

118TH CONGRESS
2D SESSION

H. RES. 1324

Condemning Uganda's undemocratic human rights regression.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2024

Mr. TAKANO (for himself, Mrs. BEATTY, Ms. NORTON, Mr. POCAN, Mrs. RAMIREZ, Mr. ESPAILLAT, Mr. DOGGETT, Ms. SCHAKOWSKY, Mr. MOULTON, Ms. WASSERMAN SCHULTZ, Mr. ROBERT GARCIA of California, Mr. TORRES of New York, Mr. GRIJALVA, Ms. GARCIA of Texas, Ms. SÁNCHEZ, Mr. SHERMAN, Ms. MOORE of Wisconsin, Ms. BALINT, Ms. TLAIB, Ms. JAYAPAL, Mr. GOTTHEIMER, Mr. JOHNSON of Georgia, and Mr. NADLER) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Condemning Uganda's undemocratic human rights
regression.

Whereas, since 1986, Uganda has been led by President Yoweri Museveni;

Whereas, according to the United States Department of State 2023 Human Rights Report, human rights issues in Uganda included credible reports of extrajudicial killings, forced disappearance, torture by government agencies, serious restrictions on freedom of expression and media, censorship, interference with the freedom of peaceful assembly and association, crimes involving violence or threats targeting lesbian, gay, bisexual, transgender,

queer, or intersex (LGBTQI+) persons, human rights defenders, journalists, and other marginalized populations, and the existence of laws criminalizing consensual same-sex sexual conduct between adults;

Whereas consensual same-sex sexual conduct has been illegal in Uganda according to a colonial-era law that criminalizes “carnal knowledge of any person against the order of nature”, carrying a punishment of up to life imprisonment;

Whereas, in December 2013, the Parliament of Uganda passed the country’s first Anti-Homosexuality Act that broadened the criminalization of consensual same-sex sexual relations and penalties for individuals, companies, and nongovernmental organizations that aid, abet, counsel, or procures another to “engage in acts of homosexuality”;

Whereas, in 2014, President Yoweri Museveni signed into law the Anti-Homosexuality Act;

Whereas international condemnation was immediate in response to the 2014 Ugandan law;

Whereas the United States issued aid, police, travel, and military sanctions against Uganda in response to the Anti-Homosexuality Act;

Whereas the Constitutional Court of Uganda ruled the act invalid on procedural grounds;

Whereas, in March 2023, the Parliament of Uganda introduced and passed a new version of the Anti-Homosexuality Act that mirrored the legislation signed into law in 2014 and introduced the death penalty even for some consensual acts;

Whereas, in April 2023, President Museveni returned the Anti-Homosexuality Act to the Parliament of Uganda for unsubstantial revisions;

Whereas, on May 2, 2023, the Parliament of Uganda passed an amended version of the Anti-Homosexuality Act, which maintained harsh penalties;

Whereas, on May 26, 2023, President Museveni signed the Anti-Homosexuality Act;

Whereas the Anti-Homosexuality Act includes, among other things, life imprisonment for consensual same-sex sexual conduct, the death penalty for individuals who commit the “offence of homosexuality” under certain circumstances, and 20 years of imprisonment for the “promotion of homosexuality,” which includes operating an organization that “promotes or encourages homosexuality or the observance and normalization of [homosexual] conduct”;

Whereas, on May 29, 2023, President Biden stated that “the enactment of Uganda’s Anti-Homosexuality Act is a tragic violation of universal human rights . . . that jeopardizes the prospects of critical economic growth for the entire country” and followed that statement by restricting Uganda’s trade privileges, enacting new sanctions and visa restrictions, reducing direct support to the Government of Uganda, and increasing assistance to victims of human rights abuse;

Whereas the joint statement by the leaders of the Global Fund, the United Nations Program on HIV/AIDS, and the U.S. President’s Emergency Plan for AIDS Relief (PEPFAR) on Uganda’s Anti-Homosexuality Act stated that the Anti-Homosexuality Act “will obstruct health

education and the outreach that can help end AIDS as a public health threat” and that “LGBTQI+ people in Uganda increasingly fear for their safety and security, and increasing numbers of people are being discouraged from seeking vital health services for fear of attack, punishment and further marginalization”;

Whereas, in August 2023, the World Bank announced that it would pause all lending to Uganda, stating that the Anti-Homosexuality Act “fundamentally contradicts the World Bank Group’s values,” and that their “vision to eradicate poverty on a livable planet can only succeed if it includes everyone irrespective of race, gender, or sexuality”;

Whereas the Anti-Homosexuality Act has had severe impacts on LGBTQI+ Ugandans through its government-sanctioned violence, societal vigilantism, and further marginalization of those perceived or actual LGBTQI+ individuals;

Whereas under the legal enforcement of the Anti-Homosexuality Act, which began in September 2023, human rights groups on the ground reported a marked uptick within the last 8 months in police violence, harassment, assault, evictions, job loss, and arrests of LGBTQI+ persons and individuals believed to be LGBTQI+, including—

- (1) over 434 cases of evictions;
- (2) 69 arrests;
- (3) 309 cases of violence, including physical violence, forced outing, threats, online attacks, police raids, and blackmail and extortion;
- (4) 108 cases of violations of an individual’s civil liberties and right to freedom from discrimination, including

loss of employment, exclusion from social services, family rejection, and denial of a passport; and

(5) 1253 total human rights violations and abuses;

Whereas the Anti-Homosexuality Act has had a negative impact on health service providers and limited access to health care for LGBTQI+ persons, including denial of services to LGBTQI+ patients and a reluctance on the part of LGBTQI+ Ugandans to seek care for fear of being reported to the police;

Whereas the impact on seeking and delivery of HIV/AIDS-related services has been particularly acute for LGBTQI+ persons due to fear of being reported to law enforcement;

Whereas reports from community members indicate that landlords and hoteliers continue to evict members of the LGBTQI+ community and LGBTQI+ organizations from properties due to the threat of prosecution for housing someone who violates one of the many provisions of the Anti-Homosexuality Act, increasing LGBTQI+ persons' challenge to find safe housing;

Whereas, on April 3, 2024, the Constitutional Court of Uganda ruled that all but two sections and two subsections of the Anti-Homosexuality Act were constitutional, upholding the Act as the law of the land and entrenching its disregard of Ugandans' rights and their life, liberty, freedom, and equality; and

Whereas the dangers posed by this democratic backsliding are a threat to everyone residing in Uganda, including foreign government personnel, the staff of nongovernmental organization implementing partners, visitors and tourists,

members of the business community, and Ugandans themselves: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) condemns the Government of Uganda’s
3 criminalization and draconian punishments regard-
4 ing consensual same-sex sexual conduct and so-
5 called “promotion of homosexuality”;

6 (2) calls on the Government of Uganda to expe-
7 ditiously repeal the Anti-Homosexuality Act; and

8 (3) supports the continuation of existing sanc-
9 tions imposed with respect to the Government of
10 Uganda, including restrictions on visas to enter the
11 United States for current and former Ugandan offi-
12 cials involved in repressing marginalized populations,
13 business and travel advisories with respect to activi-
14 ties in Uganda, and reduction of support to the Gov-
15 ernment of Uganda, until the Anti-Homosexuality
16 Act is repealed.

○