



## **UGANDA – Gender Based Violence Policy Briefing**

### **April 2018 (updated August 2020)**

Uganda is a nation located in East-Central Africa with a population of approximately 34.9 million (UBOS 2014). According to the World Bank country classifications by income level, Uganda is currently classed as a low income nation (US\$ 1,005 or less) with an average annual growth rate of 3.03% (UNDP, 2015).

#### **Gender parity across life domains:**

In Uganda, there are no non-discrimination laws in hiring women, however, the law does mandate equal pay ([Employment Act, 2006](#)). Women do not have full access to assets, including financial services, land and non-land use, control, and ownership, as well as inheritance rights for daughters ([The Global Gender Gap Report, 2018](#)). Sixty seven per cent of the population in Uganda thinks that land parcels should be the responsibility of men, and almost one in three Ugandans believes that women should not have the same access to land as men; this is especially the case in the southwest (43%) and the mid-northern (54%) sub-regions (UNDP, 2015). These practices leave women without property and in a vulnerable position (MGLSD, 2014). Although no laws prohibit women from owning land, traditionally women in Uganda do not own family land. They do, however, perform most of the agricultural work. A study by the [World Bank \(2014\)](#) estimated that women make up the majority of Uganda's agricultural labor force (53%) and a higher proportion of female workers are employed in agriculture (76%) than are male workers (62%). This economic dependency may contribute to violence and discrimination against women.

In 1962, Ugandan women received right to vote but, to date, there has been no female head of state. Underrepresentation of women in the positions of power in general may be due to their low literacy levels. The Uganda National Development Plan identified limited political and economic participation of women as a major contributing factor to violence and discrimination against women. Further, current customary and Islamic laws allow polygamy. Women in polygamous relationships are not protected in case of dissolution of union. In some areas of the country, men can also 'inherit' the widows of their deceased brothers. This practice is not prohibited by the current law. Women are entitled to 60 working days of fully paid maternity leave. A four weeks' maternity leave is compulsory after child birth or miscarriage. While an equal proportion of girls and boys enrol in primary school, girls have a much higher drop-out rate than boys. As a result, gender disparities have been recorded in the attainment of primary,

secondary, and tertiary education, with more men than women completing education at all three levels (The Global Gender Gap Report, 2018).

### **Gender equality indexes:**

1. [Gender Inequality Index \(GII\)](#) measures gender inequalities between women and men in three important areas: reproductive health, empowerment, and economic status. Values range from 0 to 1, with higher values indicating more disparities between the genders. Uganda's current GI index is 0.531. Comparable scores are currently held by Burundi (0.520), Zimbabwe (0.525), Gabon (0.534), and Bangladesh (0.536).
2. [Global Gender Gap Index \(GGGI\)](#) assesses gender gaps on economic, political, education, and health criteria. Values range from 0 to 1, with lower values indicating more disparities between the genders. According to the Global Rankings Report 2020, Uganda's GGGI is 0.717 (rank 65 out of 153 countries), which is a substantial fall compared with the previous report published in 2018 (rank change = -22). Of the four dimensions included in the GGGI, the highest rank for Uganda was recorded on health and survival (score: 0.980, rank: 1), followed by political empowerment (score: 0.309, rank: 35), and economic participation and opportunity (score: 0.663, rank: 82). Uganda's ranked the lowest on educational attainment (score: 0.914, rank: 129). Compared with 2018, Uganda lost at least several ranks on all indicators except for health and survival.

### **Gender-based violence (GBV):**

Lifetime prevalence of GBV in Uganda is estimated at 49.9% ([The Global Gender Gap Report, 2020](#)), suggesting that violence against women is rampant in the country. This statistic is well above the average in Africa and worldwide, making Uganda one of the most dangerous places in the world for women. Fifty six per cent of women in Uganda aged 15-49 reported having experienced physical violence while 22% had experienced sexual violence at least once since the age of 15 years (UDHS, 2016; United Nations Development Assistance Framework for Uganda 2016-2020). In the year 2011, 65% women suffered domestic violence (UBOS, 2013). The prevalence of domestic violence and sexual violence amounts to 57% and 22% respectively ([Madanda, Ngolobe, & Amuriat, 2009](#)). The notion of domestic violence, however, is relatively new and largely unknown to the Ugandan society, with many citizens believing that the term refers to the most serious cases where severe physical injury is sustained by the victim. Apart from lack of awareness of what constitutes violence, other barriers to accessing help by the victims include stigmatisation and the lack of responsiveness of mostly male police officers ([Women's Rights in Uganda, 2012](#)).

Anti-women cultural practices in Uganda also include female genital mutilation (FGM), forced first sexual intercourse, monitoring and control by spouses, and widow inheritance. The Uganda country assessment conducted in 2015 by UNDP found that

wife battering is widely accepted, with 58% of women and 44% of men believing that it is justified for a man to beat his wife for any one of five specified reasons; this share rises to two-thirds in the West Nile and Mid-Eastern sub-regions ([OECD, 2014](#)). The 2011 Annual Crime and Traffic Report mentions family wrangles, poverty, and excessive consumption of alcohol as some of the facilitating factors of domestic violence ([Petroni, Steinhaus, Fenn, Stoebenau, & Gregowski, 2017](#)). Violence against women is often justified by paying bride price, resulting in treating women as the property of men. Recent studies using the 2016 Uganda Demographic and Health Survey data revealed that women's educational attainment is significantly associated with their exposure to intimate partner violence (IPV). Specifically, less educated women were more likely to experience physical, emotional, and sexual violence (Amegbor & Pascoe, 2019; [Amegbor & Rosenberg, 2019](#)). These research findings further highlight the importance of closing the gender gap in educational attainment for the reduction of violence against women and girls. Additionally, Uganda has a long history of civil war and continues to face an ongoing internal conflict. Military violence in Northern Uganda contributed to women experiencing rape and associated health consequences. According to the Annual Crime Report (Uganda Police Force 2014), defilement is the third most common crime reported to the police. Moreover, the conviction rate for rape and defilement cases stands at 0.8% and 1.8% respectively.

To address the high rates of GBV, in the last few years, sector-specific legal reforms have been put in place including: the 2010 law on Domestic Violence and the 2011 Domestic Violence regulations; the anti-Female Genital Mutilation Act of 2010; the anti-trafficking in Persons Act of 2009; the [Equal Opportunities Commission Act in 2007](#) and the [National Action Plan on Women \(NAPW\) of 2007](#), however, there was no indication as to who would finance its implementation. Between 2007 and 2012, the annual budget of Uganda allocated \$50,000 per annum (approximately 0.001% of the total budget) to address violence against women. In August 2016, the Cabinet approved the Elimination of Gender Based Violence policy for Uganda. The policy mandates that the government should allocate resources for the implementation of GBV laws, such as the Domestic Violence Act 2010. Uganda ratified the [Convention on the Elimination of all forms of Discrimination against Women \(CEDAW\)](#) in 1985.

### **Child Maltreatment in Uganda**

Child maltreatment is a serious public health concern in all world regions, including sub-Saharan Africa. The Uganda facts and figures on gender 2013 by UBOS revealed that there were more female (84%) than male (16%) children involved in Commercial Sexual Exploitation of Children (CSEC) nationally. CSEC is most prevalent in Central Uganda (58.1%) followed by Northern (19.5%), Eastern (14.8%) and Western (7.6%). In 2016, [Clarke, Patalay, Allen, Knight, Naker, and Devries](#) conducted a study into patterns and predictors of violence against children in Uganda. The study sample consisted of 3706 primary school children (age range: 7-18 years, M age – 13 years) recruited from 42 schools in Luwero District. Half (52.3%) of the children sampled were girls. Results revealed that 94.4% of children experienced some form of physical violence, 58.3% emotional violence, and 8.9% sexual violence. Using latent class

analysis, the researchers discovered three meaningful groups of violence. Group 1 was characterised by emotional and physical violence by parents and sexual violence by boyfriends, girlfriends, and unrelated adults. Most children found in this group were girls. Group 2 was characterised by physical, emotional, and sexual violence by peers. Group 3 was distinguished by physical violence by school staff. Children in groups 1 and 2, compared with those in group 3, were more likely to suffer mental health difficulties.

Another form of violence against children which seems rampant in Uganda is child marriage. It is estimated that 40% of women aged 20-24 years were first married before age 18. Girls who are forced to marry early are at an increased risk of early pregnancy and sexually transmitted infections (Petroni et al., 2017). In addition, child marriage reduces secondary school enrolment and completion for girls (Wodon, Nguyen, & Tsimpo, 2015). Child marriage in this cultural context appears to be rooted in gender stereotypes which present women as wives, mothers, and household caretakers. These norms are perpetuated by poverty and lack of employment opportunities for women, making child marriage a seemingly viable alternative for girls (Petroni et al., 2017). In a study commissioned by [the Government of Uganda and Unicef \(2015\)](#) involving in-depth interviews and group discussions with adolescent girls and boys as well as adults, one of the key factors driving child marriage has been the transition from childhood (girlhood) to adulthood being defined and constructed around marriage and reproduction. Girls from poor families were particularly vulnerable to child marriages and early pregnancies through engaging in transactional sex with wealthy boys and men. Premarital teenage pregnancies were another key contributing factor to child marriage as girls have limited choices thereafter. Overall, authors of the report noted a need for interventions that aim at transforming social norms and practices around child marriage.

### **Uganda's most important legislation related to GBV:**

1993 – [The National Women's Council Act](#) – An Act to provide for the establishment of a National Women's Council and to provide for its composition, functions, objects, and powers.

1997 – [The Children Act Chapter 59](#) – An Act to reform and consolidate the law relating to children; to provide for the care, protection and maintenance of children; to provide for local authority support for children; to establish a family and children court; to make provision for children charged with offences and for other connected purposes.

2007 – [The Uganda Gender Policy \(Amendment\)](#) - The policy gives a clear mandate to the Ministry of Gender, Labour and Social Development and other Line Ministries to mainstream gender in all sectors. It sets priority areas of action at the National, Sectoral, District and Community levels with all levels of planning, resource allocation and implementation of development programs redressing gender imbalances and acting with a gender perspective.

2007 – [Article 123 of the Penal Code Act Chapter 120 \(Punishment for Rape\)](#) – The Act provides a definition of rape and states that any person who has unlawful carnal knowledge of a woman or girl without her consent committed rape.

2009 – [Prevention of Trafficking in Persons Act](#) – An Act to provide the prohibition of trafficking in persons. It contains a list of offences related to trafficking in persons.

2010 – [Domestic Violence Act](#)– An Act to provide for the protection and relief of victims of domestic violence; to provide for the punishment of perpetrators of domestic violence; to provide for the procedure and guidelines to be followed by the court in relation to the prosecution and compensation of victims of domestic violence; to provide for the jurisdiction of court; to provide for her enforcement of orders made by the court; to empower the family and children court to handle cases of domestic violence and for related matters.

2010 – [Prohibition of Female Genital Mutilation Act](#) – An Act to provide for the prohibition of female genital mutilation, the offences, prosecution and punishment of offenders and the protection of victims as well as girls and women under threat of female genital mutilation and to provide for other related matters.

2016 – [The Children \(Amendment\) Act](#) – An Act to amend the Children Act Cap. 59 to enhance the protection of children; to strengthen the provision for guardianship of children; to strengthen the conditions for inter-country adoption; to prohibit corporal punishment; to provide for the National Children Authority, repeal the National Council for Children Act, Cap. 60 and to provide for other related matters. Section 7 of this article prohibits any person from exposing a child to any form of cultural practice that is harmful to his or her health, wellbeing, education or socio-economic development. Section 8A prohibits anyone from inducement or coercion of a child to engage in any sexual activity.

### **Uganda’s strategy to end GBV and achieve gender equality:**

[The Second National Development Plan \(NDPII\) 2015/16 – 2019/20](#) has been developed to transform Uganda, in line with the in line with the aspirations of [Uganda’s Vision 2040](#) (“A Transformed Ugandan Society from a Peasant to a Modern and Prosperous Country within 30 years”). This Plan aims at strengthening Uganda’s competitiveness for sustainable wealth creation, employment and inclusive growth. It prioritises investment in five areas, including (1) agriculture, (2) tourism, (3) minerals, oil, and gas, (4) infrastructure development, and (5) human capital development. The attainment of gender equality and women empowerment is conceptualised as a prerequisite for accelerated socioeconomic transformation. Although Uganda has made a significant progress in the area, women continue to face constraints related to access to, control over and ownership of businesses and productive resources. There is also limited employment of women in skill-based industries and women are marginalised in skills development, access to financial resources, and inheritance rights. To address the above, the Plan lists the following goals: (1) end all forms of discrimination against all women and girls everywhere; (2) ensure women’s full and effective participation and equal opportunities for leadership at all levels of decision-



making in political, economic, and public life; (3) enhance the use of enabling technologies, in particular information and communications technology (ICT), to promote women's empowerment; (4) undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance, and natural resources in accordance with national laws.

[The National Strategy to end Child Marriage 2014/2015 – 2019/2020](#) is a holistic, comprehensive framework that reflects the commitment of the Uganda Government to end the practice of child marriage and other forms of violence against girls. The goal of the strategy is to end child marriage in Uganda for enduring prosperity and social economic transformation. One of the strategic areas of focus is on changing communities' mind-sets, knowledge, aspirations, behaviours, and social norms that drive child marriage and teenage pregnancies. It also hinges on the principle of protection, i.e., children should be protected from all forms of abuse, violence and exploitation, including harmful practices. In design of programmes and interventions to address child marriage, all stakeholders should be aware that child marriage is often associated with violence, abuse, and confinement; and integrate mitigating components. Overall implementation of the strategy will involve multiple stakeholders involving government, development partners, and civil society organisations.

In 2017, the Ministry of Gender, Labour and Social Development published [the National Male Involvement Strategy for the Prevention and Response to Gender Based Violence in Uganda](#). This Strategy was developed to encourage and support men and boys to take responsibility of their sexual and reproductive behavior and to abstain from all forms of discrimination against women and girls. The specific objectives include: (1) To guide the development and/or review of GBV policies and programmes to integrate interventions on male involvement; (2) To promote transformation of harmful gender norms and practices that perpetuate GBV; (3) To provide guidance on provision of male-friendly services to male victims of GBV; (4) To raise awareness among male GBV duty bearers to provide gender sensitive GBV services; (5) To promote strategic partnerships in engaging men and boys in prevention and response to GBV; (6) To strengthen research and documentation to enable evidence-based intervention on male involvement in prevention and response to GBV.

### **GBV in the light of the COVID-19 pandemic in Uganda:**

The introduction of social distancing and lockdown-type, stay-at-home measures has resulted in conditions conducive to physical, emotional, and sexual abuse of the most vulnerable members of the society. Those who are abused by family members, often have little or no access to the usual routes of escape. As such, the world has witnessed a surge in domestic violence cases since the onset of the COVID-19 pandemic ([Lindgärde & Houinato, 2020](#); [Townsend, 2020](#)). Although Ugandan police reports show that, as of the 31<sup>st</sup> March 2020, there were 5 fatalities as a result of domestic violence during the lockdown, the magnitude of the effect of the pandemic on domestic violence will become clearer once the lockdown-type measures have been lifted. In

recognising the need to prioritise the well-being of women and children during the pandemic, the Uganda Women Lawyers Association (FIDA-U) started [a petition calling upon the Uganda Government to integrate measures to address violence against women and children into their responses to COVID-19](#). In addition, António Guterres, the United Nations (UN) secretary-general, said: “I urge all governments to make the prevention and redress of violence against women a key part of their national response plans for COVID-19” (see [Fang, 2020](#)).