Resolution on violence against lesbian women and the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons in Africa

2012/2701(RSP) - 05/07/2012 - Text adopted by Parliament, single reading

The European Parliament adopted by 33 votes to 24, with 4 abstentions, a resolution by votes to with abstentions on violence against lesbian women and the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons in Africa.

The text adopted in plenary had been tabled by the S&D, ALDE, Greens/EFA, ECR and GUE/NGL groups.

It notes that there is **increasing stigmatisation of and violence against lesbian, bisexual, transgender and intersex women** by state and police forces, by the women's families, and by community members in Africa. Homosexuality is punishable by death in Mauritania, Sudan, parts of Somalia and Nigeria, and whereas a private member's bill before the Ugandan parliament provides for the death penalty for homosexuality. Parliament cites cases of criminalisation and abuse of LGBTI persons in Cameroon, Malawi, Nigeria, South Africa, Swaziland, and Uganda.

Discrimination and violence against lesbian women in Africa: Parliament strongly condemns all forms of violence and discrimination against lesbians in African countries where this is taking place, including extreme forms of violence, such as 'corrective' rapes, and other forms of sexual violence. It calls on those African countries that still have discriminatory laws in place to abolish these immediately, including laws that prohibit homosexuality and laws that discriminate against women in terms of civil status, property and inheritance rights

It calls on the EU, in its work with partner countries in Africa, to make a firm commitment in terms of resources and policy in support of sexual and reproductive health. Members call on the Commission, the EEAS and Member States to:

- support women's organisations and LGBTI organisations in Africa in their struggle for the equality, bodily autonomy and right to freedom in sexuality of all women and LGBTI persons;

- step up the implementation of the goals set out in the EU Plan of Action for Gender Equality and Women's Empowerment in Development, and to pay particular attention to the rights of lesbian, bisexual, transgender and intersex women, both in their relations with third countries and when lending support to non-governmental organisations and human rights defenders.

LGBTI rights in Africa: Parliament notes that in Africa, female homosexuality is legal in 27 countries and illegal in 27, whereas male homosexuality is legal in 16 countries and illegal in 38. It calls on all 76 countries worldwide where homosexuality is illegal, including 38 countries in Africa, to decriminalise homosexuality, and to effectively uphold LGBTI people's right to life and dignity, and condemn all acts of violence, discrimination, stigmatisation and humiliation directed against them. Members call on the Commission, and notably on Catherine Ashton, High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the European Commission, to take concrete action, by **mobilising all appropriate instruments**, to exert pressure in order to protect people from discrimination and

persecution on the basis of their sexual orientation, and to raise these issues in the course of the EU's relations and dialogues with third countries.

Parliament calls on the EEAS, the European Commission and the Member States, in their political dialogue with African countries, to remind them of their obligation to fulfil the **commitments assumed under legally binding international human rights instruments and conventions**, and in particular to respect and promote the right to non-discrimination based on sexual orientation and gender identity. The LGBT Toolkit should be used to encourage third countries to decriminalise homosexuality, help reduce violence and discrimination and protect LGBTI human rights defenders.

Lastly, Parliament welcomes the fact that some African countries, including Cape Verde, the Central African Republic, Gabon, Guinea-Bissau, Malawi, Mauritius, Rwanda, São Tomé and Principe, South Africa and Swaziland have made known their opposition to the criminalisation of homosexuality, have ensured access to healthcare for LGBTI people or have pledged to decriminalise homosexuality.