

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

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.

DECLARATION OF GAETANO KAGWA

I, Gaetano Kagwa, hereby declare as follows:

1. I am a radio presenter and television personality based in Kampala, Uganda.
2. From about 2006 until 2008, I was a presenter on a radioprogram titled *The Big Breakfast*, which aired on Capital FM.
3. On August 22, 2007, my co-presenter and I hosted a lesbian, gay, bisexual, transgender, and intersex (LGBTI) activist Victor Mukasa on *The Big Breakfast*.
4. While the show was broadcasting, Mukasa used the words "penis" and "vagina" in response to a question I posed.
5. Shortly after the show aired, I met with the Uganda Communications Commission (UCC). At that meeting, UCC representatives explained to me that the language used by Mukasa was vulgar and violated the regulations of Ugandan radio broadcasting.
6. In the same meeting, the UCC representatives asked me whether I am supportive of the LGBTI community. I responded that I am not opposed to the community.

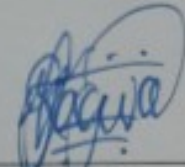
7. The UCC then ordered my suspension from the radio program for one week because of the language used by Mukasa.

8. Prior to Mukasa's appearance on the show, the words "penis" and "vagina" had been used without consequence by other guests on both Capital FM and other radio stations.

9. Based on my experience in radio broadcasting in Uganda, it is my belief that the UCC took action as a result of this incident because the words were used in the context of a discussion about lesbian persons.

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 July 29TH 2016.



Gaetano Kagwa