

D 306172 02.06.2023

[EXPO-COM-DEVE D (2023) 20239]

Mr Josep Borrell Fontelles  
Vice-President of the European Commission  
High Representative of the Union for Foreign Affairs and Security Policy

**Subject: EU response to the signing into law of the Anti-Homosexuality Act in Uganda**

Dear Vice-President of the European Commission / High Representative,

I am writing to you with regard to the signing into law of the Anti-Homosexuality Act by Ugandan President Yoweri Museveni.

As you stated on 29 May 2023, this law is contrary to international human rights law and Uganda's obligations under the African Charter on Human and Peoples' Rights. It constitutes a flagrant violation of human rights and fundamental freedoms, and endangers LGBTIQ people in Uganda. This is simply unacceptable.

The law will have far-reaching implications, such as undermining progress in combating HIV and damaging the country's reputation as a destination for foreign investment and development assistance.

In its resolution of 19 April 2023, the European Parliament condemned, in the strongest possible terms, the Bill adopted on 21 March 2023 by the Ugandan parliament and called on the Commission to adopt various measures against Uganda, should the Bill be signed into law by the President.

I therefore urge the Commission, under your supervision, to follow up on this and to ensure that the EU sends a strong and clear message to the Ugandan authorities that the EU will never accept anti-LGBTIQ legislation or any type of legislation that violates human rights and fundamental freedoms.

The EU must do more than issuing a mere statement regretting the signing into force of the Act. The EU must use all available tools, such as taking action under the 'essential elements' clause of the Cotonou Agreement, while at the same time increasing support to Ugandan human rights defenders and lawyers that seek to challenge the law in court.

The United States and some EU Member States have already communicated that they are considering additional steps, including the application of sanctions, in response to the

promulgation of the Bill. The EU must also act, in line with its commitment to promote and protect the rights of LGBTIQ persons and to advocate for the total abolition of capital punishment.

In fact, the Commission must increase the overall efforts of the EU to push for the universal decriminalisation of homosexuality, considering that draconian laws that limit the rights of LGBTIQ people exist in many more countries.

I look forward to and expect a strong reply from the Commission on this alarming matter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Tomas Tobé', with a stylized flourish above the name.

Tomas Tobé

cc: Udo Bullmann, Chair of the Subcommittee on Human Rights