How should aid donors respond to human rights violations? The politics and diplomacy of opposing Uganda’s Anti-Homosexuality Act

Niheer Dasandi
Lecturer/ Birmingham Fellow in Politics and Development
University of Birmingham
n.dasandi@bham.ac.uk
Rwanda is sliding into a new tragedy. And this time we’re funding it
British taxes support a regime that even allies admit uses murder to crush

Should donor nations give aid to countries with poor human rights records?

Dictators use taxpayers’ cash to fund repression and violence across world
How should donors respond to human rights violations?

• Much of the literature suggests donors should respond to HR violations by:
  • Withdrawing/reducing aid
  • Speaking out against HR violations

• Failure to do so seen as example of lack of commitment to human rights.

• Argument: need for donors to take a more politically informed approach to HR violations.

• Caveats!
Aid, politics, and human rights

- Limitations of conventional argument
- The donor’s dilemma
- Influence of aid/conditionality on recipient government
- Politics of human rights in developing countries
- Domestic politics in donor countries
Uganda’s Anti-Homosexuality Bill
Popular Support and Quiet Diplomacy

- Response to the AHB shaped by popular support
- Struggle between GoM and Legislature
- The use of ‘quiet diplomacy’ by donors

“We had frank conversations behind closed doors with key figures going all the way up to the President. This is the only way to get traction on the issue here… we knew that the more it became a public debate, the more it would become an issue about ‘Western imperialism’ versus ‘African traditional values’.” - donor agency staff
The Use of Aid Conditionality

“For the Americans, this [cutting aid in response to the AHA] was a much more difficult problem because they don’t have things like budget support. Virtually all their aid is provided through various implementing partners, and usually it’s outside [the Ugandan] Government circles. So the question was, ‘what the hell do we do?’ I mean, here’s the thing, a lot of American money goes to paying for antiretrovirals. You cut those things off, and people are going to die” – USAID implementing partner agency staff

“Aid cut as a possible punitive measure should be discussed with the government of Uganda behind closed diplomatic doors and out of the glare of the media and the public… Our own stand on aid cut is that we do not support it because of the backlash that might occur on the LGBTI community and the suffering innocent Ugandans will have to endure as a result” - CSCHRCL Guidelines
Reframing the Struggle

- Baird-Kadaga incident
- Western ‘imperialism’ and Ugandan sovereignty
- Civil society trade-off
- CSCHRCL view
- Museveni “had to sign the bill”
- Could this have been avoided?
Response to the AHA and the Court Ruling

- Donors engaging state officials (e.g. health/police)
- Bringing in other arguments and other actors
- Chinese garment factory
- Petition and court decision
- Double-edged sword of donor response?
Conclusion

- Need for a more politically informed approach to donor engagement with human rights

- Response differs according to type of rights violation, public opinion, priorities of local actors promoting rights, etc.

- Need to draw on wider range of political and diplomatic tools in responding rather than looking only to aid cuts

- Development assistance that considers political realities does not have to be normatively silent