



UGANDA – Gender Based Violence Policy Briefing

April 2018

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, 2017](#)). 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, 2017).

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 [0.522](#). Comparable scores are currently held by Guyana (0.508), Senegal (0.521), Sao Tome and Principe (0.524), and Iraq (0.525).
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 2017, Uganda's GGGI is 0.721 (rank 45 out of 144 countries), which is the highest-ever score for the country. Of the four dimensions included in the GGGI, the highest rank for Uganda was recorded on political empowerment (score: 0.305, rank: 30) and the lowest on educational attainment (score: 0.913, rank: 124). In comparison with previous years, the country has regressed on enrolment in secondary education and basic literacy.

Gender-based violence (GBV):

Lifetime prevalence of GBV in Uganda is estimated at 51% (The Global Gender Gap Report, 2017), 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. It is estimated that 40% of women aged 20-24 years were first married before age 18 ([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. 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.

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.

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.

Uganda's most important legislation addressing 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.