



UGANDA: END FEMALE GENITAL MUTILATION

Fight stigma, firmly enforce anti-FGM law to end mutilations

(Kampala / Kapchorwa, February 6, 2019) – Today, Chapter Four Uganda and the Kapchorwa Civil Society Organizations’ Alliance (KACSOA) join the international community to mark the International Day of Zero Tolerance for Female Genital Mutilation. The UN awareness day comes amidst a surge in Female Genital Mutilation (FGM) incidents in Sebei sub-region, particularly in Kween district. Traditionally, the illegal practice is also known to be carried out in Kapchorwa, Bukwo, Nakapiripirit, Moroto, and Amudat districts.

“FGM is an illegal and discriminatory practice that violates girls’ and women’s fundamental right to freedom from torture and other cruel, inhuman or degrading treatment, freedom from discrimination, the right to dignity, physical integrity, the right to health, and the right to life – in situations where it results in death. FGM is not female circumcision; it is a crime,” Chapter Four Uganda and KACSOA said today.

“We urge the Uganda Police, the Director of Public Prosecutions, and the courts to firmly enforce the law to complement efforts to fight stigma and debunk myths and misconceptions by civil society actors, development partners, and other stakeholders,” Chapter Four Uganda added.

Chapter Four Uganda and KACSOA are concerned that at least 100 girls and women were reportedly mutilated in Uganda during the month of December 2018. “It is important to note that FGM is a criminal act. Whereas the gravity of the offence is higher in cases of forceful mutilation, apparent consent by girls or women does not absolve the perpetrators of their criminal liability,” Chapter Four Uganda and KACSOA said.

In Uganda, FGM is carried out on deeply patriarchal cultural norms that foster stigma against women who have not undergone the cut. “Beyond legislation, we must address patriarchal attitudes that inform its continuation. It is imperative to assert the bodily autonomy of all women and girls and stamp out this practice that is aimed at controlling their bodies and sexuality,” said Ophelia Kemigisha, Staff Attorney at Chapter Four Uganda.

Although the Uganda Police has since arrested some people over recent FGM crimes in Kween, Chapter Four finds it deeply concerning that the incidents continue to occur and that the local police were apparently overwhelmed in some situations to stop the violations.

On April 9, 2010, the Prohibition of Female Genital Mutilation Act, 2010 was enacted into law in Uganda. In criminalizing all activities related to FGM, the law established the offence of

aggravated FGM in situations where death occurs as a result of the practice, where FGM is carried out by a parent, guardian or health worker, where the victim is infected with HIV as a result of carrying out FGM or where the victim suffers a disability.

To buttress the anti-FGM law, Uganda's Constitutional Court declared the practice unconstitutional, finding that FGM is inconsistent with international human rights standards. Further, Uganda is enjoined to eliminate all harmful practices, which include FGM, under Goal 5, target 5.3 of the Sustainable Development Goals 2015, the groups said.

A May 2018 report by the *Thomas Reuters Foundation* on the prevalence of FGM in Uganda¹ recently found that despite the law, FGM continued to be carried out in remote rural areas. Support for the practice in the different communities remained strong. Furthermore, the report found that very few cases of FGM that were reported were prosecuted as per the law.

“We note with concern that women and girls who do not undergo FGM are often ostracized by their community. As we demand enforcement of the law, efforts must be made to scale up sensitizations to challenge the norms and cultures that support this harmful practice. We must also do more to end stigma and advance gender equality in all spheres of life,” Chapter Four Uganda and KACSOA noted.

“Any procedure that involves altering or injuring the female genitalia for non-medical reasons, whether consensual or not, must be strongly rejected and punished by law. However, we should respect harmless cultural practices that form the identity of the communities and promote safe alternative rites of passage,” Chapter Four Uganda added.

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¹ Thomas Reuters Foundation, “Uganda: The Law and FGM” May 2018, Available at: [https://www.28toomany.org/static/media/uploads/Law%20Reports/uganda_law_report_v1_\(may_2018\).pdf](https://www.28toomany.org/static/media/uploads/Law%20Reports/uganda_law_report_v1_(may_2018).pdf) [Last accessed on February 1, 2019]