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*Plenary sitting*

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B7-0146/2011

## **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 murder of David Kato

**Marie-Christine Vergiat, Eva-Britt Svensson, Rui Tavares**  
on behalf of the GUE/NGL Group

**European Parliament resolution on Uganda: the murder of David Kato**

*The European Parliament,*

having regard to its previous resolutions on the anti-homosexual legislation in Uganda and the discrimination against the LGBT population of 17 December 2009 and 16 December of 2010,

- having regard to relevant UN conventions on human rights and the European Convention on Human Rights and Fundamental Freedoms,
- having regard to the Cotonou Agreement and human rights clauses contained therein,
- having regard to all EU activities to fight homophobia and discrimination based on sexual orientation, including within the EU Member States, where serious situations of discrimination, persecution, and violence still persist,
- having regard to Rule 122 of its Rules of Procedure,
  - A. whereas the Ugandan human rights activist David Kato was attacked on January 26th, 2010 in his home in the Ugandan capital and died as consequence of the heavy injuries,
  - B. whereas David Cato fought a battle to improve tolerance and encourage tolerance of divergent views of sexuality and defend the rights for lesbians, gays, bisexual and transgender persons and protect vulnerable minorities,
  - C. whereas David Cato, the advocacy officer for the organisation "Sexual Minorities Uganda", and two other activists had recently won a court case against the Ugandan tabloid newspaper "Rolling Stone", which had in October 2010 published names, pictures and personal details of him and other people alleged to belong to LGBT,
  - D. whereas the judge banned the newspaper from revealing the identities of LGBT people and extended the ruling to all Ugandan media,
  - E. whereas the Court ruled that "the exposure of the identities of the persons and homes for the purposes of fighting gayism and the activities of gays threaten the rights to privacy of the person and their homes",
  - F. whereas the Ugandan government did not prevent the increase of hostility, threat and the growth of discriminatory rhetoric against LGBT people in the country,
  - G. whereas in Uganda homosexuality is still regarded as a criminal act, and the so called "Bahati" bill, though not being approved by the President, is still pending as a permanent threat to the LGBT community as long as it is not officially rejected,

- H. whereas Amnesty International have documented a steady increase in discrimination, arbitrary arrests, incommunicado detention, torture and other ill-treatment on the basis of sexual orientation and gender identity in Uganda and against activists exposing violations against LGBT people,
1. Is shocked about the brutal murder of the human rights activist David Cato and expresses its condolences to his family and his friends.
  2. Demands a credible and impartial investigation by the Ugandan authorities and expects that the murder must be brought to justice in a fair trial according to international standards.
  3. Underlines that the international human rights law guarantees equality and non-discrimination, what includes the sexual orientation as a matter falling within the remit of the individual right to privacy; whilst freedom of expression should be guaranteed and condemns in this context the "anti homosexuality bill 2009".
  4. Demands the Ugandan authorities not to approve this bill and to review all laws which criminalise homosexuality.
  5. Reminds the Ugandan government of its obligations under international law and under the Cotonou agreement which calls for universal human rights to be respected.
  6. Is extremely concerned that international donors both governmental and non-governmental would have to cease their activities in certain fields should the bill pass.
  7. Calls for increased support to local organisations and associations working to ensure sexual health, rights, and choice, and encourages the support for anti-homophobic partnerships between European and African sister organisations, based on equality, to mutually support each other in developing actions and strategies to address homophobia in their respective contexts.
  8. Strongly rejects any moves to introduce the use of the death penalty.
  9. Calls on the Council and Commission to make sure that LGBT rights are on the agenda for a dialogue with Uganda on human rights.
  10. Instructs its President to forward this resolution to the Commission, the Council, the President of the Republic of Uganda and the speaker of the Ugandan Parliament