



# MINISTRY OF GENDER, LABOUR AND SOCIAL DEVELOPMENT



## LAUNCH OF THE NATIONAL POLICY ON ELIMINATION OF GENDER BASED VIOLENCE (GBV) IN UGANDA AND THE ACTION PLAN DURING THE 16 DAYS OF ACTIVISM AGAINST GBV, 2016

**NATIONAL THEME: "FROM PEACE IN THE HOME TO PEACE IN THE NATION, MAKE EDUCATION SAFE FOR ALL"**



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### BACKGROUND

From 25 November, the International Day for the Elimination of Violence against Women, to 10 December, the Human Rights Day, is the period in which the 16 Days of Activism against Gender-Based Violence (GBV) is commemorated. It is a time to galvanize action to end violence against women and girls around the world. These dates symbolically link Gender-Based Violence and human rights. They emphasize that such violence is a violation of human rights.

The Campaign is also a call for action to prevent GBV and respond appropriately to incidences of GBV in homes, communities, work places, etc. The 16 days of the campaign aim at raising awareness, influencing behavior change and securing high level political commitment to end gender based violence.

In Uganda, the theme selected for this year's campaign is: **"FROM PEACE IN THE HOME TO PEACE IN THE NATION, MAKE EDUCATION SAFE FOR ALL"**

### ACCESS TO EDUCATION IS A FUNDAMENTAL RIGHT

Education is a basic human right and a key to the empowerment of women and the girl child, boys and men. Education is a public good and fundamental human right recognized in Article 26 of the 1948 Universal Declaration of Human Rights and upheld in various international and regional human rights conventions and treaties. The UN Sustainable Development Goal (SDG) 4 is on education and seeks to ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.

### VIOLENCE MAKES SCHOOL ENVIRONMENT UNSAFE FOR LEARNING

High rates of violence occur within the schools. Violence against children in schools has serious implications for the educational attainment, health, and well-being of girls and boys. Physical, psychological, and sexual violence has short and long term consequences for students' health, ranging from bruises and broken bones to low self-esteem, emotional impairment, substance abuse, and reproductive health problems. It also contributes to increased school dropouts thereby denying children the right to education.

Teachers and students are some of the main perpetrators of these forms of violence. School children are at high risk of all forms of violence, particularly physical, emotional and sexual violence by school staff, peers and parents.

### PHYSICAL VIOLENCE IN SCHOOLS

Studies show that whereas corporal punishment was banned by the Ministry of Education, caning remains a common practice. The Ministry of Education and Sports report in 2012 revealed

that corporal punishment in schools was at 74.3%. Adults are routinely abusing their positions of responsibility, power, and trust, mistakenly believing that severe punishment leads to better behaviour at home and improved performance at school.

### PSYCHOLOGICAL/EMOTIONAL VIOLENCE

Psychological or emotional violence is common through bullying and use of abusive language. Bullying is a common form of psychological abuse in schools and is sometimes sexual or gender based. Psychological abuse is often not recognized by students, communities, educators, and governments as a form of school-related gender-based violence. Studies indicate that in Uganda, psychological violence against girls is highest between the ages of 14 and 17. Male and female teachers ranked second only to strangers as the most common perpetrators (African Child Policy Forum, 2012).

### SEXUAL VIOLENCE

Adolescent girls experience high levels of sexual violence while at school from close relatives, school teachers, and even parents and guardians. Within the school structure, Sexual Gender Based Violence accounts for the highest percentage of girls who drop out of school. In most schools in the country side, whereas there is a high enrolment of boys and girls in lower classes, it decreases as they join higher classes.

Since 2011, Police Annual Crime reports report that defilement is the leading Sex related Crime reported in the country and it is on the increase. Sexual assault by male teachers on girls is much higher than for boys. Sexual assault is also experienced by female teachers at about 20% and male teachers at 15%.

Sexual violence in primary schools is estimated at 77.7% and in secondary schools at 82%, especially among girls (MoEST, 2012). Sexual violence in school environs has serious effects including pain, contracting STIs, unintended pregnancy, psychological trauma, mental disorder, nightmares, feeling of shame and guilt and these will affect individual's ability to learn. Sexual abuse and harassment is prevalent in universities and other tertiary institutions. The victims of this abuse are mostly students who are harassed by persons with power over them i.e lecturers, tutors and administrators.

A study on violence against children in 2012 found that more than two-thirds (75.8%) reported having experienced sexual violence, such as being touched. Girls experienced sexual violence more often than boys, with 46.5% reporting that had been touched sexually against their will and one fifth (20.5%) reporting that they had been forced to have sex. According to the study, 13.3% of the boys reported being forced to have sex, and 27%

reported being touched sexually against their will, although sexual violence against boys has always been overlooked. Schools are not yet safe for children with over a quarter of violence cases reported to occur at school.

The report on the Situation Analysis of Children in Uganda by UNICEF 2015 reported teenage pregnancy at 24%, child marriage in rural areas at 24% and in urban areas at 21%.

### MOST CASES NOT REPORTED

The lack of capacity to report, track, refer and respond to Gender Based violence cases in schools and among institutions mandated to address such cases limits survivors' access to appropriate prevention, protection and response services. The MoES 2014 report estimated the level of reporting cases of violence in schools at only 39.8%.

### GOVERNMENT RESPONSE

- The Government of Uganda is a signatory to the UN Convention on the Rights of the Child (CRC) and the African Union (AU) Charter on the Rights of the Child, both of which emphasize taking appropriate measures to promote and protect the rights and welfare of children.
- The Constitution provides the overall legal framework for addressing negative practices resulting from gender inequalities. Article 21 provides for equality and freedom from discrimination, and article 32 provides for affirmative action in favour of marginalized groups including the girl child. The 8th Parliament passed 3 significant legislations; namely the Domestic Violence Act 2010, The Prevention of Trafficking in Person Act (2009) and the Prohibition of Female Genital Mutilation Act (2010). There is also the Penal Code (Amendment) which prohibits defilement of girls and boys.
- The Children's Act Cap. 59 provides the legal framework to protect and promote the rights of children. The Local Government Act Cap. 234 mandates the local administration to provide services to children within their areas of jurisdiction without discrimination. A National Policy for Orphans and other vulnerable children also exists to provide guidance on programming and coordination of efforts for effective service delivery for children.
- Government through the Ministry of Education and Sports also developed guidelines on Reporting, Tracking, Referral and Response on Violence against children. The revised strategy for Girl's education has an expanded scope to address Gender Based Violence, teenage pregnancy and early marriages. Such efforts are expected to go a long way in tackling vices such as teenage pregnancy and defilement.
- The Ministry of Gender, Labour and Social Development has developed a National

Policy on Elimination of Gender Based Violence in Uganda to assist stakeholders in the country to improve and expand their programmatic efforts to prevent and respond to GBV.

- The Ministry has also developed the National Parenting Guidelines to create awareness among parents to fulfill their roles and ensure that every child enjoys positive parenting as a human right as enshrined in the Constitution of the Republic of Uganda and the United Nations Convention on the Rights of the Child (CRC).

### THE UGANDA CHILD HELP LINE (116)

In 2014, the Ministry of Gender, Labour and Social Development launched the Uganda Child Help Line (UCLH). It is a toll free service operating 24 hours a day, 7 days a week where people can call 116 and seek information, formally report cases of violence against children and be referred to nearby authorities and service providers. The public is encouraged to use this service both within and outside the school environment.

### What can be done to make Education safe for All?

- Early intervention is necessary to prevent re-victimisation of and long-term effects for girls, including interpersonal violence, sexual coercion, alcohol and drug abuse and mental health problems;
- Report cases of violence against children immediately. Immediate action should be taken by community members, police, teachers, parents and all stakeholders.
- Develop comprehensive package for protecting children from school-related gender-based violence. This package should include legislation that addresses all forms of physical, sexual, and psychological violence, injury, or abuse, including corporal punishment, bullying, traditional harmful practices, minimum age of consent and marriage, commercial sexual exploitation of children, and child labour.
- Teacher training should include tools for preventing and responding to gender-based violence in schools.
- The Ministry of Education should provide guidelines to schools detailing the appropriate response to student allegations of gender based violence by teachers, fellow students, or community members. Guidelines should be publicly available, widely distributed, and should incorporate:
  - o procedures through which children can make confidential complaints
  - o procedures for referral to the criminal justice system, if criminal conduct occurred
  - o procedures for referral to medical, legal, and counseling support services for victims, if needed
- Strengthen data collection systems on all forms of violence against girls and boys in and out of school. Data on violence in schools should be regularly collected to enable actors develop evidence based prevention and response interventions.

### National Launch

The President of the Republic of Uganda, H.E Y. K. Museveni, will today officially launch the 16 Days of Activism against Gender-Based Violence (GBV) Campaign 2016 at Imperial Royale Hotel in Kampala.

During the same occasion, the President will officially lunch The National Policy on Elimination of Gender Based Violence in Uganda and its Action Plan.

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