

FOR IMMEDIATE RELEASE

Wakiso – Uganda. Today the Center for Health, Human Rights and Development (CEHURD), Nnamala Mary and Simon Kakeeto have dragged the Government of Uganda to the Constitutional Court for failing to put in place shelters for women who have been raped or defiled. CEHURD also challenges the unequal punishments that the law provides for sexual offenders as being unjust.

Men charged with rape are liable to suffer a maximum penalty of death whereas the law provides for the offense of 'defilement' for persons between the ages of 14-17 and sexual offenders against girls of that category are only given a few years of a jail term. This difference in penalties towards perpetrators who commit the same offense is unjust and offends the principle of equality and non-discrimination before the law. It also has an effect of increasing sexual violence against girls in that particular age group.

According to the Uganda Demographic Health Survey of 2016, 1 in 5 women have suffered sexual violence in Uganda. Uganda Police has also released the Annual Crime Report of 2017 where defilement was rated the 3rd leading crime in the country with 14,985 cases reported and police recorded 1,335 rape cases. It is important to note that in cases of sexual violence, many women do not report due to fear, stigma and the trauma that is associated with the offences. The police reports are just a tip of the ice bag of the magnitude of the violence that women face on a daily basis in this country.

Women who survive sexual violence need safe spaces, shelters and refuge. Our Constitution mandates the State to put in place facilities to enhance the welfare of women to enable them to realise their full potential and advancement. It is our contention that failure by government to construct and finance these shelters is a clear violation of women's rights guaranteed under article 33(2) of the 1995 Constitution of Uganda. The provision for laxity in the law against sexual offenders charged with the offence of 'simple defilement' is a violation of the principle of equal protection before the law, envisaged under Article 21 (1) and (2) of the Constitution.

"It is high time that the Judiciary held the government to account by directing them to put in place shelters for women who have suffered violence to find refuge and psychosocial support. We also pray that penalties for sexual offenders be harmonised so that equal protection of survivors is achieved" – Said Ms. Kwagala Primah the Program Manager for Strategic Litigation at CEHURD.

For more Information please call CEHURD on 0414532283 or Ms Primah Kwagala on 0774207358 or write to kwagala@cehurd.org and copy info@cehurd.org