



**Submission to Select Committee On Inquiry into Allegations of Sexual Violence in Institutions of Learning in Uganda by Akina Mama wa Afrika**

Delivered By

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Madame Chairperson, Honorable Members of this Committee, Stakeholders present, Ladies and Gentleman, all protocols duly observed.

On behalf of Akina Mama wa Afrika, I would like to thank you for extending this invitation to capture the voices and lived experiences of young women, as you investigate allegations of sexual violence in institutions of learning. We specially commend Hon. Anna Adeke Ebaju who moved the motion for Parliament to inquire into allegations of sexual violence in institutions of learning, resulting in the constitution of this committee.

In 2017, Akina Mama wa Afrika, under the Tuwezeshe Akina Dada Project<sup>1</sup> commissioned a baseline study at three institutions of higher learning to document the prevalence of violence against young women. The study at Makerere, Gulu and Uganda Christian Universities, although limited in scope, produced noteworthy findings that should contribute to helping this committee understand the nature and prevalence of sexual violence in institutions of higher learning in Uganda.

**Sexual Violence** exists because of the differences in power between males and females and is rooted in cultural norms regarding masculinity and femininity, male honor, female chastity and obedience, and male sexual entitlement, an ideology that supports the idea that females are considered to be subordinate to males and that wives are expected to obey and satisfy their husbands. As a result, a large proportion of sexual violence is aimed specifically at women and girls. Though less frequent, boys and men also experience sexual violence, especially if they have deviated from specific definitions and cultural expectations of masculinity. The most common forms of sexual violence at universities sampled were; sexual harassment including sex for academic marks, rape, unwanted verbal comments such as “you’re so juicy”; and use of print and electronic media to harass and shame by writing scandalous articles about girls after break up of relationships.

The report revealed that sexual violence is not limited to the confines of the school campus but affects students wherever they are. Places where sexual violence happens at the universities include: hostels, especially when one visits a boy’s room for discussions, on social media platforms which is used for revenge pornography by posting nude pictures of girls after break ups and in the Makerere University Campus Bee magazine which used to write very slanderous articles about relationship break ups. Violence also happens during the fresher’s orientation week where new students are often preyed upon. The young women and men in university interviewed in this baseline study also felt that the mushrooming of off-campus hostels has contributed to an increase in violence against young women. They felt that due to the fact that many of the hostels are privately owned, they are outside the control of formal university structures. In these hostels, wardens are less restrictive on admission of visitors of the opposite sex especially in girls’

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<sup>1</sup> The **TuWezeshe Akina Dada Africa-UK Young Women’s Leadership and Empowerment Movement** is a three year women and girls’ rights project funded by Comic Relief’s Common Ground Initiative. It is implemented in four countries in a consortium led by Foundation for Women’s Health Research and Development-FORWARD (UK), and consisting of partners, Akina Mama wa Afrika(Uganda), Sub-Sahara Advisory Panel (Somaliland), and Child Dignity Dignity Forum (Tanzania). The project looks to improve the rights and amplify the actions of East African girls and young women in their fight against all forms of gender based violence.

hostels, or even on hours of admission, unlike university halls of residence, for instance, which do not admit visitors after midnight.

In addition to the above, internship placements are also one of the spaces where young women face violence. This usually affects their performance during internships, and they may suffer from depression, anxiety, guilt, loss of respect and dignity. Sexual harassment in work places is usually swept under the carpet and remains a serious problem since the majority of survivors do not report the incidents due to fear of losing internship placements or future employment prospects

*“In the internship places we go to during holidays, the male bosses or staff members tend to use you. If you want to stay in this job, you have to sleep with the boss. Most males see women as sex objects”*—Focus Group Discussion Participant

### **Little to No Data on Sexual Violence in Institutions of Higher Learning**

One of the biggest challenges of combating sexual violence in institutions of learning is that there is very little information on the prevalence of the vice. Most research on violence has focused on physical violence and has mostly targeted children and women above 35, leaving young women aged 18-35, especially those in institutions of higher learning to fall through the cracks. According to the national survey on Violence Against Children in Uganda, among 18-24 year olds, 1 in 3 females (35%) and one in six males (17%) experienced sexual abuse during their childhood; 1 in 4 young adults who experienced sexual abuse during childhood first experienced it at the age of 13 or younger; and children who suffered sexual abuse experienced higher mental distress than children who didn't.

Government recognizes that Violence Against Women including sexual harassment, sexual abuse, and early and forced marriage are some of the gender issues that negatively impact on the quality, participation and retention of girls in the education system from entry to tertiary level. Sexual violence is traumatizing and takes a toll on survivors, sometimes lasting for the rest of their lives. Learning outcomes are affected, as they are not able to concentrate because they have a deep mistrust of instructors. Some drop out of school altogether.

A survivor narrates her story:

*“For a very long time, I feared men. One day, my parents were out of town and I went out with my friend. She knew all the guys around and she disappeared with a guy and left me with another group. At some point, one of the guys took me into one of the Kyoto restaurant bathrooms and told me to enter there. At first I thought he wanted to pee. Until he started pushing me into the room. Next thing I knew, he was pushing me to the back of the bathroom. I started screaming. Thank God an askari (guard) heard me and came to the toilet. The boy denied it. And the askari left me. I started running and the boy followed me and threatened me. My friends left me because they thought we wanted personal time. Since then even after I joined campus, I feared boys. It is only recently when I found a male friend who showed me a different side of boys, that not all boys are violent.”*

And yet in spite of such incidences, very little exists by way of structures to support survivors. Young women have been forced to develop coping mechanisms with respect to sexual violence confiding in their friends, peers and trusted authority figure, in the absence of structures to cater to their issues.

An examination of the legal and policy framework on sexual violence reveals a raft of laws and policies like the Domestic Violence Act which deals with issues of sexual violence, but not necessarily within the context of a school setting. But even those legal instruments that are there are poorly implemented. There is limited knowledge about the different laws and policies among duty bearers and rights holders. For example, awareness of the Domestic Violence Act ranged from 18% among health workers to 43% among police. At the learning institution level, some featured in the study do not have existing sexual harassment policies while those that do, are not implemented at all or have versions that do not adequately address the contemporary issues of sexual violence at institutions of higher learning. Implementation of the sexual harassment policies has challenges including low awareness among students, lack of trust in sanction mechanism, low reporting rates, as well as limited collection of data. The burden of raising legal awareness among communities falls mainly on CSOs. However, challenges exist in the scope of community sensitization thereby limiting it to project areas and not an entire country

Also, Health centres and police that operate within and around universities providing medical, counselling and legal services have challenges with unclear referral systems among service providers and lack of trust by students. Additionally, services are viewed as not youth-friendly, rights-based or gender sensitive, and there is limited integration of VAW, SRHR and legal services available for students.

### **Key recommendations to address the vice of sexual violence in institutions of learning in Uganda**

1. Parliament should fast track the review and passage of the Sexual Offences Bill which will respond to many existing gaps in combating sexual violence in institutions of learning. The Bill defines and provides guidance on a raft of sexual offences, specifically unmasking the grey areas of sexual misconduct by being explicit about what constitutes a sexual offence and making appropriate provisions for corresponding penalties. The Bill penalises persons in positions of trust and persons in positions of authority who use their power and influence to seek sexual favours. It also makes pronouncements on incapacity to give consent, which factors in matters of sexual activity when one party is intoxicated and unable to consent to the act, which protects young women who are taken advantage of when drunk. Lastly, its pronouncements on procedural and evidentiary requirements creates a safe space that encourages reporting. For example the Bill disallows using the survivors' character and previous sexual history as evidence, which is needed to counter continuous victim-blaming where attempts to discard the credibility of the survivor of sexual violations by requiring an exploration of his/her sexual history, appearance, dress, and prior relationship to the offender are common place. It also mandates privacy during judicial procedures meaning that survivors' and witnesses' anonymity is maintained which helps mitigate backlash and encourages reporting.

2. Develop and implement gender responsive institutional level sexual harassment policies and regulations. These must be complemented by clear referral pathways to create an environment that encourages reporting. The Education Act, 2008 should also be amended to require all learning institutions to have enforceable sexual harassment policies in place. Penalties should extend to instructors who are found guilty of sexual misconduct. Sanctions could include revocation of teaching licences and registration on a Sex Offenders' database depending on severity of violation. This provision is also catered for in the pending Sexual Offences Bill. Institutional level policies should go further to penalise non-complying institutions by withholding government support in forms of grants and subsidies. Lastly, the Comprehensive Sex Education framework should also be deliberate in tackling sex and consent so that affirmative consent becomes normalised as children grow up and start engaging in sexual activity. In the same regard, institutions should also undertake awareness raising among students, staff and wider school community and have mandatory sexual harassment trainings and periodic refresher trainings.
  
3. Strengthen data collection systems on sexual violence in order to establish prevalence and respond proportionally. To adequately address sexual violence, there should be verifiable numbers to support the need for financial support and systems overhaul. Regularly collected data will enable actors to develop evidence based prevention and responsive interventions. This data should be linked to the Ministry of Gender Labour and Social Development Gender Based Violence Database. Absent this, sexual violence will remain the bogeyman whispered about in fear but never seen, and yet whose terrifying impact can be felt.

These recommendations must be given due consideration, in order for sexual violence in institutions of learning to be tackled. They will also go a long way in ensuring that survivors who have gone unheard for a long time have access to justice that sexual offences no longer happen with impunity. It is our hope that it will also start the process for survivors to heal from the trauma of sexual violence.

Thank you for your attention.