



Plenary sitting

B8-0170/2018

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 ALDE Group

B8-0170/2018

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

The European Parliament,

- having regard to the ACP-EC Partnership Agreement ('Cotonou Agreement') and in particular to Article 8(4) on non-discrimination,
- having regards to the Constitution of Uganda,
- having regard to the International Convention on the Rights of the Child (CRC), adopted on 20 November 1989, and in particular to Articles 2 and 6 thereof, which explicitly stipulate the principle of non-discrimination, including on the grounds of disability, and the right to life;
- having regard to the United Nations Convention on the Rights of Persons with Disabilities (CRPD), adopted in 2006, and in particular to Article 32 thereof, which states that all parties must include disability and persons with disabilities in their international cooperation efforts,
- having regard to UN Human Rights Council latest resolutions on the human rights of persons with disabilities from 14/04/2014 and 14/07/2014,
- having regard to Article 19 of the TFEU, Article 6 of the Treaty on European Union and Article 14 of the Convention for the Protection of Human Rights and Fundamental Freedoms, which prohibits all forms of discrimination, as well as Articles 21 and 26 thereof, which set out the rights of people with disabilities,
- having regard to the resolutions of the ACP-EU Joint Parliamentary Assembly on the rights of disabled people and older people in ACP countries of 1 November 2001, on health issues, young people, the elderly and people living with disabilities, adopted at the Cape Town Assembly on 21 March 2002, and on the inclusion of persons with disabilities in developing countries, adopted on 23 November 2001;
- having regard to the World Report on Disability published by the World Health Organization (WHO) and the World Bank in June 2011,
- having regard to the OHCHR report of 8 April 2016, "Committee on the Rights of Persons with Disabilities considers report of Uganda",
- having regard to United Nations General Assembly (UNGA) Resolutions 65/186 and 64/131 on 'Realising the Millennium Development Goals for Persons with Disabilities towards 2015 and beyond',
- having regard to the EU Guidance Note on Disability and Development for EU Delegations and Services,
- having regard to its resolution on disability and development adopted on 19 January 2006,

- having regard to its previous resolutions on Uganda,

- A. whereas more than one billion people in the world, almost 15 % of the population, live with some form of disability;
- B. whereas Uganda is one of the 162 States Parties to the UN Convention on the Rights of Persons with Disabilities (CRPD); whereas Uganda ratified the Convention and its Optional Protocol on 25th September 2008 without reservations; whereas Uganda committed itself to accord the same rights to persons with disabilities like all other citizens;
- C. whereas in April 2016, the UN Committee on the Rights of Persons with Disabilities reviewed Uganda's record on the implementation of the CRPD and concluding observations and recommendations were developed in which "The Committee notes with concern that legislation and policies fail to provide protection for the rights of children with disabilities. It is also concerned about the absence of information on the situation of deaf and deaf-blind children, and about measures to ensure their protection and inclusion in society"
- D. whereas Uganda is a signatory to the UN Convention on the Rights of the Child;
- E. whereas Government of Uganda has a number of general laws and policies that contain clauses on disability; whereas the country has disability-specific legislation; whereas the definition of disability can vary from one legislation to another;
- F. whereas according to the Uganda Population and Housing Census Report 2014, for the population aged 2 years and above the disability prevalence rate was 12.4 percent while the equivalent for 5 years and above was close to 14 percent;
- G. whereas two of the greatest obstacles to the inclusion of disabled people in Ugandan society are their invisibility and negative attitudes towards them; whereas having children with disabilities is a reason for social exclusion for the family and in particular the mothers, as children with disabilities are seen as a shame and weakness for the family;
- H. whereas the social stigma in Uganda is so important that the mothers and children are rejected from the community; whereas the pressure is so that the mothers kill their own child after years of struggling with the efforts and sacrifices related to the care for a disabled child;
- I. Whereas Uganda is not the only country struggling with this problem; Whereas (among others) South Sudan, Kenya and Tanzania face similar problems;
- J. whereas beliefs held about children born with disabilities put them more at risk of violence and murder than non-disabled children; whereas common beliefs included that children born with impairments are a punishment and/or curse from God, the consequence of an undesirable act done by a parent or close relative, a curse or witchcraft, or the reincarnation of an ancestor;

- K. whereas these infanticides are called “mercy killing” in Uganda; whereas even though some mothers or survivors are testifying, the practice remains taboo;
 - L. whereas there are no official numbers available as the police, nor the justice system in Uganda investigate the phenomenon; whereas the lack of data makes the fight against this practice difficult;
 - M. whereas the WHO and the World Bank list inadequate policies and standards, negative attitudes, lack of provision of services, inadequate funding, inaccessibility, lack of consultation and involvement, and lack of data and evidence as the causes of exclusion of persons with disabilities;
 - N. whereas disability tends to disproportionately affect vulnerable populations, where the likelihood of disability increases with the incidence of poverty; whereas disability is therefore a development issue;
 - O. whereas many developing countries have made significant, though partial, progress on including people with disabilities in development projects;
 - P. whereas associations for persons with disabilities have a particular role to play in representing and communicating the specific interests of people with disabilities vis-à-vis politicians and the general public;
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- 1. recalls the Ugandan authorities of their obligation to comply with the Constitution of their country, in particular article 21, 32 and 35.1, the latter stating that persons with disabilities have a right to respect and human dignity and the state and society shall take appropriate measures to ensure they realize their full mental and physical potential;
 - 2. urges the authorities to fulfil their commitments towards children, especially those with disabilities who should enjoy protection provided by the Constitution, expresses its concerns about the definitions of disability throughout the legislation and about the delay in the enactment of the Persons with Disabilities Bill of 2014;
 - 3. recalls the specific duty of the Ugandan Parliament towards people with disabilities, embedded in article 35.2 of the Constitution, and following which the Parliament should enact laws appropriate for the protection of Persons with Disabilities.
 - 4. Calls on national parliaments to establish committees to follow up the implementation of legislation addressing the needs of people with disabilities;
 - 5. calls for support for families with persons with disabilities so they can raise their children at home; calls on the Ugandan government to develop quality support services to families of children with disabilities in both urban and rural areas, including sufficient financial support and benefits for families to take good care of their disabled child;

6. calls on the authorities to ensure the availability and effective dissemination of information to parents about services and benefits, to ensure support, information and advice, and training courses for parents and care-givers of children with disabilities in order to facilitate children's participation in the community;
7. welcomes the creation in 2009 of the Equal Opportunities Commission Act that aims at promoting equal opportunities for marginalised groups, including persons with disabilities;
8. welcomes the creation of the Uganda Human Rights Commission (UHRC) under the 1995 Constitution of the Republic of Uganda; recalls its role, among others, to create and sustain the awareness in society of the provisions of this constitution as the fundamental law of the people of Uganda and to monitor the Government's compliance with international human rights obligations;
9. urges the Ugandan Parliament to provide legal protection against disability-based discrimination and multiple and intersectional forms of discrimination faced by persons with disabilities, in particular children;
10. calls on the UHRC to develop a concrete national plan to guide its monitoring function and to promote a more structured and institutionalized interaction with all disabled persons' organisations in the country,
11. calls on the Ugandan authorities to strengthen efforts to raise awareness of the rights and dignity of children with disabilities in Uganda; Underlines in this regard the important role of education; Stresses emphatically the key role of associations for persons with disabilities in raising awareness about the inclusion of people with disabilities and the challenges they face;
12. calls for the alignment of the Children's Act with the CRC and CRPD in order to mainstream the rights of children with disabilities across all programmes and provide the necessary budget and resources for their protection;
13. Stresses that the media should play a more active role in challenging stereotypes and promoting inclusion; calls upon international, national and local decision makers to ensure and promote awareness raising via the media, educational policies and public campaigns;
14. Calls for an exchange of good practices among both developing and developed countries; asks the European Commission to develop a platform together with other international donors in order to exchange good inclusion practices for children with disabilities; calls upon the European Commission to fully fulfil its commitments under Article 32 of the CRPD;
15. Stresses that inclusion policies should be promoted in all relevant UN and international fora, as the issue of disability is currently absent in many high-level international discussions (Rio+20, OECD agenda) and must be placed high on the political agenda;
16. Instructs its President to forward this resolution to the Council, the Commission, the High Representative/Vice-President for Foreign Affairs and Security Policy, the President of the Republic of Uganda, the Speaker of the Ugandan Parliament, the East African Legislative Assembly and the African Union and its institutions.

