



EUROPEAN PARLIAMENT

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Plenary sitting

14.12.2010

B7-0727/2010

MOTION FOR A RESOLUTION

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

pursuant to Rule 122 of the Rules of Procedure

on Uganda: the Bahati Bill and discrimination against the LGBT population

Alf Svensson, Monica Luisa Macovei, Cristian Dan Preda, Bernd Posselt, Eija-Riitta Korhola, Filip Kaczmarek, Dominique Baudis
on behalf of the PPE Group

European Parliament resolution on Uganda: the Bahati Bill and discrimination against the LGBT population

The European Parliament,

- having regard to its previous resolution of 16 December 2009 on the situation of LGBT in Uganda,
 - having regard to the Cotonou Agreement and human rights clauses contained therein, more particularly Article 9,
 - having regard to the ACP-EU JPA committee on political affairs meeting in Luanda on 28 November 2009,
 - having regard to the ACP-EU resolution of 3 December 2009 on social and cultural integration and participation of young people,
 - having regard to international human rights obligations and instruments, including those contained in the UN conventions on human rights and in the European Convention on Human Rights and Fundamental Freedoms, guaranteeing human rights and fundamental freedoms and prohibiting discrimination,
 - having regard to Articles 6 and 7 of the Treaty on European Union (TEU) and Article 13 of the EC Treaty, which commit the EU, as well as the Member States, to uphold human rights and fundamental freedoms and which provide means at European level to fight discrimination and human rights violations,
 - having regard to the Charter of Fundamental Rights of the European Union, in particular Article 21 thereof, which, prohibits discrimination based on sexual orientation,
 - having regard to Rule 122 of its Rules of Procedure,
- A. whereas on 25th September 2009 David Bahati, MP, as a private member, tabled the "Anti Homosexuality Bill 2009" before the Ugandan Parliament but whereas it could not be debated due to forthcoming general elections scheduled for 18 February 2011,
- B. whereas the international community at large has reacted strongly against the proposed law, which foresees the introduction of harsher penalties to criminalize homosexuality and punish those alleged to be lesbian, gay, bisexual or trans-gender (LGBT) with life imprisonment or the death penalty,
- C. whereas the bill includes a provision that could lead to the imprisonment for up to three years of anyone, including heterosexual people, who fails to report within 24 hours the identities of everyone they know who is lesbian, gay, bisexual, or transgender, or who supports human rights for people who are,
- D. whereas some EU Member States, including Sweden, have threatened to revoke their

development aid to Uganda should this bill pass into law,

- E. whereas in its recent annual report on the work of the ACP-EU JPA, 23 November 2010, the EP has reiterated "the principle of the universality of human rights and non-discrimination" as the basis upon which to enhance legitimate democratic governance and the political dialogue among the ACP countries,
1. Condemns the tabling of the Bahati Bill in parliament, as it is an alarmingly retrogressive piece of legislation and urges the Ugandan authorities to shelve it and decriminalise marginalised groups that include LGBT activists;
 2. Underlines the fact that sexual orientation is a matter falling within the remit of the individual right to private life, guaranteed by international human rights law, according to which equality and non-discrimination should be promoted;
 3. Reminds the Ugandan Government of its obligations under international law and under the Cotonou agreement, which calls for universal human rights to be respected, including those of all minorities, as well as members of all political parties;
 4. Strongly rejects both moves to introduce the use of the death penalty and extradition procedures for Ugandan citizens who perform homosexual acts abroad;
 5. Instructs its President to forward this resolution to the EU Commission and Council, the President of the Republic of Uganda and the Speaker of the Ugandan Parliament, the East African Legislative Assembly, the African Union Commission and its Institutions.