



Uganda National Council for Science and Technology

(Established by Act of Parliament of the Republic of Uganda)

Our Ref: RESETHICS/03

27th October 2023

The Chairpersons
Research Ethics Committees
Institutional Animal Care and Use Committees
and Distinguished Researchers
UGANDA

GUIDANCE ON RESEARCH GOVERNANCE IN RELATION TO THE ANTI-HOMOSEXUALITY ACT, 2023

As you may be aware, His Excellency the President of the Republic of Uganda assented to the Anti – Homosexuality Bill on 26th May 2023. As such, the Uganda National Council for Science and Technology (UNCST) sought for guidance on research governance in relation to the Anti-Homosexuality Act, 2023.

The UNCST by virtue of its statutory mandate under sections 4 and 5 of the UNCST Act (CAP 209), acts as a clearing house for all information on research and experimental development in Uganda and thus serves as a one-stop point for coordination of all research implemented in the country in accordance with relevant national laws.

The duty of confidentiality is an essential ethical consideration in research where information is collected from human research participants. To note, our Laws (including the Anti-Homosexuality Act) are consistent with the duty of confidentiality. Section 14 of the Anti-Homosexuality Act establishes the mandate of the general public to cooperate with lawful agencies to maintain law and order through reporting any crime to relevant authorities. However, failure to report any persons who commits an offence under the Anti-Homosexuality Act against a child or vulnerable person is an offence under section 14 (3) of the Anti-Homosexuality Act. This is in accordance with Article 17(1) (c) of the Constitution which provides –

Duties of a citizen

(1) It is the duty of every citizen of Uganda –

(c) to protect children and vulnerable persons against any form of abuse, harassment or ill - treatment;"

Section 14 of the Anti-Homosexuality Act provides –

LOCATION/CORRESPONDENCE

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" 14. Duty to report acts of Homosexuality

- (1) *A person who knows or has a reasonable suspicion that a person has committed or intends to commit the offence of homosexuality or any other offence under this Act, shall report the matter to police for appropriate action.*
- (2) *A person who is otherwise prevented by privilege from making a report under subsection (1) shall be immune from any action arising from the disclosure of the information without the consent or waiver of privilege first being obtained or had.*
- (3) *A person who knows or has a reason to believe that a person has committed or intends to commit an offence under this Act against a child or a vulnerable person, and does not report the matter to police, commits an offence and is liable, on conviction, to a fine not exceeding five thousand currency points or imprisonment for a period not exceeding five years."*

Whereas Government encourages research into any area that is critical to human life and advancement, where a person involved in research detects that a crime under the Anti-Homosexuality Act was committed against a child or vulnerable person, he or she is required to report and, it is an offence if the person does not report the perpetrator to police.

The duty of confidentiality in research may be waived for purposes of reporting to the relevant authorities the commission of an offence, where a person involved in research detects that an offense under the Anti-Homosexuality Act or any other laws was committed or intends to be committed.

The UNCST will be available to provide more information and guidance about the research regulatory oversight in the country. For any further assistance or clarification, please do not hesitate to send us an email at info@uncst.go.ug.

We value your continued cooperation and support as we aim towards promoting ethical research and building effective regulatory regimes in Uganda.



Dr. Martin Ongol
ACTING EXECUTIVE SECRETARY

- c.c. The Director General, Uganda National Health Research Organization
- c.c. The Secretary to the Authority, National Drug Authority