



Subject: On the human rights situation in Uganda, most notably the recent approval of the 'Anti-Homosexuality Act 2023'.

To the High Representative and Vice President of the European Commission Josep Borrell,
To the European Commissioner for International Partnerships Jutta Urpilainen,

We, the undersigned, are highly concerned about the recent developments of human rights in Uganda.

Since the election of 2021, Museveni has doubled down his efforts to tighten his grip on society. Arbitrary detention and the severe restriction of freedom of assembly and expression were and are replete. Already in the run up to the election, Uganda's people have experienced violent crackdowns on protests, which saw 54 protestors being killed at a rally in 2020. Access to social media is severely restricted, freedom of opinion, expression and media are actively suppressed by Ugandan authorities and the civil society space continues to shrink.¹ In 2021, the main opposition candidate during the elections and his followers were the constant subject of wide scale abuse, arbitrary arrests and detentions and torture. The latter is well documented by the United Nations, several human rights bodies and Uganda's own parliament.² Democracy, rule of law, separation of powers and the right to life are under significant threat in Uganda. Furthermore, in February 2023, the Ugandan government closed the office of the OHCHR.

Uganda is experiencing a constant and steady decline of human rights, which is fuelled by a continuous effort by President Museveni to legalize repressive measures and restrictive legislation. In a most worrying turn of events, these measures now do not only have an impact on the freedom of Uganda's society, but also reach much deeper into the enjoyment and the right to life.

The latest descent on human rights in Uganda has been established by the approval of the shocking and inhumane 'Anti-Homosexuality Act 2023'. This bill not only criminalizes homosexuality, but also threatens the lives of LGBTQI+ persons with the death penalty.

The discrimination and criminalization of an individual on the basis of their sexual orientation is in violation of international human rights law, the African Charter on Human and People's Rights and is in direct opposition to the values of the European Union. Furthermore, any manner and use of the death penalty undermines the right to life and damages the credibility of the justice system.

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Museveni must retrace his steps on human rights and ensure that fundamental rights are upheld and protected by law. The government bills on the restriction of freedom of expression online must be changed and the most recent 'Anti-Homosexuality Act 2023' must be suspended and withdrawn. Civil society must be allowed to act freely and political opposition must be allowed to protest, rally

¹ <https://www.hrw.org/news/2021/08/27/uganda-harassment-civil-society-groups> and

² <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPrICAqhKb7yhssZJARfELMVv25mPPQ8yyVRy%20ALNwLGbRLk%2FTjxtcghmm45%2BP4K12bSPYnuoqi5wGBDhfjzGkCdEETf7n6VfRApDK%2Bv3SWLkbp8NeKzZi5> and <https://www.parliament.go.ug/cmisis/brower?id=49986867-2ebf-4550-af0d-55155ff20dab%3B1.0>



and stand for election without undue interference and human rights abuses such as arbitrary detention and torture.

The European Parliament has, since the 2021 election, adopted two urgency resolutions on the human rights abuses by Museveni and his government and has strongly condemned the passing of the 'Anti-Homosexuality Act 2023' bill.³ In addition to this, MEPs have posed numerous questions and letters to the European Commission on its efforts in Uganda to steer Uganda's government towards the protection of human rights, to no avail. In their question to the Commission on the closing of the office of OHCHR in Uganda, in which they called for a serious reconsideration of the Commission's efforts in Uganda, MEPs received no clear answer on concrete actions by the Commission to ensure that the right to life and the respect of fundamental rights in Uganda is strengthened.⁴

It is clear that the promised engagements by the European Commission with the Ugandan government have had no impact on the improvement of human rights in Uganda. Museveni continues to enjoy impunity for his actions and the European Commission's work to 'support the country's efforts to proceed with electoral reforms, defend human rights, promote democratic governance and fight corruption' have failed.⁵

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The European Commission must be consequential in delivering on its goals in Uganda and on the defence and promotion of human rights. We must keep up the momentum.

We therefore call on the European Commission to make a profound analysis of its financial support to Uganda and to suspend, with immediate effect, any funding that goes to the Ugandan government that can be misused by the Ugandan government and the judiciary to continue abuses, such as the Democratic Governance Facility.⁶

Furthermore, the EU must follow the call by the international community on establishing targeted travel bans, visa restrictions and the freezing of financial assets in the EU. These must be targeted against Ugandan individuals that are known to have been involved in human rights abuses and other inhumane or degrading treatment or punishment of persons and against international actors that spread misinformation and advocate for the harming or killing of LGBTQI persons across the globe.

The EU and the EEAS must guarantee the safety of human rights defenders and LGBTQI activists by engaging the Human Rights Defender Mechanism and the Crisis Facility and they must continue to contribute to the capacity building of civil society activists that protect human rights.

The Commission should investigate funding of and apply scrutiny to individuals and associations that spread misinformation, stereotypes and hate speech on the LGBTQI community.

³ <https://www.europarl.europa.eu/news/en/press-room/20230414IPR80130/meps-strongly-condemn-anti-lgbtqi-bill-in-uganda>

⁴ E-000614-2023 and Answer E-000614-2023

⁵ https://www.eeas.europa.eu/uganda/european-union-and-uganda_en?s=127

⁶ 'On June 22, 2022, Museveni announced the restoration of the Democratic Governance Facility, a European Union fund for nongovernmental groups that he suspended in 2021, on the condition that the government is included in its decision-making on the disbursement of funds to Ugandan organizations.' <https://www.hrw.org/news/2022/07/01/uganda-president-pledges-rights-improvements> and <https://twitter.com/KagutaMuseveni/status/1539647202926428160>



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In a world in which the values of equality, human rights and justice are under more threat than ever before, it is of utmost importance that the EU shows that it is steadfast on protecting the rights of the most vulnerable and that it stands to defend its values across the globe.

Sincerely,

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