



Plenary sitting

B8-0167/2018

13.3.2018

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on mercy killings in Uganda
(2018/2632(RSP))

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on behalf of the GUE/NGL Group

**European Parliament resolution on mercy killings in Uganda
(2018/2632(RSP))**

The European Parliament,

- having regard to its previous resolutions on serious human rights violations,
 - having regard to the United Nations Convention on the Rights of Persons with Disabilities of 13 December 2006,
 - having regard to the United Nations General Assembly’s Universal Declaration of Human Rights of 10 December 1948,
 - having regard to the African Charter on Human and Peoples' Rights which was adopted on 27 June 1981 and entered into force on 21 October 1986,
 - having regard to the UN Convention on the Rights of the Child, which was adopted on 20 November 1989 and entered into force on 2 September 1990, and which is binding and applied without exception,
 - having regard to the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities of 18 December 1992,
 - having regard to the statement by the European Union on The situation in Kasese District,
 - having regard to its resolution of 17 February 2011 on Uganda: the killing of David Kato,
 - having regard to its resolution of 13 March 2014 on launching consultations to suspend Uganda and Nigeria from the Cotonou Agreement in view of recent legislation further criminalising homosexuality (2014/2634(RSP)),
 - having regard to Rule 115(5) of its Rules of Procedure
- A. whereas over the years Ugandans have expressed outrage at the persistence of cases of ‘child sacrifice’ in their society; whereas the practice of child sacrifice is perpetuated by witch-doctors, who use infant body parts in traditional rituals they claim bring wealth, good fortune and good health to their clients;
- B. whereas the perpetrators of this practice call it ‘mercy killing’, in which parents of disabled children kill them or deliberately allow them to die by starving them or denying them medical attention because of the belief that they are better off dead than having to endure a painful and incurable disability;
- C. whereas the prevalence of violence against children with disabilities can be expected to be higher in LMICs where there are greater stigmas associated with having a child with a disability, less resources for families who have children with disabilities, and wider acceptance of the use of corporal punishment to discipline children;

- D. whereas the practice of mercy killing is illegal under Ugandan law, they prevalent in Uganda because of society's apparent tolerance for it. The situation is made worse by the fact that people with disabilities face oppression and marginalisation in society;
- E. whereas disability places families, and especially mothers with disabled children, in an undervalued social status. They are denied full participation in society; whereas clans and extended families put mothers under too much pressure, seeking to understand the causes of disability and casting a blame on the mother; whereas, in some cases, mothers were expelled from their husbands' households for producing disabled children;
- F. whereas access to the health care system is severely restricted, especially in rural areas, making recourse by the population to witch-doctors or traditional healers a common practice; whereas more than 19% of the Ugandan population lives below the poverty line;
- G. whereas weak economic system, huge inequalities and poverty in the region are driven causes of mercy killings;
- H. whereas according the rights to freedom of expression, association and assembly are restricted in Uganda; whereas in the past year journalists and others who criticized the President or his family have been arrested, detained and harassed in the past year;
- I. whereas in 2017 there was a sharp rise in the number of women killed, some of whom were subjected to sexual violence;
- J. whereas the right of housing is under threat since in July 2017, the Ugandan government tabled a bill to amend Article 26(2) of the Constitution which if carried would allow compulsory acquisition by the government of private land for infrastructure projects without providing prompt, prior and fair compensation to the owners; whereas marginalized groups, including people living in poverty, and in rural areas, would be particularly affected;
- K. whereas Uganda hosted the largest number of refugees and asylum-seekers in the region, including over 1 million from South Sudan, hundred of thousands from DRC, and thousands from Burundi and Somalia; whereas Uganda is part of the EU-Horn of Africa Migration Route Initiative, also known as the 'Khartoum Process', launched in the in the second half of 2014 under the Italian Presidency of the EU, which aims to externalise EU border control and limit the number of migrants and people in need of international protection travelling to Europe under the pretext of the fight against human trafficking and migrant smuggling;
- L. whereas in February 2016, President Yoweri Museveni, in power for more than 30 years, was declared the winner of the presidential elections; whereas local observers said the elections were not free and fair, and international observers -including the EU- argued the process failed to meet international standards;
- M. whereas the EU Electoral Observers Mission to the Presidential Elections in 2016 stated that "At the same time, the Electoral Commission (EC) lacked independence and transparency, whereupon the elections fell short of international standards for the conduct of democratic elections at key stages. Furthermore, state actors were instrumental in

creating an intimidating atmosphere for both voters and candidates, and police used excessive force against opposition, media and the general public, justifying it as a “preventive measure”. This violated fundamental freedoms of movement, expression and assembly, and curbed access to information

- N. whereas Uganda benefits from an EU initiative called the Generalised Scheme of Preferences (GSP). Specifically, the country falls under the GSP arrangement known as "Everything But Arms", which grants duty-free access to imports of all products from Least Developed Countries – except weapons and ammunition;
- O. whereas the relations between the European Union and Uganda in terms of cooperation for development are guided by the 11th European Development Fund (EDF) National Indicative Programme (NIP) 2014-2020 ; whereas the 11th EDF-NIP provides €578 million for the above mentioned period to help Uganda to respond to the country's needs and aspirations; whereas through the EDF, the EU is providing Uganda support in the form of non-repayable grants for the following three thematic areas: Good Governance, Transport Infrastructure, Food Security and Agriculture; whereas most part of this development programmes are delivered through budget support which has a proven record on development effectiveness and notably boost policy dialogue; whereas Uganda also receives 44,3 million euros from the EU Emergency Trust Fund for Africa; whereas this Trust Fund uses official development aid for security and migration flows control proposes;
1. Strongly condemns the so called Mercy killings of people with disabilities in Uganda;
 2. Is deeply worried about the generalised deterioration of human rights in Uganda, including social and political rights, gender equality rights and right to housing;
 3. Underlines the fact that poverty is both a cause and a consequence of disability and that poverty is a barrier to accessing basic needs, such as nutrition, healthcare, water and sanitation, and that this can lead to disability;
 4. Calls for effective protections for people with disabilities and for the protection of their fundamental rights, in accordance with the United Nations Convention on the Rights of Persons with Disabilities, internationally agreed human rights obligations and commitments; Recalls the paramount role of local authorities and civil society in the protection of people with disabilities;
 5. Underlines the fact that according to its international commitments, the Ugandan authorities shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children;
 6. Reminds Ugandan authorities that every human being has the inherent right to life and urges the administration to take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others;
 7. Stresses the fact that the inclusion of persons with disabilities in society regardless of a country's socio-economic, political or cultural status is not just a development issue but also a human rights issue;

8. Stresses the fact that according to international law, people with disabilities have the right to have their physical and mental integrity respected on an equal basis with others, and calls on the Ugandan authorities to urgently enforce this right;
9. Highlights the pledge to leave no one behind and the references to disabilities in the Sustainable Development Goals (SDGs), specifically in the sections related to education, growth and employment, inequality and the accessibility of human settlements, and as regards data collection and monitoring of the SDGs and recommends that the EU take the lead in the implementation of disability-inclusive SDGs
10. Underlines the fact that exclusion from education may lead to lower employment and earning potential among people with disabilities, making these individuals and their families more vulnerable to poverty and limiting national economic growth; Considers that the best way to protect the rights of people with disabilities is to guarantee them equal access to public and quality education and health care, within the framework of inclusion policies, and to provide them with adequate social and legal protection; Recalls that fighting poverty and inequality are also essential for ensuring peoples dignity and human rights respect;
11. Urges the competent authorities to undertake immediate action, promoting social awareness and providing information related to disabilities and to boost public services, notably health and education; considers that such measures should particularly be implemented in rural areas;
12. Calls for the EU to take the lead on the promotion of the rights of persons with disabilities in the implementation the 2030 Agenda for Sustainable Development with Uganda though both it's GSP and development cooperation aid;
13. Calls on the EU to take advantage of the political dialogue's leverage power allowed by development aid programs, namely budget support programs, to enhance the defence and promotion of human rights in Uganda;
14. Strongly condemns the Khartoum Process which legitimates governments who are themselves the source of forced migration; condemns the financial support of the EU for policies whose aim it is to externalise border controls under the pretext of the fight against trafficking and to create 'information campaign' which in reality legitimises authoritarian regimes and dictatorships without changing the current situation of the people in need in those countries; Calls for ensuring rights and a save passage to both migrants and displaced; rejects any attempt to use ODA for security or migration flows control proposes;
15. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the ACP-EU Council, the East African Community and the government of its member states, the institutions of the African Union and the Secretary-General of the United Nations;