

## PRESIDENT'S REMARKS AT THE RULE OF LAW DIALOGUE

### **“Ending Sexual Harassment in schools, universities and communities”**

Good afternoon to you all.

**Martin Luther King Jr.** once stated that, **“Our lives begin to end the day we become silent about things matter.”** I was moved by the simplicity of this quote as I read it, but then as I began to internalize it, I realized that it held the weight of an ocean in its meaning. Sexual Harassment in its original sense is one of the worst forms of torture lest to say one of the worst forms of psychological and mental slavery any human being can be faced with. It does not matter the social status, where one is or the surrounding circumstances, it is an unforgivable act that needs a candid discussion in today's era.

With the recent statistics, one can ably state that the term **“harassment”** is an understatement. A more befitting term is one of **“Sexual Terrorism”**. The emergence of the **COVID-19** has showed today's ugly reality about the underlying suffering faced by sexual harassment victims right before our eyes. Firstly, there has been an increase in sexually related crimes which has particularly placed the young generation at risk of turning them into young mothers without any aid, information or support to handle the implications of these heinous acts. A **World Vision's Child Protection Facilitator** at the **Bidibidi Refugee Settlement**, says that since **March 2020**, they have registered **19 cases of teenage pregnancy, 6 cases of child marriage, 5 defilement cases, 4 child-to-child sex cases and 2 cases of forced marriage**<sup>1</sup>. According to a **CEHURD article**<sup>2</sup>, Sexual and gender-based violence offenses are the most common and prevalent offenses committed in Uganda. Through **2005-2014**, rape fluctuated substantially; it tended to decrease ending at **2.9 cases per 100,000** population. Worryingly, the Police Crime report for **2015** indicates that at

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<sup>1</sup> <https://www.wvi.org/stories/uganda/covid-19-aftershocks-teenage-pregnancy-rise-refugee-settlements>

<sup>2</sup> <https://www.cehur.org/rape-and-sexual-assault/>

least **1,419 cases of rape** were reported countrywide. This rose to **1,572 in 2016**, dropped to **1,335 in 2017**, and rose to **1,580 cases in 2018**. **1 in 3** women are victims or survivors of sexual violence, **1 in 6 men** are survivors/victims of Rape and Assault. According to the “**Sexual and Reproductive Health and Rights Challenges among Ugandan Youth during COVID-19 Pandemic lockdown,**” **An online Cross-Sectional Study**,<sup>3</sup> a similar challenge was realized.

In summation, what does all this data mean to us as stakeholders? Firstly, steps have been made at different levels to have the issue uprooted, Universities such as Makerere have approved **policies and regulations against sexual harassment**<sup>4</sup>, Laws such as the **Domestic Violence Act, 2010** have acted as a springboard in curtailing the said heinous acts while Bills such as the **Sexual Offences Bill, 2019** currently in Parliament are a stepping stop to the fight against this problem. In addition, as Uganda Law Society, we have a “**Commitment to an Anti-Sexual Harassment Strategy**” which is a **(7) seven-step** working mechanism that we’re using to ably develop a sexual harassment policy that can be applied in law firms and other institutions.

In a similar fashion, Courts have moved along the same path in ensuring that sexual harassment is not tolerated at any level of the community whether cultural or otherwise. **Hon. Mr. Justice Batema N.D.A, Judge** in the case of **Uganda Versus Lomoe Nakoupuet Criminal Case No. 109 Of 2016 in the High Court of Uganda At Moroto**, he stated that, “This court condemns the culture of forcefully chasing, abducting and raping girls and woman to make them wives. It is a brutal and backward culture promoting violence against women. Nobody and no one’s daughter, sister or mother deserves being raped in the name of marriage. This vice of

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<sup>3</sup>[https://www.researchgate.net/publication/343303111\\_Sexual\\_and\\_Reproductive\\_Health\\_and\\_Rights\\_Challenges\\_among\\_Ugandan\\_Youth\\_during\\_COVID-19\\_Pandemic\\_lockdown\\_An\\_online\\_Cross-Sectional\\_Study](https://www.researchgate.net/publication/343303111_Sexual_and_Reproductive_Health_and_Rights_Challenges_among_Ugandan_Youth_during_COVID-19_Pandemic_lockdown_An_online_Cross-Sectional_Study)

<sup>4</sup> <https://policies.mak.ac.ug/sites/default/files/policies/Policy-and-Regulations-Against-Sexual-Harassment-2018.pdf>

cultural rape is a resilient, pervasive and persistent culture promoting gender stereotypes.” Similarly, **Ntambala V Uganda<sup>5</sup> Criminal Appeal No. 34 of 2015** also takes a step in the similar direction which goes on to emphasize the importance of these issues.

With such statistics, it is no myth therefore that the issue of sexual harassment is real. We have to appreciate that Harassment is not about attraction or desirability. It is about exerting control whenever you can. **“Just because I move through public space, doesn’t mean my body is public space.”** This should be our most recent status to inform the world about the magnitude of the problem. We have the necessary ability to cooperate with the government and where possible other helping hands to ensure that we bring justice to all those that need it. Thank you.

I wish you all fruitful deliberations in this training.

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<sup>5</sup> <https://ulii.org/ug/judgment/supreme-court-uganda/2018/1>