

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
SPRINGFIELD DIVISION**

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SEXUAL MINORITIES UGANDA,

Plaintiff,

CIVIL ACTION

v.

NO. 3:12-CV-30051-MAP

SCOTT LIVELY, individually and as  
President of Abiding Truth Ministries,

JUDGE MICHAEL A. PONSOR

Defendant.

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**DECLARATION OF BRIAN NKOYOOYO**

I, Brian Nkoyooyo, hereby declare as follows:

1. I am a resident and citizen of Uganda.
2. I serve as the Executive Director of Icebreakers Uganda (IBU), which is a Kampala-based non-governmental organization founded in 2004. Its mission is to empower the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community through education and outreach.
3. IBU has been a SMUG member organization since 2006. SMUG has played a significant role in the facilitation of IBU's efforts, as it provides critical support in helping its member organizations to grow and build their capacity. SMUG represents a collective and respected voice for LGBTI advocacy in Uganda that is essential to our work.
4. Since May 2012, IBU has operated a health services clinic on its premises. This clinic was opened to provide health services to LGBTI persons, who were being turned away by other health service providers.

5. The clinic offers HIV/AIDS testing and treatment, mental health counseling, and also functions as a general services clinic. IBU offers these services free of charge. The clinic also provides services regionally within Uganda. More than 1,000 patients rely on the IBU clinic for health services, most of whom are members of the LGBTI community.

6. The location of the IBU office and clinic cannot be made public for fear of closure or attack by the public or government actors.

7. Following raids of LGBTI workshops in February 2012 and June 2012, fewer people came to IBU and utilized our services. In particular, there was a substantial reduction in the number of people who attended IBU's Community Sundays – a weekly event in which LGBTI persons would gather at IBU and discuss LGBTI issues. We were forced to cease holding this event, and it has not been reinstated.

8. In July 2012, following a public threat to close the IBU clinic by the Minister of Ethics and Integrity Simon Lokodo, the number of people who came to the clinic again reduced. Following these threats, we had to take security precautions for the IBU staff, including at their homes and on their commutes to and from the office.

9. Because of the reduced number of people coming to the clinic due to fear and intimidation, together with our inability to disclose the location of the clinic, it was difficult for IBU to serve the LGBTI community as intended.

10. Immediately following passage of the Anti-Homosexuality Act (AHA), the IBU clinic closed due to fear of police raids, arrest, and violence. We removed all resources and supplies that could be evidence of our work from our office, as well as everything from the clinic that would indicate that our services are directed towards LGBTI persons.

11. During the time that the AHA was in effect, the IBU office remained closed, and we ceased holding events, meetings, and workshops for the LGBTI community. We advised people not to come to the office during that time.

12. While the AHA was in effect, the number of patients seeking clinic services plummeted. We worked to find trusted medical professionals to whom we could refer people. During this time, I faced verbal attacks and threats due to my affiliation with IBU. The rest of the staff was similarly targeted.

13. The raid of the Walter Reed Clinic additionally motivated us to keep the IBU office closed and the clinic location undisclosed.

14. Following enactment of the AHA, individuals who appeared to be affiliated with the government came into our surrounding community and asked a number of people questions about the functions of IBU. Based on the nature of their inquiries with various residents in the area, I believe that they were attempting to locate our office and staff members.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed in Kampala, Uganda, on August 6th, 2016.

A handwritten signature in blue ink, appearing to read "Brian Nkoyooyo", is written over a horizontal line. The signature is stylized and includes some illegible scribbles.

Brian Nkoyooyo