Uganda) still experience some measure of discrimination and victimization within the asylum camp settings. 8 respondents stated that they have never experienced any form of discrimination or victimization directly or indirectly, 4 respondents indicated that they have not had any personal experience of discrimination but they are aware of such cases of discrimination in the past toward some LGBT person whom they know.

Only 3 respondents indicated that they have personally experienced some form of discrimination as LGBT persons within the asylum camp by heterogeneous group particularly those of Islamic faith/background as indicated below;

“well you may not readily agree that we go through some discrimination, but I feel that when transgender persons are not given the maximum attention in little things like designated bathroom/toilets as required, then that is discrimination I suppose” (male respondent 10).

“For me, I have been called funny names by those people who consider themselves as straight or normal people. I have endured worse things than that back home in Uganda so such minor issue as name calling or avoidance by even my roommates don't bother me anymore” (female respondent 12)

“I have a roommate who refuses to allow me use his pressing iron for my clothes because of his religious believes on the issue of homosexuality. Sometimes I used to think hiding in the closet is better. People are just so naïve “ (Male respondent 2).

Chapter 5 Discussions

This chapter shall discuss the findings in chapter 4 in the limits of the research questions and responses provided by the 15 Uganda LGBT respondents that participated in the study. The main objective of the study was to gain insights into their experiences, opportunities and challenges as LGBT migrants from Uganda living in the Netherlands. However, the discussions in this chapter may contradict the popular assumption that the Dutch society offers a friendly and welcoming environment for Ugandan LGBT persons and or the LGBT community in general.

5.0 Safety Issues in the Netherlands For LGBT Persons from Uganda

The main analysis of the interviews had with the 15 Ugandan LGBT respondents gave insight to safety issues surrounding the Uganda LGBT community here in the Netherlands and back home in Uganda. The introduction of the Gay bill to the Uganda parliament in 2009 and the subsequent passing of the same bill into law in 2014 have led to the criminalization, penalization and open discrimination of LGBT community in Uganda.

As a human rights advocate, I share and uphold the belief that everyone in Uganda should have the right to openly express their sexual orientation and preferences basically the same way there is freedom of religious expression. But then the gay bill came along with heavy punishments ranging from life imprisonment to even death penalty. Although the bill was repealed all 15 respondents clearly indicated that the Ugandan society and the state still shuns, openly harasses and punishes the LGBTs persons resulting to wide spread fear and panic within in the LGBT community.

“Back home in Uganda, our lives are constantly at risk. You are not sure where persecution can start from at any time without warning. Maybe from the people on the street, the government that should protect us as citizens or even our own family members. For example,” (Female respondent 13)

“Safety? hmnn.... Ok let me give you one example out of many. During a recent gay pride parade which took place in Uganda sometimes back. The police

suddenly came and disrupted the parade, arrested many participants and one participant in an attempt to escape police arrest, fell off from top of a building and broke his ribs.” (Male respondent 5)

Ever since the passing of the gay bill, Ugandan LGBTs have been harassed, abused, killed in their homeland and some have been fortunate to have fled to western countries such as the Netherlands in search of safety freedom of expression and above all a better life. Although the entire 15 LGBT respondent interviewed agreed to the fact that they were relatively safe from all apparent bodily harm/societal threat which was the case back in Uganda. Nevertheless, they expressed reservations towards the immigration procedure they are undergoing which they considered as not considerate towards them who has faced heightened levels of harassment, psychological abuse and sometimes sexual violence.

In the light of this, the absence of official cultural orientation or forum within the asylum camp (which could promote easy integration and encourage tolerance for all peoples) in due time may begin to cause setbacks or erode the safety perceived by the Ugandan community within the Netherlands. It may not be out of place for these Ugandan LGBT persons to have certain threshold level of combined capabilities including substantial freedom to choose and act that without any form of coerced functioning within the society resulting from non-safety issues about their lives and properties. Treating all people with equality in terms of respect and safety brings out basic capabilities and unlike when only skilled persons are giving better treatment. But on the contrary, those who need more help and attention to get the needed threshold (Nussbaum 2011).

5.1 Welfare and Living Conditions of Ugandan LGBT in the Netherlands

Nussbaum (2011) argues further that, capabilities are very important in a sense because of how it leads to functionings-"beings and doings" or in other words, the states and activities constituting a person's being to deal with the challenges of everyday. This argument is founded upon the fact that it would be odd to conclude that a society is a good if the people therein never functioned at all if their internal capabilities are not support by conducive external factors (the environment). In a sense such

internal capabilities would definitely become non-significant if there is no freedom of expression or choice upon which they can achieve desired goals possible in life.

Although accommodation in the asylum camp is provided for the LGBT persons participating in this research work, nevertheless their living condition due to the strict and rigid operational procedures of the asylum camp make it look similar to a normal prison setting. The refugees at the camp are allocated individual rooms with shared facilities with other refugees. From observation and personal interview with the respondents, life within the asylum camp is strictly regimented. Occupants are expected to sign and observe certain house rules called 'rights and duties'.

Everyone is expected to wake up by 6am and be ready for breakfast consisting of bread, cold milk or fruit juice at 7am. In between breakfast and lunch, a piece of fruit (banana or apple) is served. Same menu for breakfast is repeated for lunch while hot meal of either rice or macaroni is usually served for dinner at around 5:30pm.

For example, after dinner is served at 5:30pm, everyone is expected to go to sleep by 7pm and 2 respondents made comments such as forced sleeping time and food served.

"I am not used to eating dinner so early like 5:30 pm because by 9pm or so I'm already hungry again because apart from eating early, the portion served is also small for me and it's quite difficult to sleep when I am hungry. How I wish I can have the freedom to control my eating time in this place like when I was back home in Uganda" (Male Respondent 4).

"life here in this asylum camp is more like that of a prisoner. I imagine being served a small pack of cold Juice and bread for breakfast and lunch every day and that small food for dinner then one is expected to sleep on that at 7pm? Even prisoners are better than us because at least they can sleep with a warm blanket, but look at us" (male respondent 6)

"The only thing I really don't feel comfortable about in this camp is the bread in the food they serve us here. I naturally don't really like eating much of bakery product such as bread and that is what we are served twice here in this camp. I usually skip the bread either at breakfast or at lunch. So I basically just eat only twice or sometime only once which is the hot meal dinner" (Female respondent 13).

Moreover, capabilities are supposed to be held important and strictly individual as it can be for each person and which unfortunately is not the case of the Ugandan LGBT respondents that participated in this research study. The general living conditions and setting within the asylum camp visited for this research would not be said to have aligned with the Nussbaum's 10 capabilities approach theory especially points 6, 9 and 10 (see appendix 7). 9 respondents (see income section of table 3) actually pointed out that they led a very comfortable life back home in terms of income/employment compared to living here in the Netherlands where all are restricted to sit and wait to be catered for, having no ability to access preferred jobs due to several restrictions (such as language, work permits) or have any form of control over their own lives on day to day basis. It was therefore a notable evidence of unhappiness on their part as adults not to be in charge of even minor issues that affect their lives such as when to eat and what to eat and when to go to bed.

“Apart from the freedom of sexual expression which is although an integral part of what I desire in life...I can't stop feeling that this asylum camp is like a prison. I mean beside all the rules and regulations in here, It's far from everywhere I would have love to easily visit” (female respondent 2).

Generally, Ugandan LGBT community identified some critical health problems caused by the traumatic life before their flight to the Netherlands while 4 respondents agreed that health problems majorly can be rooted deeply in the distressful hopelessness feeling living in asylum camp with little or no hope for a better future due to the perceived strict immigration procedure (Dijk & Dongen, 2000). Looking at the points 6,9 and 10 of the capability approach theory, the Ugandan LGBT person within the asylum camp face restriction toward their ability to play and enjoy recreational activities, experience little or no control over their living environment, and have no rights to political participation even though technically they are residents, nor do they have rights to seek preferred employment without language restrictions or discrimination based on non-citizenship status.

One notable comment on this reads;

“There is actually no place like home as the adage says. even if I there is freedom of sexual express here in the Netherlands, I will be the first to return home if the government and Ugandan people change positively towards gay people in the nearest future. Imagine having one freedom (sexual expression) here in the Netherlands and at the same time losing so many freedoms which I had back home in Uganda such as; sleeping, cooking and eating what I like and when I like. Yet the immigration people don’t believe my story that I’m gay. Can you imagine?” (Male respondent 8).

On a general note from observation and from the interview sessions, majority of the LGBT respondents believed that their welfare and living condition seems to fall below their expectation or that they are being subjected to indirect solitary confinement, which in turn is gradually having psychological and physical health consequences which the state cannot justify for people who had previously suffered tremendously from their home country.

5.2 Discrimination and Victimization of Ugandan LGBT Persons in the Netherlands

The Ugandan LGBT asylum seekers in the Netherlands, may seem to have freedom of expression of their sexual orientation and association, yet there is still some subtle form of discrimination and racism being experienced based on their skin color /race. Regardless of all the progressive and pro-LGBT laws, policies and enabling social environment, the Ugandan LGBT’s, and the LGBT community in general still encounter challenges here in the Netherlands. The 15 LGBT respondent interviewed in this study who were undergoing their asylum procedures felt they have been treated collectively by the state either as refugees, LGBT persons or as Ugandans rather than treating them as human beings first of all without any classification, categorization or grouping.

During my field visit to Ter Apel asylum camp in particular, I noticed the indifference created by other asylum seekers of Moroccan origin who obviously did not want to cook with others in the shared kitchens. Their action was religiously induced and that is risky for the LGBT community within the camp. 3 LGBT respondents confirmed that some devote Muslims asylum seekers considered it to be dangerous for them to share rooms and bathroom with gay people.

Community in a way give a sense of togetherness and security but that is not the experiences of the Uganda LGBT even though there are no visible or immediate physical threat to their lives from any of the asylum inmates at as the time of this research.

During the field work, internal discrimination was found to exist within the LGBT community itself in this country.

“I know a gay brother in Rotterdam who told me how he and his friends have been denied entry several occasion to one of the famous gay bars. There was no concrete reason given to them, by the bouncer at the door than” try other places where people of your color is”. After these kind of discrimination based on their skin color, they just buy their drinks and enjoy themselves at home”. (Male respondent 2)

“I think my dressing and physical appearance alone also is irritating some people in this camp even if they are not verbal about it. For me I don’t care. I just hope I can have my immigration procedures sorted out early and I get out of this camp” (male respondent 10)”

“As a lady, I have heard terrible remarks in public places, even outside this asylum camp. I have also had advances that I would personally consider as harassment in spite of the progressiveness LGBT laws in this country. I can confirm that there are problems of discrimination and disrespect against LGBT community compared those our straight counterparts” (Female respondent 12).

There is no doubt that the LGBT respondents are people who have been traumatized already back home. Ugandan LGBT persons are frustrated/reluctant to pursue protection claims against discrimination due to lacks of opportunities for voluntary, safe and dignified disclosure of their sexual orientation and/or gender identity. Non voluntary or forced disclosure (proof) of sexual orientation and/or gender identity during the asylum procedure is not only a violation to their personal dignity but also set them apart for open discrimination and possibly risk of harm within the asylum camp. Relevantly to social justice may not be achievable in practical terms if the state and the civil society cannot set out priorities and understand of capabilities.

There is no doubt that the Uganda LGBT respondents are people who have been already traumatized and they harbor in their bodies and mind all the trauma, and pains

experienced back in Uganda. They are also concerned that the Dutch government should acknowledge the seriousness of their difficult position in the camp and Dutch society at large. 7 out of the 15 Uganda LGBT respondents in this study acknowledge that life in the asylum camp is monotonous and generally distressing. Uganda LGBT persons feel helpless that there is nothing within their power they can do change or improve the situation in the camp

Non voluntary or forced disclosure (proof) of sexual orientation and/or gender identity during the asylum procedure is not only a violation of their personal dignity but also set them apart for open discrimination and possibly risk of harm within the asylum camp. The LGBT respondents are frustrated/reluctant to pursue any protection claims against discrimination due to lacks of opportunities for voluntary, safe and dignified disclosure of their sexual orientation and/or gender identity. Achieving social justice may not be relevant in practical terms if the state and the civil society cannot set out priorities and understand that the capabilities of The LGBT respondents are interwoven with their human rights.

From observation, Ugandan LGBT respondents in the asylum camp were virtually idle due to lack of social interactions. Most LGBT people in general suffer isolation due to their physical appearance and perceived sexual orientation and are constantly embarrassed and uncomfortable sharing sleeping rooms/bathroom with other straight people in the asylum camp.

Priority is not given to immigration procedures of other LGBT refugees comparably to applicants from countries such Syria and Eritrea. The LGBT persons also from Afghanistan and Iraq are officially considered as "groups at risk" with unclear criteria for their categorization and limited proof of burden about their sexual orientation or risk of persecution (Jansen, 2010).

“There is so much delay in the way COA process our cases. They obviously don’t consider the Uganda LGBT community, not even us who come from country well known to be brutal against all LGBT rights. They rather consider the Syrian’s and Eritrean refugees as if they are the only ones needing the most attention. For me I think that is official discrimination” (Female respondent 2).

Recent focus on issues of migration and human rights is inadequate and still far from addressing the root causes of migration especially forced migration and the inter-

relationship it has with human rights. Any society that promotes one of the combined capabilities (internal human capabilities and external conditions) over the other or neglects any group of people has only shortchanged its citizens and it will result to failure of justice (Nussbaum 2001).

Indifferences exhibited by other asylum seekers was also observed particularly a Moroccan man who did not want others to cook the same time as himself in their shared kitchen especially those he perceived are gay people.

“It’s good that you saw for yourself how that Moroccan guy has behaved. And that wasn’t his first time of behaving that way. One day I had a quarrel with a Moroccan guy who had refused me to use the cooking stove. During the argument, some other Moroccans people gathered against me and started insulting me about my sexual identity. It actually took the efforts of the Police (Tigon) to separate us that day. I was later transferred to another room with where Ugandan are. But nothing was done about the abuse about my sexuality” (male respondent 4).

“The last time I felt sick, I was alone in the house, and called the ambulance and the unfortunate response was to wait until the following morning because of where I live is quite distinct from the hospital. I don’t know if this was because they know my sexual orientation or any other information could be responsible”. (Male respondent 6).

There are trained or developed traits and abilities, in most cases, developed abilities emanates from familiarity and interaction with the political, economic, social and environment. (Nussbaum, 2011) but the Ugandan LGBT respondents in this study have restricted access to some of the above-mentioned competences”. Ugandan LGBT persons may find it hard to meet their expected abilities in the Netherlands due to their discriminative experiences.

All humans have the same capabilities for functioning in a diverse social and or cultural setting when and if the rights and freedom to act (which are very important for a good human life) are made available. Provide the means and avenues through which internal capabilities can express it through choice for the functioning needed within the society. Uganda LGBT respondents may not be able to function within the Dutch society based on having internal capabilities alone without also having the opportunities or

freedoms created by a the economic, political, social, and c environment (Nussbaum 2003).

It is clear enough that personal characteristics of these Ugandan LGBT such as emotional and intellectual capacities, movement and perception skills, state of health and bodily fitness, internalized learning and other personality traits are highly relevant to his or her "combined capabilities,". Combined capabilities are a distinctive task of a decent society since it helps to promote those important human capabilities which supports the development of internal capabilities through an education, and systematic of enhancement of physical and emotional health amongst the Ugandan LGBT person here in the Netherlands. Gender equality offers everyone including the LGBT community the opportunity to make the most of their through the ability to make choices in freedom and safety, Right to equal opportunities and the right to live a life without fear of any form of violence (Bettio and Sansonetti 2015 ; Nussbaum 2013). It is equally important for immigration policy makers to set priorities for public planning /development process that effectively incorporate the LGBT community with the central goal of achieving capabilities needed by every citizen to perform various functions that are important within the larger Dutch society (Nussbaum and Glover 1995).

Chapter 6 Conclusion and Recommendation

6.0 Conclusion

Netherlands clearly has a long way towards achieving a true society of equality between the LGBT community and hetero- sexual individuals, regardless of the global image of tolerance and pro-gay law shown to the world. The findings of the research study highlight the need for a closer look at the external factors that supports the internal human capabilities which the LGBT respondent may have already possessed. Basic capabilities are the innate faculties of an individual person that later makes development and training very possible. (Nussbaum 2011). Ugandan LGBT refugees and asylum seekers in the Netherlands are constantly opposed with very unique encounters and vulnerabilities, their determination and elasticity to carve out new exists and begin to pursue new possibilities here in the Netherlands if the external conditions position them for success. They can continue to lead a safe life here in the Netherlands with supports from the government and NGO's who can effective best practices and offers tailor services that meet specific needs of the entire refugee community (especially the LGBT community).

Nevertheless, this entire research work has given the insights into the opportunities and challenges confronting the Ugandan LGBT refugees and asylum seekers here in the Netherlands after hearing their stories and observing their situation and circumstances within the asylum camps. The research findings indicated that LGBTs also have access to all basic services that make life worth living such education, healthcare, housing, employment and a monthly stipend for living expenses for those asylum seekers not working or are unemployed.

The researcher's experiences, regardless of the challenges encountered by the Ugandan LGBT asylum seekers is that the Netherlands is by far a safer and better a place for these Uganda LGBT to freely express their sexuality and sexual orientation compared to Uganda where they lived in constant fear of their lives due to persecution, prosecution, lack of welfare and in denial most fundamental human rights. This notion is due to the existing liberal laws and policies here in the Netherlands that protects and safe guards the LGBT community in general regardless of race, ethnicity or country of origin.

6.1 Recommendations

Increasing public acceptance and understanding of refugees' and asylees' issues of the LGBT community at large and specifically the LGBT persons from Uganda. Public officials, NGO's and other social work professionals in healthcare, law enforcement and education therefore can play prominent roles in ensuring that fundamental rights of everyone are promoted and protected within the Dutch society regardless of their culture, sexual orientation or country of origin. The public awareness towards the plight and rights of LGBT people will definitely create a more conducive atmosphere not only within the asylum camps but also within the larger community where they shall be integrated after their immigration procedures are over.

State can specifically provide and prioritize LGBT-sensitive screening process that enables opportunities for voluntary, safe, confidential and dignified disclosure of sexual orientation and/or gender identity within regular immigration procedures. On the other hand, the Dutch government can create diplomatic dialogue with the Ugandan government to influence, solicit and advocate that Uganda as a nation should positively step up human rights policy especially towards the LGBT community.

The Central Agency for the Reception of Asylum Seekers (COA) in accordance with her available resources, organizational capacity should consider adapting practical approaches and interventions focused on the individual circumstances of LGBT persons. Establishment of recreational indoor and outdoor sporting facilities within the asylum camps can further create a lively environment, improve social interaction and community amongst the LGBT persons themselves (and with other people in the asylum camp) and can also help to either develop and or revive any dormant sporting talent(s) amongst LGBT persons.

The immigration application, procedure, assessment and interviews at the IND (Immigration and Naturalisation Service) should be flexible considering the sensitivity surrounding sexual orientation issues, void of discrimination or preferences to LGBT persons considered as 'group at risk' alone. Priority should be giving to all LGBT people from all countries where criminalization of homosexuality exists rather than tasking LGBT applicants from the non 'group at risk' with burden of proof which is hard to

officially and practically established. The Dutch government can work closely with the LGBT community leaders and other grassroots organizations in order to combat all shades of discrimination to achieve equality under the law for homosexuals and heterosexuals, provide protection and unique psychosocial support services designed to meet the needs of LGBT persons and thus prevent them going through their immigration procedures with feelings of isolation, deprivation or worse as if they are in a prison or detention camp.

I sincerely believe this research project and the recommendation therein will further lead to improvement of the situation of Uganda LGBT asylum seekers in the Netherlands who have in recent years experienced prejudice and intolerance from Uganda but have now found some atmosphere of safety, comfort and freedom in the Netherlands as their country of residence.

6.1.1. Future research opportunities

The covered the experiences, opportunities and challenges that faced the Ugandan LGBT migrants in the Netherlands. This current study was focused on the Uganda LGBT persons functionings within the larger Dutch society. However field work revealed some measure of gay to gay discrimination as discussed in chapter 5 sub section 5.3. In view of this, as a researcher, i suggest the possibility of an additional study that can comprehensively highlight the internal discrimination and any possible victimization existing within the general LGBT community in the Netherlands due to race, language, skin color or any other identifiable discriminatory factor(s).

References

- Amory, D.P. (1997) " Homosexuality" in Africa: Issues and Debates', *Issue: A Journal of Opinion* 25(1): 5-10.
- Ashford A., n.d .Why Christians should embrace same-sex relationships. (Accessed on 20/06/2016) <http://www.religioustolerance.org/ashford01.htm>
- Boyd, L. (2013) 'The Problem with Freedom: Homosexuality and Human Rights in Uganda', *Anthropological Quarterly* 86(3): 697-724.
- Burton L.L., 2012. Repression Aggression against an Entire Population in the Name of God. (Accessed on 21/06/2016) www.politicususa.com/2012/05/19/hate-self-loathing-jesus-land.html
- Bruce-Jones, E. and L. Itaborahy (2011) 'State-Sponsored Homophobia: A World Survey of Laws Criminalizing Same-Sex Sexual Acts between Consenting Adults. ILGA, the International Lesbian, Gay, Bisexual', *Trans and Intersex Association report*.
- Cheney, K. (2012) 'Locating Neocolonialism, "Tradition," and Human Rights in Uganda's "Gay Death Penalty"', *African Studies Review* 55(02): 77-95.
- Cunningham J, 2014. Pride and Prejudice: Life under Uganda's 'Kill the Gays' bill. (Accessed on 7/06/2016) <http://www.seattleglobalist.com/2014/06/27/uganda-anti-homosexuality-bill-pride/27155>.
- DRC, 2014.situation of LGBT persons in Uganda. (Accessed on 23/08/2016) <https://www.nyidanmark.dk/nr/rdonlyres/c0bc7d6b-c3e0-46da-b151-ea7a28e4362f/0/situationoflgbtpersonsinugandafinal.pdf>
- FIS, 2015. Status of LGBTI People in Cameroon, Gambia, Ghana and Uganda:(Accessed 24/09/2016)http://www.migri.fi/download/64429_Status_of_LGBT_I_people_in_Cameroon_Gambia_Ghana_and_Uganda_3.12.2015.pdf?4037f57af28dd388
- FRA (European Union Agency for Fundamental Rights) 2016. Professionally speaking : challenges to achieving equality for LGBT people. (Accessed on 16/08/2016) http://fra.europa.eu/sites/default/files/fra_uploads/fra-2016-lgbt-public-officials_en.pdf
- Heartland Alliance for Human Needs & Human Rights, 2012. A practical guide to resettling LGBT refugees and asylees. (Accessed on 07/09/2016) http://www.rainbowwelcome.org/uploads/pdfs/Rainbow%20Resonse_Heartland%20Alliance%20Field%20Manual.pdf

- Heller, P. (2009) 'Challenges Facing LGBT Asylum-Seekers: The Role of Social Work in Correcting Oppressive Immigration Processes', *Journal of Gay & Lesbian Social Services* 21(2-3): 294-308.
- Hojem, P., 2009. *Fleeing for love: asylum seekers and sexual orientation in Scandinavia*. UNHCR, Policy Development and Evaluation Service [pdf]. (Accessed on 03/09/2016) <http://www.unhcr.org/4b18e2f19.pdf>
- IDC, 2016, LGBTI Persons in Immigration Detention POSITION PAPER | JUNE 2016(Accessed on 06/09/2016) <http://idcoalition.org/publication/view/lgbti-persons-in-immigration-detention-position-paper/>
- Itaborahy, L.P. and J. Zhu (2013) 'State-Sponsored Homophobia, a World Survey of Laws: Criminalisation, Protection and Recognition of Same-Sex Love. International Lesbian Gay Bisexual Trans and Intersex Association [ILGA]', *Trans and Intersex Association* : 22.
- Jjuuko A, (2013). The incremental approach: Uganda's struggle for the decriminalization of homosexuality. (Accessed on 19/10/2016) <https://core.ac.uk/display/13120165>
- Kakwera, A. (2016) 'The race against invisibility and Homophobia: Case of Uganda LGBT community'. Gender and Sexuality as 'Lenses' to Engage with Development Policy and Practice. Un published class assignment, The Hague: International Institute of Social studies.
- Levitan R. and Tabak S., 2013. Sexual orientation and gender identity and the protection of forced migrants. *Forced Migration Review*, issue 42. (Accessed on 03/09/2016) <http://www.fmreview.org/sites/fmr/files/FMRdownloads/en/sogi/tabak-levitan-detention.pdf>
- Mogul J.L, Andrea J. R, and Whitlock K, 2011. Review of Queer (In) justice: The Criminalization of LGBT People in the United States. Beacon Press 2011. (Accessed on 22/09/2016) <http://webhost1.cortland.edu/wp-content/uploads/2014/07/9-REVIEW-Nagel.pdf>.
- Nussbaum, M.C. (2011) *Creating Capabilities*. Harvard University Press.
- Nussbaum, M. (2003) 'Capabilities as Fundamental Entitlements: Sen and Social Justice', *Feminist economics* 9(2-3): 33-59. (Accessed on 08/10/2016). <http://philpapers.org/archive/NUSCAF.pdf>
- Ottosson, D. (2007) 'State-Sponsored Homophobia', *A World Survey of Laws Prohibiting Same Sex Activity between Consenting Adults*. Retrieved October 12: 2012.
- Regan T., 2014. UGANDA'S ANTI HOMOSEXUALITY ACT 2014 - A Perspective on the Developmental Consequences. (Accessed on 20/06/2016) http://projekter.aau.dk/projekter/files/198395121/TristanRegan_The_sis.pdf.

- Richard A.C., 2013. Sexual orientation and gender identity and the protection of forced migrants. (Accessed on 01/09/2016) http://www.fmreview.org/sites/fmr/files/FMRdownloads/en/fmr42_full.pdf
- Samelius L., and Wågberg E., 2005. Sexual Orientation and Gender Identity Issues in Development. (Accessed on 04/09/2016) http://www.sida.se/contentassets/77a0ee7f307a4ff49fa0514d080748dc/sexual-orientation-and-gender-identity-issues-in-development_718.pdf
- Tamale, S., 2011. Researching and theorising sexualities in Africa. *African sexualities: A reader*, pp.11-36.
- Tamale, S. (2003) 'Out of the Closet: Unveiling Sexuality Discourses in Uganda', *Feminist Africa* (2): 42-49
- Tamale S., 2014 Homosexuality is not un-African (Accessed on 02/09/2016) <http://america.aljazeera.com/opinions/2014/4/homosexuality-africamuseveniugandanigeriaethiopia.html>.
- UAF-Africa, 2005. LGBTI Organizing in East Africa: The True Test for Human Rights Defenders. (Accessed on 22/08/2016) http://agi.ac.za/sites/agi.ac.za/files/attachments_news/lgbti_organising_in_east_africa.pdf.
- ULII 2011 Uganda legal information institute. Laws of Uganda; Penal Code Act 1950 (Ch 120).(Accessed on 23/09/2016) <http://www.osall.org.za/docs/2011/03/Uganda-Penal-Code-Act-1950-Ch-120.pdf>.
- UNHCR, 2012 GUIDELINES ON INTERNATIONAL PROTECTION NO. (Accessed on 03/09/2016) <http://www.unhcr.org/50ae466f9.pdf>
- UNHCR, 2013 Resettlement Assessment Tool: Lesbian, Gay, Bisexual, Transgender and Intersex Refugees. (Accessed on 31/08/2016) <http://www.unhcr.org/51de6e5f9.pdf>.
- Walker T., 2014. How Uganda was seduced by anti-gay conservative evangelicals: Critics of the country's homophobic law blame the views of fundamentalist US Christians. (Accessed on 17/06/2016) <http://www.independent.co.uk/news/world/africa/how-uganda-was-seduced-by-anti-gay-conservative-evangelicals-9193593.html>
- Williams institute, 2009. Best Practices for Asking Questions about Sexual Orientation on Surveys. (Accessed on 03/09/2016) <http://williamsinstitute.law.ucla.edu/wp-content/uploads/SMART-FINAL-Nov-2009.pdf>

Appendix 1

THE ANTI-HOMOSEXUALITY ACT, 2014

ARRANGEMENT OF SECTIONS.

PART I—PRELIMINARY.

Section

1. Interpretation.

PART II—PROHIBITION OF HOMOSEXUALITY.

2. The offence of homosexuality.

3. Aggravated homosexuality.

4. Attempt to commit homosexuality.

5. Protection, assistance and payment of compensation to victims of homosexuality

6. Confidentiality.

PART III—RELATED OFFENCES AND PENALTIES.

7. Aiding and abetting homosexuality.

8. Conspiracy to engage in homosexuality.

9. Procuring homosexuality by threats, etc.

10. Detention with intent to commit homosexuality.

11. Brothels.

12. Same sex marriage.

13. Promotion of homosexuality.

PART IV—MISCELLANEOUS PROVISIONS.

14. Extradition.

15. Regulations.

THE ANTI-HOMOSEXUALITY ACT, 2014.

An Act to prohibit any form of sexual relations between persons of the same sex; prohibit the promotion or recognition of such relations and to provide for other related matters.

DATE OF ASSENT:

Date of Commencement:

BE IT ENACTED by Parliament as follows:

PART I—PRELIMINARY.

1. Interpretation.

In this Act, unless the context otherwise requires—“authority” means having power and control over other people because of your knowledge and official position; and shall include a person who exercises religious, political, economic or social authority; “child” means a person below the age of eighteen years; “court” means a chief magistrates court; “currency point” has the value assigned to it in the Schedule to this Act; “disability” means a substantial limitation of daily life activities caused by physical, mental or sensory impairment and environment barriers resulting in limited participation; “felony” means an offence which is declared by law to be a felony or if not declared to be a misdemeanor is punishable without proof of previous conviction, with death or with imprisonment for three years or more; “HIV” means the Human Immunodeficiency Virus; “homosexual” means a person who engages or attempts to engage in same gender sexual activity; “homosexuality” means same gender or same sex sexual acts; “Minister” means the Minister responsible for ethics and integrity; “misdemeanor” means any offence which is not a felony; “serial offender” means a person who has previous convictions of the offence of homosexuality or related offences; “sexual act” includes—

- (a) physical sexual activity that does not necessarily culminate in intercourse and may include the touching of another’s breast, vagina, penis or anus;
- (b) stimulation or penetration of a vagina or mouth or anus or any part of the body of any person, however slight by a sexual organ;
- (c) the unlawful use of any object or organ by a person on another person’s sexual organ or anus or mouth; “sexual organ” means a vagina, penis or any artificial sexual contraption;

“touching” includes touching—

- (a) with any part of the body;
- (b) with anything else;
- (c) through anything;

and in particular includes touching amounting to penetration of any sexual organ, anus or mouth.

“victim” includes a person who is involved in homosexual activities against his or her will.

PART II—HOMOSEXUALITY AND RELATED PRACTICES.

2. The offence of homosexuality.

(1) A person commits the offence of homosexuality if—

- (a) he penetrates the anus or mouth of another person of the same sex with his penis or any other sexual contraption;
- (b) he or she uses any object or sexual contraption to penetrate or stimulate sexual organ of a person of the same sex;
- (c) he or she touches another person with the intention of committing the act of homosexuality.

(2) A person who commits an offence under this section shall be liable, on conviction, to imprisonment for life.

3. Aggravated homosexuality.

(1) A person commits the offence of aggravated homosexuality where the—

- (a) person against whom the offence is committed is below the age of eighteen years;
 - (b) offender is a person living with HIV;
 - (c) offender is a parent or guardian of the person against whom the offence is committed;
 - (d) offender is a person in authority over the person against whom the offence is committed;
 - (e) victim of the offence is a person with disability;
 - (f) offender is a serial offender; or
 - (g) offender applies, administers or causes to be used by any man or woman any drug, matter or thing with intent to stupefy or overpower him or her so as to enable any person to have unlawful carnal connection with any person of the same sex.
- (2) A person who commits the offence of aggravated homosexuality shall be liable, on conviction, to imprisonment for life.
- (3) Where a person is charged with the offence under this section, that person shall undergo a medical examination to ascertain his or her HIV status.
4. Attempt to commit homosexuality.
- (1) A person who attempts to commit the offence of homosexuality commits a felony and is liable, on conviction, to imprisonment for seven years.
- (2) A person who attempts to commit the offence of aggravated homosexuality commits an offense and is liable, on conviction, to imprisonment for life.
5. Protection, assistance and payment of compensation to victims of homosexuality.
- (1) A victim of homosexuality shall not be penalized for any crime committed as a direct result of his or her involvement in homosexuality.
- (2) A victim of homosexuality shall be assisted to enable his or her views and concerns to be presented and considered at the appropriate stages of the criminal proceedings.
- (3) Where a person is convicted of homosexuality or aggravated homosexuality under sections 2 and 3 of this Act, the court may, in addition to any sentence imposed on the offender, order that the victim of the offence be paid compensation by the offender for any physical, sexual or psychological harm caused to the victim by the offence.
- (4) The amount of compensation shall be determined by the court and the court shall take into account the extent of harm suffered by the victim of the offence, the degree of force used by the offender and medical and other expenses incurred by the victim as a result of the offence.

6. Confidentiality.

- (1) At any stage of the investigation or trial of an offence under this Act, law enforcement officer, prosecutor, judicial officer and medical practitioner, and any party to the case, shall recognize the right to privacy of the victim.
- (2) For the purpose of subsection (1), in cases involving children and other cases where the court considers it appropriate, proceedings of the court shall be conducted in camera.
- (3) Any editor, publisher, reporter or columnist in case of printed materials, announcer or producer in case of television and radio, producer or director of a film in case of the movie industry, or any person utilizing trimedia facilities or information technology who publishes or causes the publicity of the names and personal circumstances or any other information tending to establish the victim's identity without authority of the victim or court, commits an offence and is liable, on conviction, to a fine not exceeding two hundred and fifty currency points.

PART III—RELATED OFFENCES AND PENALTIES.

7. Aiding and abetting homosexuality.

A person who aids, abets, counsels or procures another to engage in acts of homosexuality commits an offence and is liable, on conviction, to imprisonment for seven years.

8. Conspiracy to engage in homosexuality.

A person who conspires with another to induce another person of the same sex by any means of false pretense or other fraudulent means to permit any person of the same sex to have unlawful carnal knowledge of him or her commits an offence and is liable, on conviction, to imprisonment for seven years.

9. Procuring homosexuality by threats.

(1) A person who—

(a) by threats or intimidation procures or attempts to procure any woman or man to have any unlawful carnal knowledge with any person of the same sex; or

(b) by false pretences or false representations procures any woman or man to have any unlawful carnal connection with any person of the same sex;
commits an offence and is liable on conviction to imprisonment for seven years

(2) A person shall not be convicted of an offence under this section upon the evidence of one witness only, unless that witness is corroborated in some material particular by evidence implicating the accused.

10. Detention with intent to commit homosexuality.

A person who detains another person with the intention to commit acts of homosexuality with him or her or with any other person commits an offence and is liable, on conviction, to imprisonment for seven years.

11. Brothels.

(1) A person who keeps a house, room, set of rooms or place of any kind for purposes of homosexuality commits an offence and is liable, on conviction, to imprisonment for seven years.

(2) A person being the owner or occupier of premises or having or acting or assisting in the management or control of the premises, induces or knowingly suffers any man or woman to resort to or be upon such premises for the purpose of being unlawfully and carnally known by any man or woman of the same sex whether such carnal knowledge is intended to be with any particular man or woman generally, commits a felony and is liable, on conviction, to imprisonment for five years.

12. Same sex marriage.

(1) A person who purports to contract a marriage with another person of the same sex commits the offence of homosexuality and shall be liable, on conviction, to imprisonment for life.

(2) A person or institution commits an offence if that person or institution conducts a marriage ceremony between persons of the same sex and shall, on conviction, be liable to imprisonment for a maximum of seven years for individuals or cancellation of licence for an institution.

13. Promotion of homosexuality.

- (1) A person who—
- (a) participates in production, procuring, marketing, broadcasting, disseminating, publishing of pornographic materials for purposes of promoting homosexuality;
 - (b) funds or sponsors homosexuality or other related activities;
 - (c) offers premises and other related fixed or movable assets for purposes of homosexuality or promoting homosexuality;
 - (d) uses electronic devices which include internet, films, mobile phones for purposes of homosexuality or promoting homosexuality; or
 - (e) who acts as an accomplice or attempts to promote or in any way abets homosexuality and related practices; commits an offence and is liable, on conviction, to a fine of five thousand currency points or imprisonment of a minimum of five years and a maximum of seven years or both fine and imprisonment.
- (2) Where the offender is a corporate body or a business or an association or a non-governmental organization, on conviction its certificate of registration shall be cancelled and the director, proprietor or promoter shall be liable, on conviction, to imprisonment for seven years.

PART IV-MISCELLANEOUS.

14. Extradition.

A person charged with an offence under this Act shall be liable to extradition under the existing extradition laws.

15. Regulations.

The Minister may, by statutory instrument, make regulations generally for better carrying out the provisions of this Act.

Retrieved from: <http://parliamentwatchuganda.org/anti-homosexualitybill/>

Appendix 2

KEY INFORMANT CHECK LIST

Thank you very much for being willing to answer these few questions about **homosexuality in Uganda and the experiences of LGBT**

asylum seekers in the Netherlands.

I'm interested in finding out what informed the decision of LGBT person to migrate to the Netherlands to seek asylum, their hopes, Aspirations, challenges, opportunities and perhaps any threat here in the Netherlands.

I hope you will elaborate as much as possible when answering the next few Questions; it should not take more than about 30 -1 hour of your time.

ORGANISATION Job Title

Age 25- 35yrs 36- 45yrs 45yrs and above

Sex Male Female Other

Educational Qualification

College University Other

Work Years

 1- 2yrs 3-5yrs 6 – 9yrs 10 yrs and above

A. What makes the Netherlands a safe place to live for LGBT persons from Uganda?

- What do you think informs the Uganda LGBT migrants that the Dutch society is an LGBT-friendly place to live?
- What factors make the Netherland a safe place for LGBT people?
- What roles do you think the laws, religious view in Uganda had on the social attitude against the LGBT community compared to the Netherlands?
- What experience(s) of race based discrimination against African LGBT migrant have you seen or heard as a professional?

B. How is the Dutch society helping them to overcome social discrimination, victimization and shame?

- What can you say about the issues of discrimination and victimization of gay people generally in the Netherlands?
- What legal services, information, advices and psychosocial support are available and accessible to LGBTI migrants from Uganda specifically?
- How often do think they use the legal services, advices and information they received?
- Why do you think being an LGBT person in the Netherlands makes a different in their life compared to Uganda?

C. What makes it either easy or difficult for LGBT person to integrate into the Dutch society?

- Are you a member of any gay group so far in the Netherlands and why?
- What are the specific problems you face concerning accessing healthcare services?
- How involved are you in LGBT community, group meetings, events, workshops or other programmes since you came to the Netherlands?
- How easy would you explain your sexuality to someone you didn't know?
- What are those things that you think makes it difficult for LGBT migrants from Uganda to express their sexual orientation in the Netherlands?

D. What source(s) of livelihood are Ugandan migrant LGBT persons having access to here in the Netherlands?

- What job or employment opportunity is available to LGBT migrants from Uganda?
- What source(s) of income do they have access to that you are aware of?
- What kind of occupation are available to LGBT person from Uganda in the Netherlands?
- Why do you think they engaged in these kind of jobs/occupation in the Netherlands?
- What are the economic challenges facing LGBT person here in the Netherlands?

Are there more issues or anything else you would like to talk more about?

Appendix 3

LGBT RESPONDENTS CHECK LIST

Thank you very much for being willing to answer these few questions about **homosexuality in Uganda and the experiences of LGBT asylum seekers in the Netherlands.**

I'm interested in finding out what informed the decision of LGBT person to migrate to the Netherlands to seek asylum, their hopes, Aspirations, challenges, opportunities and perhaps any threat they are facing here in the Netherlands.

I hope you will elaborate as much as possible when answering the next few Questions; it should not take more than about 30- 1 hour of your time.

Thanks again!

Age 18-25 25- 34 35- 44 45-64 65 and above

Sexual orientation

Gay	(Male)	
Lesbian	(Female)	
Bisexual	(Male)	
Bisexual	(female)	
Transgender	(Male to Female)	
Transgender	(Female to Male)	
Transsexual	(Male to Female)	
Transsexual	(Female to Male)	
Intersex		
Ally	(Male)	
Ally	(Female)	

Educational status

Pry Sch Sec. Sch A- els Uni rsity other

How long ago have you identified your gender identity/sexual orientation?

<1yr 2yrs 2-4rs > 5y from bi not sure

SUB – QUESTIONS

E. What makes the Netherlands a safe place to live for LGBT persons from Uganda?

- How did you get to know that the Dutch society is an LGBT-friendly place to live?
- What factors informed your choice of the Netherlands as an LGBT person?
- When and how did come to the Netherlands?
- What would you say about the city or area where you live now whether it is a good or hostile place to LGBT people?
- How open are you about your sexual orientation here now compared to back in Uganda?
- What roles do you think the laws, religious view in Uganda had on the social attitude against the LGBT community compared to the Netherlands?

F. How is the Dutch society helping them to overcome social discrimination, victimization and shame?

- What can you say about the issues of discrimination and victimization of gay people here in the Netherlands?
- What legal services, information, advices and psychosocial support for LGBT have you received so far and considered useful to your particular situation here in the Netherlands?
- How often do you use the information and or put to practice the advices received?
- Who are aware of your sexual orientation here in the Netherlands? if any, why and how long have they known?
- Why do you think being an LGBT person in the Netherlands makes your life so different from the life lived back in Uganda?
- What are your experiences as an LGBT person who migrated from Uganda who migrated to the Netherland?
- What are the negative comments about LGBT persons you have heard lately or seen?
- How positive or negative do you think your life has as an LGBT person living here in the Netherlands?

G. What makes it either easy or difficult for LGBT person to integrate into the Dutch society?

- Are you a member of any gay group so far in the Netherlands and why?

- What services and information are available to LGBT people from Africa nation such as Uganda?
- What are the specific problems you face concerning accessing healthcare services?
- How involved are you in LGBT community, group meetings, events, workshops or other programmes since you came to the Netherlands?
- How easy would you explain your sexuality to someone you didn't know?
- What are those things that you think makes it difficult for you to express your sexual orientation in the Netherlands compared to Uganda?

H. What source(s) of livelihood are Ugandan migrant LGBT persons having access to here in the Netherlands?

- What was your occupation or profession back in Uganda?
- What is your current occupation here now in the Netherlands?
- Why are you engaged in this occupation now in the Netherlands?
- How did you get this job, occupation or employment?
- Which job, occupation or employment would you have preferred to the one you are doing now?
- How is your income from the current job, occupation or occupation supporting your living expenses?
- What are the things limiting you economically as an LGBTI person in the city you currently live in?

I. What type of social, economic and or family ties do these migrant LGBT persons have back in Uganda?

- How many people are in your house hold back in Uganda?
- How many persons in Uganda are you depending upon or are dependent on you economically?
- How is your family reacting to your sexual orientation and your migration to the Netherlands?
- Who amongst your family friends or relatives knows about your sexual orientation and since when?
- What would you consider as a 'loss' to you back in Uganda because of your coming to The Netherlands?

Are there more issues or anything else you would like to talk more about?

Appendix 4

CONSENT AND CONFIDENTIALITY FORM

Annette Kakwera Mabiho

Course Social Policy for Development (SPD)

School: Institute of Social Studies (ISS), Erasmus University

Dear respondent,

This is an invitation to participate in an ongoing student research as part of the fulfilment for the course in Masters Degree in Development Studies

The research is focused on exploring the issue of **homosexuality in Uganda** and to get insight into the **experiences of asylum seekers present here in the Netherlands**. You have been randomly selected as one of the respondent for interview towards the aforementioned research work being conducted here in the Netherlands.

Before agreeing to take part, please ensure that the person undertaking this research Annette Kakwera Mabiho has explained the project in full.

If you have any questions from the information sheet or the explanation given, please ask me to explain prior to agreeing to take part.

If you agree to participate please complete the following:

- I understand I do not have to participate in this study if I do not wish to
- I understand that I may withdraw from the study at any time.
- I understand that I do not have to answer any question(s) that I am uncomfortable with and can ask any further questions regarding the research at any time.
- I understand that information will be kept strictly confidential.
- All information that shall be retrieved from me as individual/family/group shall held strictly in confidential; no names shall be revealed and it shall only be used for the purpose of academic study.
- I have read this consent form, the content and purpose of the research thereof is understood
- I am aware of the research purpose and I hereby agree to willingly give the information to the researcher and to also access my extension group (if any and if they are also aware of the purpose and well informed)

Thank you for your interest and willingness to take part in this research project

Name: _____ Date: _____

Signature: _____

In the case you wish to revoke, change any information given or decide to refuse the use of your personal information and or group, please do not hesitate to contact me through -alpha.m57@gmail.com, WhatsApp +31685373897

Appendix 5

INFORMATION SHEET

Thank you for your interest in participating in this study. This information sheet is provided to give you a written outline of the aims and objectives of the project. Please feel free to ask any additional questions which are not covered below.

Title: Freedom from fear! Opportunities and challenges faced by Uganda LGBTs in the process of Intergration in the Netherlands.

Researcher : Ms. Annet Kakwera, MA student at Institute of Social studies, Erasmus university The Netherlands. This project is supervised by Dr. Wendy harcout and Proffesor Irene van Staveren.

Aim of the research: is to gain detailed insights into the experiences of Ugandan LGBT migrants in The Netherlands in order to understand the opportunities, threats and challenges confronting them comparably to their country of origin. This research will seek to further explore these issues and will add more information to existing and specific issues the LGBT community here in the Netherlands.

Participation : in this project is completely voluntary. It will involve an interview lasting between 30 mins to 1hr. It is up to you how you wish to answer any questions and whether or not you wish to answer the question at all. It is also possible to withdraw from the study at any time. Participation will not affect the asylum application process in any way.

Confidentiality : all information to be collected by the researcher maybe highly sensitive in nature and even difficult to share/discuss and shall be made Anonymous and confidential as soon as the interview has finished (except the participant desires to be named). All recorded information will be limited to one copy and kept securely under data protection provisions and here shall be no means to identify any participant from the information collected from them during the inteview section.

Outcome : the final research will be presented in written form to the research supervisor and one other reviewer at the university of Erasmus University, The Netherlands. If the findings are relevant, the research work shall be converted into published format for possible tool for advocacy and information by NGOs and other relevant stake holders.

I therefore expect this project to be a positive experience for all those to be involved and therefore hope that participant like you shall provide very useful and relevant information as much as possible.

Thank you.

Annette Kakwera
MA student
Iss, Erasmus University

QUESTIONS, METHODS AND SOURCES OF INFORMATION MATRIX

RESEARCH QUESTION How has the migration of LGBT people from Uganda to the Netherlands impacted their livelihood and safety?	Inter- view (LGBTI persons)	observa- tion (available documenta- tion, photo- graphs and other publica- tion)	Inter- view with family members, Relatives and partners of LGBTI persons	Observa- tion Access to Health care and legal services by LGBTI Persons	Observa- tion (living conditions, jobs, and housing accessible to of LGBTI person in the Netherlands)	Inter- view Key informants
SUB QUESTIONS						
What makes the Netherlands a safe place to live for LGBT persons from Uganda?	+		+		+	+
How is the Dutch society helping them to overcome social discrimination, victimization and shame?	+	+		+	+	+
What makes it either easy or difficult for LGBT person to integrate into the Dutch society?	+		+	+	+	+
What type of social , economic and or family ties do these migrant LGBT persons have back in Uganda	+	+	+			
What source(s) of livelihood are migrant LGBT persons having access to here in the Netherlands?	+		+		+	+

Appendix 7

THE CENTRAL HUMAN CAPABILITIES

1. **Life.** Being able to live to the end of a human life of normal length; not dying prematurely, or before one's life is so reduced as to be not worth living.
2. **Bodily Health.** Being able to have good health, including reproductive health; to be adequately nourished; to have adequate shelter.
3. **Bodily Integrity.** Being able to move freely from place to place; to be secure against violent assault, including sexual assault and domestic violence; having opportunities for sexual satisfaction and for choice in matters of reproduction.
4. **Senses, Imagination, and Thought.** Being able to use the senses, to imagine, think, and reason – and to do these things in a “truly human” way, a way informed and cultivated by an adequate education, including, but by no means limited to, literacy and basic mathematical and scientific training.
Being able to use imagination and thought in connection with experiencing and producing works and events of one's own choice, religious, literary, musical, and so forth. Being able to use one's mind in ways protected by guarantees of freedom of expression with respect to both political and artistic speech, and freedom of religious exercise. Being able to have pleasurable experiences and to avoid non-beneficial pain.
5. **Emotions.** Being able to have attachments to things and people outside ourselves; to love those who love and care for us, to grieve at their absence; in general, to love, to grieve, to experience longing, gratitude, and justified anger. Not having one's emotional development blighted by fear and anxiety. (Supporting this capability means supporting forms of human association that can be shown to be crucial in their development.)
6. **Practical Reason.** Being able to form a conception of the good and to engage in critical reflection about the planning of one's life. (This entails protection for the liberty of conscience and religious observance.)
7. **Affiliation.**
 - A. Being able to live with and toward others, to recognize and show concern for other human beings, to engage in various forms of social interaction; to be able to imagine the situation of another. (Protecting this capability means protecting institutions that constitute and nourish such forms of affiliation, and also protecting the freedom of assembly and political speech.)
 - B. Having the social bases of self-respect and non-humiliation; being able to be treated as a dignified being whose worth is equal to that of others. This entails provisions of nondiscrimination on the basis of race, sex, sexual orientation, ethnicity, caste, religion, national origin.
8. **Other Species.** Being able to live with concern for and in relation to animals, plants, and the world of nature.
9. **Play.** Being able to laugh, to play, to enjoy recreational activities.
10. **Control Over One's Environment.**

A. **Political.** Being able to participate effectively in political choices that govern one's life; having the right of political participation, protections of free speech and association.

B. **Material.** Being able to hold property (both land and movable goods), and having property rights on an equal basis with others; having the right to seek employment on an equal basis with others; having the freedom from unwarranted search and seizure. In work, being able to work as a human being, exercising practical reason, and entering into meaningful relationships of mutual recognition with other workers.