

Frequently Asked Questions Regarding In re Wambere (updated May 6, 2014)

What does the Ugandan law say?

On December 20, 2013, the Ugandan Anti-Homosexuality Act was passed by the Parliament of Uganda. The bill was signed into law by President Yoweri Museveni on February 24, 2014. This law imposed harsher penalties for same-sex relationships, including life imprisonment. It also imposed new penalties for any activities that are viewed as “aiding and abetting homosexuality” and “promoting homosexuality.” The law is broad in its reach and criminalizes even activism and public health education work related to LGBTI individuals, including those living with HIV.

What does it mean to apply for asylum?

Asylum is a form of immigration relief for individuals who fear returning to their home country. Asylum may be granted to someone who has experienced persecution in the past or has a well-founded fear of persecution in the future on account of race, religion, nationality, membership in a particular social group, or political opinion. Asylum seekers must establish that their home country's government is either unable or unwilling to offer them adequate protection from harm.

Does this mean that John Wambere will become a U.S. citizen if granted asylum?

Being granted asylum means that the asylee has the opportunity to live and work legally in the United States. It does not mean that the asylee automatically becomes a lawful permanent resident or citizen, although an asylee may eventually have the opportunity to apply for lawful permanent residence or citizenship.

What does John have to prove to be granted asylum?

John must and can prove that he has been persecuted in the past and has a well-founded fear of future persecution based on his membership in the particular social group of LGBTI individuals and on account of his political opinion supporting the rights of LGBTI individuals. As demonstrated by his condensed and redacted [affidavit](#), John easily meets these requirements.

How long will that take?

We hope that his application may be granted within a matter of a few months, but there is no way to be sure. No matter how long it takes, John is committed to working tirelessly now to help his fellow, LGBTI Ugandans still at home.

Through strategic litigation, public policy advocacy, and education, Gay & Lesbian Advocates & Defenders works in New England and nationally to create a just society free of discrimination based on gender identity and expression, HIV status, and sexual orientation.

What happens if his application is not granted?

Given the serious danger and life imprisonment that John would face if forced to return to Uganda, we believe that his application is extremely strong. However, should his application not be granted by the asylum officer, there are further levels of review and appeal that we would consider.

What is the situation like now in Uganda?

Things seem to have gone from bad to worse with the enactment of the Anti-Homosexuality Act in February. There are regular reports of LGBTI Ugandans being arrested and attacked. Many LGBTI individuals have gone into hiding and/or have left or are trying to leave the country. Recently, the Uganda police raided the offices of a U.S.-funded project that provided HIV-related health services and conducted HIV-related research. In addition, the parliament is now considering a new bill that would prohibit foreign NGOs from helping LGBTI individuals in Uganda.

How can I help LGBTI people in Uganda?

The [Civil Society Coalition on Human Rights and Constitutional Rights](#), a coalition of Ugandan organizations dedicated to fighting this act, recently published [guidelines](#) for international partners on how best to support the work in Uganda. We encourage you to support the work of the Coalition, as well as other Uganda human rights coalitions and organizations, such as [Spectrum Uganda Initiatives](#) and [Sexual Minorities Uganda](#).

How can I apply for asylum myself?

If you wish to apply for asylum, we strongly encourage you to consult with an immigration attorney experienced with LGBT issues. In addition, there are deadlines by which you may need to apply, so please do not delay in learning more about your options.

If you have questions regarding legal issues or need lawyer referrals, contact [GLAD Answers](#) by live chat or email at www.GLADAnswers.org or by phone weekdays between 1:30 and 4:30 pm at (800) 455-GLAD (4523).