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rights body attacks uganda over gay ban

By Grace Matsiko

July 26, 2005: Kampala - The Human Rights Watch (HRW), a global human rights body has attacked Uganda for proposing a law banning same sex marriage saying it is deepening repression.

"In voting for a constitutional amendment to criminalise marriage between persons of the same sex, Uganda's Parliament has struck a gratuitous blow for prejudice and against basic human rights", the HRW said in a statement posted on its website on Thursday.

"Uganda already imposes draconian prison sentences on people who engage in homosexual conduct," Mr Scott Long, the director of the Lesbian, gay, bisexual and transgender rights programmes at HRW said.

About a fortnight ago, the Parliament approved a proposed constitutional amendment stating that "marriage is lawful only if entered into between a man and a woman," and that "it is unlawful for same-sex couples to marry."

"New criminal penalties against people who dare to marry can only have one purpose: to codify prejudice against same-sex couples," Long said.

Same-sex sexual relations are criminalised in Uganda under a sodomy law.

The law was strengthened in 1990. Section 140 of the Penal Code (PC) criminalises "carnal knowledge against the order of nature" with a maximum penalty of life imprisonment.

Section 141 of the PC punishes "attempts" at carnal knowledge with a maximum of seven years' imprisonment.

Section 143 punishes acts of "gross indecency" with up to five years in prison. In February, the Media Council, a state media monitoring body banned a staging of the play, "The Vagina Monologues" by the U.S.A author, Ms Eve Ensler, because it "promotes illegal acts of unnatural sexual acts, homosexuality and prostitution."

"Basic freedoms of expression, association and respect for private life are at stake in Uganda," said Long.

"Members of Parliament should reject this amendment and the campaign to stigmatise and silence people because of their sexual orientation," Long

said. HRW urged that Uganda was a party to the United Nations (UN) Human Rights Committee, which recognises that discrimination based on sexual orientation is barred by the International Covenant on Civil and Political Rights.

"The UN Working Group on Arbitrary Detention has held that arrests for consensual homosexual conduct are by definition human rights violations," the statement said.

In March, an HRW report on 'Abstinence-until-marriage" HIV prevention programmes in Uganda' said the programme was jeopardising Uganda's fight against Aids by denying the youth information about other methods of HIV prevention.