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Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

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Are there reports of sexual violence against women and girl children in Uganda?

The Introduction to an *Amnesty International* report on sexual violence against women in northern Uganda states:

“Many women and girls in northern Uganda suffer sexual and gender-based violence committed by state actors, including official authorities and military officers, and non-state actors within the family and in the community. These women victims of violence in northern Uganda often face insurmountable difficulties in trying to ensure that the perpetrators are brought to justice. Many are afraid to report rape and other forms of violence, not only because of intimidation, hostility and ridicule from the community, but also due to state inaction in ensuring redress. As a result, the justice system in northern Uganda ignores, denies and tacitly condones violence against women and girls and protects suspected perpetrators.” (Amnesty International (30 November 2007) *Uganda: Doubly Traumatized: The lack of access to justice by women victims of sexual and gender-based violence in northern Uganda* AI Index: AFR 59/005/2007, p.1)

In a section titled “Background” this report states:

“The conflict was characterised by sexual and gender-based violence against women and girls perpetrated by the LRA and government soldiers. UNICEF estimates that more than 32,000 children were abducted by the LRA between 1986 and 2002 and used as child combatants and sex slaves. Women and girls were also at risk of sexual and gender-based violence by the government’s Uganda Peoples’ Defence Forces (UPDF) including mass rapes. In addition (ibid, p.3)

An article published in the *Journal of International Women’s Studies*, in a section headed “Experiences of women during war in Northern Uganda”, states:

“More than a quarter of women in Kitgum reported being subjected to various forms of sexual torture. Almost 20% described violent penetrative sexual abuse including rape, gang rape and defilement. Fourteen point six percent suffered sexual abuse including incest, sexual slavery and forced marriages. Other women experienced sexual exploitation for survival or in exchange for gifts and food. These forms of sexual violence against women are typical in war-affected areas all over the world. Although mostly women experienced sexual violence in Kitgum, it is worth noting that 7.9% of men also reported being sexually abused. The shame in reporting sexual abuse in this cultural context is likely to mean

these figures are underreported In Gulu, women were also brutalised with rampant cases of rape, sexual slavery and other forms of sexual harassment.” (Journal of International Women’s Studies Vol. 9 No.3 (May 2008) *Violence against Women in Northern Uganda: The Neglected Health Consequences of War*, p.178)

In a section titled “The Continued Suffering of Victims and Survivors” an *Amnesty International* report states:

“Most victims of sexual violence suffered during the conflict still endure the physical effects of their experiences. Many of the women and girls abducted by the LRA were subjected to sexual violence, sexual slavery and torture for which they still complain of pains and medical infections as a result of their experiences. This is in addition to psychological difficulties already highlighted in this section. In previous research, Amnesty International also recorded testimonies of women and girls who suffered sexual violence, including rape, in the hands of government soldiers. Some of the victims had contracted sexually transmitted diseases including HIV/AIDS as a result of the sexual violence. The plight of these women and girls is worsened by the current dearth of health facilities in the region and as a consequence, their limited ability to access medical treatment.” (Amnesty International (17 November 2008) *Left to their own devices: the continued suffering of victims of the conflict in Northern Uganda and the need for reparations*, p.11)

See also *Amnesty International* report which, in a section titled “Sexual Violence”, states:

“The Uganda Demographic and Health Survey found that 39 per cent, more than one in three, women and girls aged 15-49 had experienced sexual violence during their lifetime. This includes those whose sexual initiation was against their will. Almost half, 44 per cent, of women who experienced sexual violence experienced this violence at the hands of a current husband or partner, while 22 per cent experienced sexual violence by a former husband or partner. Other perpetrators of sexual violence reported by women were a current or former boyfriend (10 per cent), a stranger (8 per cent) and a friend or acquaintance (7 per cent). Among women who have never been married, current or former boyfriends and strangers were most commonly reported as perpetrators of sexual violence (27 per cent each).” (Amnesty International (7 April 2010) *'I Can't Afford Justice' - Violence Against Women In Uganda Continues Unchecked And Unpunished*, p.27)

This section of the report also states:

“Ugandan women who openly say that they have been raped often face rejection by their families and others. This stigmatization may be more pronounced if the victim contracts HIV as a result of the violation. Women who do bring proceedings after a sexual assault may have to bear an unduly heavy burden of proof.” (ibid, p.27)

In a section titled “Sexual Abuse Of Girls” this report states:

“Sexual abuse and exploitation of girls is widespread. According to the Uganda Demographic and Health Survey, almost one in four women aged 15-49 (24 per cent)⁷⁹ reported that their first sexual intercourse was forced against their will, and more than half of these (54 per cent) first suffered sexual violence below the age of 18. Much of this sexual violence and exploitation happens in schools. According to a report published in 2008, eight per cent of 16 and 17 year-olds had had sex with their teachers. Teachers lure girls into sex by promising them gifts and good grades in class. Even without the enticements, girls fear the likely consequences if they refuse to yield to sexual advances by teachers. Pregnancy has a major impact on the numbers of girls who drop out of school. As abortion is illegal in Uganda, many women and girls are forced to carry pregnancies arising from rape to term. There are no provisions to accommodate young mothers in school, and many drop out, with grave consequences for their future. Education of girls is closely related to greater decision-making power over finances and reproductive health issues like condom use or seeking treatment for sexually-transmitted diseases in future life.” (ibid, p.28)

In a section titled “Women” the *US Department of State* country report on Uganda for the events of 2009 states:

“The law criminalizes rape; however, rape remained a serious problem throughout the country, and the government did not consistently enforce the law. Although the government arrested, prosecuted, and convicted persons for rape during the year, the problem was underreported, and most cases were not investigated. Police lacked the criminal forensic capacity to collect evidence related to sexual assault, which hampered prosecution and conviction. There were 1,536 rape cases registered with the police in 2008, of which 241 went to court, resulting in only 52 convictions.” (US Department of State (11 March 2010) *2009 Human Rights Report: Uganda*)

In a section titled “Children” this report states:

“Child abuse remained a serious problem, particularly rape and other sexual abuse of girls. A September report released by the African Network for Prevention Against Child Abuse and Neglect showed that 8,286 child-related abuses were reported to police and other sources between January and April. Of the total, 2,592 cases involved defilement, 1,292 involved disappearance, and 1,613 involved child stealing or kidnapping. The report cited other offenses committed against children, including torture (773 cases), desertion (594 cases), child trafficking (100 cases), child neglect (680 cases), infanticide (317 cases), and assault (325 cases). Reported incidents of corporal punishment in schools continued to decrease since the 2006 ban on the practice. Sexual contact outside of marriage with girls less than 18 years of age, regardless of consent or the age of the perpetrator, is considered “defilement” under the law and carries a maximum sentence of death; however, such cases often were settled by a payment to the girl's parents. According to police statistics, in 2008 there were 8,635 reported defilement cases, of which 4,124 went to court, with only 333 resulting in convictions. Perpetrators of sexual abuse often were family members, neighbors, or teachers.” (ibid)

A document published by the *International Rescue Committee* states:

“Rape is a tactic often used by Karamojong warriors in the course of cattle raids and retaliations. If women fall in the path of such raiders while walking to gather firewood or fetch water, they may be assaulted repeatedly. Yet such violent incidents also reflect the wider subordination women often face in their communities. Many lead lives full of obligation and deprived of choice. Their husbands have paid a ‘bride price’ – usually in the form of cattle – to their families to marry them and now they are seen as property. “There is a lot of work attached to a bride price – a married woman must become the backbone of the family,” says Priscilla Nakira of Loima women’s group in Moroto district. Women are responsible for building the family home, caring for children, fetching water and firewood, tending the garden, cooking meals and much more. And punishment is stiff for the wife who struggles to cope. Says Nakira: ‘When she fails to provide, she is beaten and the man will say he has wasted his cows buying her.’ Indeed, domestic violence is common. and courtship rape, a practice whereby a man ‘chooses’ his wife through forced sex, is accepted as a normal engagement in some communities.” (International Rescue Committee (8 March 2010) *On International Women’s Day: Reducing violence against women in northeast Uganda*)

An article published by the Kampala-based newspaper *New Vision* states:

“About 7,360 girls countrywide were defiled and 619 women raped last year, according to a Police report. The 2009 annual crime report shows a decline in rape and defilement cases, although the number remains high. In 2008, the Police reported 12,230 cases of defilement, and 12,230 of rape. About 4% of upper primary school girls were defiled by their teachers, according to a survey done in 2008. While this might seem a small percentage, it means that 43,635 of the 1,090,853 girls currently in upper primary have been defiled by their teachers.” (New Vision (13 April 2010) *Uganda: Over 7,000 Girls Defiled Last Year, Say Police*)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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