



TEXTS ADOPTED

P8_TA(2018)0081

Mercy killings in Uganda

European Parliament resolution of 15 March 2018 on mercy killings in Uganda (2018/2632(RSP))

The European Parliament,

- having regard to the Universal Declaration of Human Rights of 10 December 1948, to which Uganda is a signatory,
- having regard to the ACP-EU Partnership Agreement ('Cotonou Agreement') and in particular to Article 8(4) thereof on non-discrimination,
- having regard to the Constitution of the Republic of Uganda,
- having regard to the International Convention on the Rights of the Child (CRC), adopted on 20 November 1989, in particular to Articles 2 and 6 thereof, which explicitly stipulate the principle of non-discrimination, including on 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, in particular to Article 32 thereof, which states that all parties must include disabilities and persons with disabilities in their international cooperation efforts,
- having regard to the latest resolutions of the UN Human Rights Council on the human rights of persons with disabilities of 14 April 2014 and 14 July 2014,
- having regard to Article 19 of the Treaty on the Functioning of the European Union (TFEU), Article 6 of the Treaty on European Union (TEU) and Article 14 of the Convention for the Protection of Human Rights and Fundamental Freedoms, which prohibit 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 resolution of the ACP-EU Joint Parliamentary Assembly on the inclusion of persons with disabilities in developing countries, adopted on 23 November 2011,
- having regard to the World Report on Disability published by the World Health Organisation (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 the 2030 Agenda and the Sustainable Development Goals (SDGs) adopted in New York on 25 September 2015,
 - having regard to Uganda’s review report of 1 July 2016 on the implementation of the 2030 Agenda entitled ‘Ensuring that no one is left behind’, which was presented to the UN High-level Political Forum in New York,
 - having regard to its resolution of 19 January 2006¹ on disability and development,
 - having regard to its previous resolutions on Uganda,
 - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas ‘mercy killing’ in Uganda is a practice whereby parents of disabled children kill or allow them to die by starving them or denying them medical attention because of the belief that these children are better off dead than having to endure a painful and incurable disability;
 - B. whereas Uganda is not the only country struggling with this problem; whereas many developing countries have made significant, though incomplete, progress on including people with disabilities in development projects;
 - C. whereas some parents confess that the act of ‘mercy killing’ is necessary to save disabled children from severe suffering throughout their lives; whereas despite the testimony of some mothers or survivors, the practice remains a taboo;
 - D. whereas the social stigma in Uganda is so strong that the mothers and children are rejected by the community, which attributes them a low social status and denies them full participation in society; whereas there is pressure on mothers to kill their own children after years of struggling with the effort and sacrifices related to caring for a disabled child;
 - E. whereas beliefs held about children born with disabilities put them at greater risk of violence and murder than non-disabled children; whereas children with disabilities remain subject to various forms of violence, discrimination and marginalisation due to negative attitudes, superstition, neglect and social norms and practices; whereas the greatest threat to children with disabilities is posed by misleading beliefs regarding their condition, including that the presence of the child will lead to more children suffering from disabilities;

¹ OJ C 287 E, 24.11.2006, p. 336.

- F. whereas clans and extended families put mothers under too much pressure, seeking to understand the causes of disability and casting blame on the mother; whereas, in some cases, mothers have been expelled from their husbands' households for producing disabled children;
- G. whereas doctors and medical workers fail to understand or explain the nature and the cause of the child's frailty, and whereas the healthcare system is not sufficiently equipped to diagnose and treat many types of disabilities that could be minimised or even eliminated; whereas the denial of basic rights to children with disabilities, such as access to healthcare, education, support and rehabilitation, severely hinders their ability to develop their full potential;
- H. whereas Uganda is one of the 162 states party to the CRPD; whereas Uganda ratified the Convention and its Optional Protocol on 25 September 2008 without reservations; whereas Uganda committed itself to accord the same rights to persons with disabilities as to all other citizens;
- I. 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 drawn up, according to which 'the Committee notes with concern that legislation and policies fail to provide protection for the rights of children with disabilities' and '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';
- J. whereas the 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 piece of legislation to another;
- K. 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 source of shame and weakness for the family;
- L. whereas few state-run support facilities exist for parents of disabled children in parts of rural Uganda and whereas as a consequence families, in particular single mothers, often find it difficult to adequately care for their disabled children;
- M. whereas there are no official figures available as neither the police nor the justice system in Uganda investigate the phenomenon; whereas the lack of data makes the fight against the practice of 'mercy killing' difficult;
- N. whereas the work of civil society groups and human rights defenders is crucial to guaranteeing the rights of marginalised and vulnerable groups; whereas non-governmental organisations in Uganda are facing several difficulties and obstacles in providing services to children with disabilities and their parents; whereas many misconceptions surrounding children with disabilities pose a challenge to development efforts and the work of human rights monitors in Uganda;
- O. whereas associations for persons with disabilities have a particular role to play in

representing and communicating the specific interests of people with disabilities to politicians and the general public; whereas there is a lack of information available to make the general public aware of cultural practices that stigmatise and hinder the development of persons with disabilities and their enjoyment of the same rights as all other persons in society;

1. Strongly condemns the unjustifiable and inhumane killing of children and new-borns with disabilities; expresses its utmost concern over the 'mercy killing' of disabled children in Uganda and all countries affected; calls for an end to such acts of violence, cruelty and torture towards children;
2. Calls on the authorities of Uganda and all countries affected by the 'mercy' and ritual killing of children to commit to tackling the harmful superstitious beliefs perpetuating the targeting of children;
3. Recalls that the primary responsibility of a state is to protect its citizens, including vulnerable groups; reminds the Ugandan authorities of their obligation to comply with the Constitution of their country, in particular Articles 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 realise their full mental and physical potential;
4. Recalls the specific duty of the Ugandan Parliament towards people with disabilities, embedded in Article 35(2) of the Constitution, by virtue of which the Parliament should enact laws appropriate for the protection of persons with disabilities; calls on the Ugandan Government to support all actions undertaken in favour of the improvement of the civil and human rights of disabled people;
5. Calls for support for the families of persons with disabilities so that they can raise their children at home; calls on the Ugandan Government to develop quality support services for the families of children with disabilities throughout the country, including sufficient financial support and benefits for families to take good care of their disabled children;
6. Calls on the authorities to ensure social awareness and information on the situation of disabled people, and training courses to ensure support, information and advice for parents and care-givers of children with disabilities, in order to facilitate the participation of these children in the community;
7. Calls on the Government of Uganda to ensure medical doctors who come into direct contact with people with disabilities and their medical problems are adequately educated and sensitised to the needs of these patients;
8. Welcomes the creation in 2007 of the Equal Opportunities Commission Act, which aims at promoting equal opportunities for marginalised groups, including persons with disabilities;
9. 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;

10. Calls on the UHRC to develop a concrete national plan to guide its monitoring function and to promote more structured and institutionalised interaction with all disabled persons' organisations in the country;
11. Urges the authorities to ensure registration of all children at birth, including those with disabilities;
12. 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 connection, the important role of education to combat stigmatisation; 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;
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. Expresses grave concern at the increasing number of physical attacks on human rights defenders and civil society groups, such as the Human Rights Awareness and Promotion Forum; urges the Ugandan authorities to guarantee the safety of human rights defenders, prosecute attacks against them and enable them to carry out their work free of threats and impediments;
15. Calls on the Commission and the Member States to support the efforts of the Government, NGOs and civil society of Uganda to formulate and implement policies to address the needs and rights of persons with disabilities, based on non-discrimination and social inclusion, and equal access to healthcare and other social services;
16. Calls for an exchange of good practices among both developing and developed countries; asks the Commission to develop a platform together with other international donors in order to exchange good inclusion practices for children with disabilities; calls upon the Commission to fully fulfil its commitments under Article 32 of the CRPD;
17. Calls on the EU to take advantage of the political leverage provided by development aid programmes, namely budget support programmes, to enhance the defence and promotion of human rights in Uganda; calls on the Commission to verify if better assistance can be granted, either through funding or coordination with local institutions, to improve medical support to children with disabilities in order to extend urgently needed support to their families;
18. 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 and must be placed high on the political agenda;
19. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the President of the Republic of Uganda, the Speaker of the Ugandan Parliament and the African Union and its institutions.