

URGENT ACTION

UA 040/12

ANTI-HOMOSEXUALITY BILL IS RE-TABLED

UGANDA

A bill which institutionalizes discrimination against lesbian, gay, bisexual and transgender people has been re-tabled in the Ugandan Parliament. It could be debated and passed into law in the next month.

On 7 February 2012, the Anti-Homosexuality Bill was re-tabled in the Parliament of Uganda. The Bill had previously lapsed with the dissolution of the previous Parliament in May 2011.

The Speaker announced that as the Legal and Parliamentary Affairs Committee had already issued a report on the Bill in May 2011, the Committee could decide that the Bill should proceed straight to its Second Reading. This sets the stage for legislative debate and possible passage into law within days. If the Bill is passed, it must still be signed by the President in order to become law.

The Ugandan Penal Code already prohibits consensual sex between individuals of the same sex, however, the Bill goes much further. As it stands, the Bill introduces the death penalty for the offence of "aggravated homosexuality". It also punishes those who do not report violations of the Bill's provisions within 24 hours, and criminalizes the "promotion" of homosexuality. The Bill would have lasting, harmful effects on Ugandans who are thought to breach its far-reaching provisions. It would significantly hamper the work of human rights defenders and public health professionals. Although Amnesty International has been informed that some provisions of the Bill may be amended, the content of these amendments remains unclear.

The re-tabling of the Bill comes at a time of reduced space for enjoyment of human rights in Uganda. Since the general elections in February 2011, a blanket ban has been in place against all forms of public assembly and peaceful demonstration on the grounds of ensuring public security.

If passed, the Bill would violate the principle of non-discrimination and would lead to violations of the human rights to freedom of expression, freedom of thought, conscience and religion, freedom of peaceful assembly, freedom of association, liberty and security of the person, privacy, the highest attainable standard of health, and life. These rights are guaranteed under Uganda's Constitution and in international and regional treaties to which Uganda is a party, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the African Charter on Human and Peoples' Rights.

ADDITIONAL INFORMATION

The Anti-Homosexuality Bill formally lapsed when the eighth Parliament (the previous Parliament) completed its business on 13 May 2011 without having discussed the bill.

Amnesty International and other human rights organizations have documented instances of discrimination, arbitrary arrests, detention, torture and other ill-treatment of lesbian, gay, bisexual and transgender (LGBT) people in Uganda. These human rights violations have been committed using the pretext of enforcing existing provisions of the Ugandan penal code. LGBT people have also been excluded from government HIV/AIDS prevention programmes and the provision of other health services. This bill has the potential to further perpetuate and institutionalize such discrimination. In addition, if enacted into law, this bill would send a clear message that people who target LGBT people solely on the basis of their actual or perceived sexual orientation or gender identity will not be held accountable.

PLEASE WRITE IMMEDIATELY IN ENGLISH OR YOUR OWN LANGUAGE:

- Urge the Ugandan Parliament not to pass the bill in its current or amended form.

PLEASE SEND APPEALS BEFORE **2 APRIL 2012**.

APPEALS TO

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COPIES TO

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