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'LET'S STAND UP FOR EQUALITY, JUSTICE AND HUMAN DIGNITY' - FOR ALL

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On this day, 69 years ago, the Universal Declaration of Human Rights, 1948 (UDHR) was adopted by the General Assembly of the United Nations. This groundbreaking document declared in Article 1 that 'All human beings are born free and equal in dignity and rights.' The message was clear and unequivocal, all persons including persons who are marginalised or whose conduct was criminalised were entitled to the same rights and dignity as everyone else. The UDHR was intended to inspire other human rights instruments that would provide for protection of the rights recognized there in more concrete and binding terms. Indeed, since then a plethora of international human rights instruments, including the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Social, Economic and Cultural Rights (ICESCR) and perhaps more significantly for Africa, the African Charter on Human and Peoples' Rights (ACHPR) have been adopted carrying the same message. At the domestic level, constitutions have been adopted that incorporate protections for all persons, including in the Uganda Constitution.

However, for Uganda the reality is still quite different from what Article 1 of the UDHR proclaimed as some sections of society are still treated as unequal because of their conduct or orientation. Among these are: Lesbians, Gays, Bisexuals, Transgender and Intersex (LGBTI) persons; sex workers, and drug users. Their conduct is criminalised. HRAPF continues to register a disturbingly high number of violations of the rights of these groups, by state officials, particularly the police, and from members of the general population. Many get arrested, subjected to inhuman and degrading anal examinations in the case of those suspected of engaging in same sex relations; kept in detention for beyond the mandatory 48 hours; evicted

from their areas of residence; and subjected to violence from both state officials and non state actors. These violations go with little or no redress.

Additionally, the space for engagement on the rights of particularly LGBTI persons continues to further shrink. The LGBTI Pride events have been stopped by the Police and the Minister of Ethics and Integrity, for the past two years, and just this week, the Queer Film Festival was also stopped by the Police. These actions are contrary to the rights to freedom of conscience, opinion and belief as well as expression, association and assembly as guaranteed in the Constitution, and in international human rights instruments, including the UDHR.

The continued criminalisation, as well as the violations by state officials fuel homophobia and violence against LGBTI persons and the other criminalised groups, since it is regarded as official condonation of the mistreatment of these groups.

Recently, the African Commission on Human and Peoples' Rights Adopted Resolution 275 on 'Protection Against Violence and other Human Rights Violations Against Persons on the Basis of their Real or Imputed Sexual Orientation or Gender Identity' whereupon it reminded states to end all acts of violence and abuse based on sexual orientation, whether committed by state or non-state actors, by putting in place effective laws, ensuring proper investigations, and prosecution of the perpetrators; and establishing judicial procedures responsive to the needs of victims.

The international theme for this year is 'Let's stand up for equality, justice and human dignity.' This should be for all persons, within the spirit of the UDHR. HRAPF therefore calls on the government of the Republic of Uganda to put in place laws that protect LGBTI persons, sex workers and drug users from the adverse effects of law enforcement, and to investigate and provide effective redress for violations against these groups. This is the only way in which equality, justice and human dignity will be realised for these groups too.