



**EXPERIENCES OF GENDER BASED VIOLENCE AGAINST WOMEN  
AND GIRLS WITH DISABILITIES;**

**(A case study of Uganda)**

A paper submitted,

**TO UN COMMITTEE OF THE CONVENTION ON THE RIGHTS  
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# **1. INTRODUCTION**

## **1.1. DEMOGRAPHY:**

The total population of Uganda is 34.6 million people according to the household survey of 2007/2008 Out of which 51 percent are female.

The total population of people with disabilities according to the household survey of 2010 is 16% equivalent of 5,440,000. Unfortunately, this is not gender segregated.

## **1.2. BACKGROUND TO THE WOMEN WITH DISABILITIES MOVEMENT IN UGANDA:**

In Uganda, the struggle to uplift the plight of women and girls with disabilities started in 1993 with the establishment of the gender desk within the umbrella organization of people with disabilities in the country.

In November 1999, the women with disabilities formed an umbrella organization known as National Union of Women with Disabilities of Uganda (NUWODU) during the second forum of women with disabilities that brought together representatives from the then 45 districts of Uganda, women committees of the then 7 single disability organizations (blind; deaf; Psychosocial ; epilepsy; deaf blind; physical; parents of children with intellectual disabilities;) and representatives of the two existing associations of women with disabilities in the country.

The purpose was to have a stronger voice of women with disabilities advocating for their rights and equal opportunities within the disability movement and the other development partners nationally and internationally.

## **VISION**

The vision of NUWODU is to have women and girls with disabilities live a dignified life.

## **MISSION:**

The mission of NUWODU is to promote the political, economic and social cultural advancement of women and girls with disabilities through advocacy for their effective participation in development.

## **PROGRAMS:**

To achieve its mission, NUWODU implements the following programs:

- A. Advocacy and lobbying in key sectors of the girl child education, economic empowerment of women and girls with disabilities, gender based violence against women and girls with disabilities and sexual and reproductive health rights of women and girls with disabilities.
- B. Capacity building of the leaders of women and girls with disabilities at the grassroots.
- C. Information collection, documentation and dissemination on the situation of women and girls with disabilities in the country.
- D. Institutional development.

## **2.0 EXPERIENCES OF GENDER BASED VIOLENCE AGAINST WOMEN AND GIRLS WITH DISABILITIES IN UGANDA:**

NUWODU like many other organizations of persons with disabilities in Uganda is implementing a project on prevention of gender based violence against WOMEN AND GIRLS with disabilities which is in line with article 16 of the UN Convention on the rights of persons with disabilities, ratified by Uganda government in September 2008.

NUWODU is also one of the lead organizations of persons with disabilities compiling the shadow/alternative report on the implementation of the UN CRPD in Uganda by the civil society organizations in the country.

This has given opportunity for the organization to collect information on experiences of people with disabilities in general and women and girls with disabilities in particular in regard to gender based violence against them.

The experiences shared in this paper are a collection of information from baseline surveys collected by NUWODU, Human Rights Watch and National Union of DISABLED Persons of Uganda (NUDIPU) targeting a total population of 2,000

people with disabilities, 75 percent of whom were women from the four regions of the country. 47.8% had physical disabilities, 14.9% with visual impairments, 12% with audio impairment, and 11.4% having mental disabilities

The key major gender based violence experiences of women and girls with disabilities were:

- Sexual abuse such as rape and defilement;
- Forced marriage;
- Psychological torture;
- Denial of parental care of children by men;
- Forced family planning;
- Discrimination in accessing justice;
- Physical abuse; and
- Denial of property rights/theft of property and money. The details of these experiences are below:

## **2.1. Sexual abuse/exploitation**

Significant percentage of the respondents (8%) confessed that they have sexually been abused mainly through rape that has resulted into unwanted pregnancies and infections with STIs. The large majority of them were visually impaired women whom men took advantage of their blindness because the men knew that the visually impaired woman would not identify them and will not be able to report the case due to lack of evidence.

The large majority of the women with visual impairment have also experienced men exploiting them by pretending to be helping. However, the men end up exploiting them sexually.

Hence, Exposure to risk factors of acquisition of sexually transmitted infections and unwanted pregnancies due to their gender and disability.

A case in point is the story of Edna, a blind woman from Northern Uganda who was interviewed by Human Rights Watch during their research in 2010.

*Edna's two daughters have different fathers. The father of her first child, now six years old, was killed by the Lord's Resistance Army. The second child's father, ashamed of being associated with a blind woman, would "just come at night, have sex, and leave in the morning." After she became pregnant, he abandoned her. Edna went to police to file a complaint of child neglect, but since she did not know the man's whereabouts, the police said they could do nothing.*

*When she went to a clinic for prenatal care for her second child, Edna learned that she was HIV-positive. Her six-year-old daughter now regularly leads her to the hospital to collect her antiretroviral drugs.*

A second case is that of a parent of a girl with intellectual disabilities who narrates the story of her daughter below:

*"I struggled to bring up my daughter with learning disabilities. This girl was 14 years and as I left her at home and went to the garden, a man called Isa Kimuli came and raped her and my daughter Nuru Namale became pregnant., we imprisoned him but used the money and he was released and run away. His family refused to give us any support and we have struggled with the child now the baby boy is 4 years".*

There are also false beliefs among men in Uganda that having sex with a disabled woman can cure one from HIV and AIDS. This makes men living with HIV and aids to have relationships with women with disabilities either by consent or by force with the hope of getting cured. This puts women with disabilities at high risk of being infected with HIV and AIDS and other sexually transmitted infections. The myth is confounded by the belief that disabled women are virgins or asexual.

Further the question of men raping them and run away without support came up as expressed by one deaf blind respondent;

*"Deaf blind women are always stigmatized by the community around us because of our disability, they abuse me and call me "/Muzibe/Kasiru<sup>1</sup>, as someone difficult to communicate to, I got a man who has always pregnant me and neglected me because of the influence of the community. He always comes at night, pregnant me and leaves me with the responsibility of feeding*

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<sup>1</sup> Muzibe a derogatory word connoting someone who blind and can't see anything which "Kasiru" carries a meaning of someone who is stupid and useless.

*my five children his work in to produce and leave me with the burden without help.”*

Aisha Masaka

Another respondent highlighted the challenge which girls and women who are deaf blind and how they go through a tough and abusive experience as expressed below;

*“I have an experience of a deaf blind girl who is deaf blind and also mentally disabled whom one man tried to steal her to be sacrificed because as a deaf blind he thought she is useless. Later she was raped.”*

Juliet Wabukuwo-Kamuli

### **Further probing showed that;**

*The Deaf blind persons are also exposed to sexual harassment.*

*“I know a family in Kyenjojo District where men take advantage of a girl in this situation, and always make her pregnant when family members don't know because she cannot shout for help. One wonders who pregnant her every time and the family takes care of the children. May be the person is a family member.”*

Agnes.

## **2.2. Forced marriages:**

Majority of women and girls with disabilities are unable to decide whether to marry or have a family but the decisions are made by their family members. For example; a disabled woman can be given to a man as a second wife when none disabled sister is getting married among some Ugandan communities.

The story of one woman with disability in Kotido reveals how women with disabilities cannot decide on issues of marriage as below:

*“After I was defiled, my parents forced me to marry, because they wanted cows from that man. But later the man got another woman who was not lame and he chased me off”*

### **2.3. Denial of justice:**

Paradoxically, while women and girls with disabilities were highly vulnerable to sexually oriented forms of violence and society is aware of the happenings, there was minimal legal assistance redress provided to bring the perpetrators to book. When a woman and or girl with disabilities is abused in most cases the family can shield the person and if the person is not related can be taken to local council leaders or the police who are always very reluctant to imprison the person. They always prefer a reconciliatory approach or someone can be chased away. The police cannot defend the statement given.

Women and girls with disabilities, especially those with visual impairment are denied justice by the evidence act in Uganda which only allows evidence by seeing and not hearing or feeling.

A case in point is Emmanuel from Lugazi town in Central Uganda whom acid was poured on by his friend. When the case was taken to court, Emmanuel requested the magistrate to give his evidence by identifying the culprit through feeling and hearing the voice which the magistrate rejected. The magistrate's argument was that there was no evidence law which accepted identification of the suspect by hearing or feeling.

The suspect was then set free and Emmanuel is blind to date.

Furthermore, women and girls with disabilities find difficulties in accessing justices because of the inaccessible physical structures of the court premises which cannot allow women with physical disabilities to report cases of gender based violence in local council courts or magistrate courts.

There are also communication difficulties between the court officials and deaf women including women and girls with intellectual disabilities. This is because there are no sign language interpreters in courts. A case in point is a deaf woman from Lira district in Northern Uganda who had gone to the police to report a man who had raped her but because of communication difficulties, the police did not help her and she went back home disappointed.

## **2.4. Psychological Violence:**

The survey revealed that women and girls with disabilities that experienced Gender Based Violence (GBV) without responses from family were left in a very miserable state. This was explicit in respondent expression, which necessitates provision of psychosocial support to the victims.

Girls and women with disabilities suffer neglect with women more discriminated and abandoned by their former husband on assumption that they are disabled when they get the disability at an adult stage. Children are removed from them and when they try to resist they are beaten, scorned, denied sex and psychologically tortured.

A case in point is a visually impaired lady who lost her sight at an adult stage when she already had six children, her husband divorced her, took away the children from her claiming that she would not be able to take care of them because of her blindness. This lady was psychologically tortured to the extent of wanting to take her life. Fortunately, she was connected to the umbrella organization of people with disabilities in Uganda and she is now a member of parliament in the Uganda parliament.

## **2.5. Forced family planning:**

It was also revealed that women with intellectual disabilities, those with epilepsy and the Deaf Blind are denied the right to produce by using modern contraceptive methods of family planning without their consent. This was to avoid the burden of children born out of rape or defilement by the parents/relatives of the women and girls with disabilities.

## **2.6. Denial of property/ theft of property and money:**

The survey carried out by NUDIPU revealed that women with disabilities are denied their property by relatives and are not allowed to inherit property of their family because of their gender and disability. Sometimes women with disabilities, especially those with visual impairment who engage in small businesses, their items are stolen from the shops by their relatives who pretend to be helping them.

In other instances, they are either given less money than the cost of the item bought or given false currencies, taking advantage of their disability.

In the baseline survey carried out by NUWODU, the respondents with psychosocial disabilities revealed that when they got into depression and were not able to get enough support from the family, their situation became worse leading to their husbands forcing them to sign documents they don't understand, they deny them sex, separating them from their children and eventually forced out of the homes they build together as one woman was quoted saying below:

*“My husband annoyed me, he got another wife after struggling with him to build a nice house, after two weeks I got a depression then they took me to Butabika hospital and later after six months, the husband could not cope up, he forced me to sign all agreement of our property when I was not in my senses. This even made me more depressed, later he dumped me at my parent's home, married another woman and I lost all. If it was not the support of my church and the family, I would be on dustbins”.*

Anonymous respondent

## 2.7. Physical abuse:

In a focused group discussion with psycho social disability respondents carried out by NUWODU, experiences of physical abuse were witnessed by women with psychosocial disabilities. As parents don't always understand them when in disequilibrium state. Respondents emphasized that much as they are affected mentally, they have the consciousness to decide and they feel bad when their freedom is so much affected by tying them and bundled into the care to end up in traditional witchdoctors who always abused them, impregnated them and some getting HIV virus infection as one respondent narrated her experience while sobbing below:

*“ Under crisis we girls our parents tie us in pretext of protecting us and yet when I am in this situation I can have a feel that I am in a dangerous situation and want to go where I can get some support. They don't allow us to make any decision for example my mother forced me to a traditional witchdoctor who sexually abuse me and yet I was feeling that I should go to my aunt who know my situation and can take me to the hospital, they refused and beat me up my arm was injured”. - Irene*

Another respondent said:

*“I have witnessed so much abuse from my parents. They always tie me with ropes and take me to a witch doctor that cut me with razors, abused me and pour bad herbs in my eyes, nose and mouth. Before, they took me, I told them to go to the church to pray for me and buy for me medicine but they refused and now I am HIV positive. We go through a lot of challenges and struggles. I thank the church and mental health Uganda for supporting me”. – Anonymous*

Her sharing sparked lots of sharing where majority of girls and women with mental and psycho social disabilities women expressed dissatisfaction with the way they are handled by family members who always believe that they will run away when they begin to run “mad”,

### **3.0. RECOMMENDATIONS FOR MITIGATION OF GENDER BASED VIOLENCE AGAINST WOMEN AND GIRLS WITH DISABILITIES IN UGANDA:**

- Government and other stakeholders should involve Persons with disabilities in general and women and girls with disabilities in particular (WWDS) in policy development through needs assessment by policy makers so as to draw priorities in responding to cultural, economic and social-political issues that expose WWDS to GBV.
- To improve awareness about legal rights of WWDS, there is need for civil society organizations and disability organization to increase on the awareness, training and advocacy of rights of persons with Disabilities (PWDs) in general.
- There should be trainings targeting local and religious leaders and special attention need to be given to girls and women with disabilities to make sure that they know their rights and more especially laws to protect them and knowing where to go when faced with GBV.

- Special attention to translate the laws in local languages, Braille, large print and disseminate them.
  
- The government should strengthen its arm especially the police and the judicial system through training in handling cases of GBV involving WWDS so that they may be a mechanism which can track cases of injustices committed against WWDS as well as allowing them to report without fear or favor.
  
- Outright outlaw and criminalization of promoters of cultural practices such as forced marriages and criminalizing violence in a domestic setting so as to protect WWDS
  
- Government and other disability people's organizations should educate and sensitize community members on the rights of WWDS especially those who experience gender based violence.
  
- NGO's especially those working in the area of gender based violence should improve the dissemination of information regarding gender based violence as well as advocacy for reproductive health rights of WWDS.
  
- Since most of the women and girls with disabilities do not have access to employment opportunities and economic dependence has been identified as one of the causes for gender based violence, there is need to provide training in Income Generating Activities for women with disabilities or for their families and households. This will help increase sustainability and reduce dependence on male relatives and begging for survival.
  
- NGO's should provide legal aid to women with disabilities especially in rural areas.
  
- Campaign against Cultural Values that creates the perception that women and girls with disabilities are agents of reproduction and therefore perpetuates GBV against them should be fought.
  
- Lobby Government and other stakeholders on the implementation of policy and laws that protects women with disabilities against Gender Based Violence in society, and also on those that affect socio-economic and political development of WWDS.

- There is need train both religious and local leaders on issues of gender based violence, rights and laws since they are the immediate people where the victims report. This will also help in sensitizing WWDs to always feel free to report cases of abuse.
- On the issues of gender based violence mostly based in the families, there is a need to design programmes which are geared on sensitizing family members of WWDs as well as relatives so that they can respect their rights.
- The evidence act should be amended to include giving evidence by hearing or feeling.

#### **4.0 CONCLUSION:**

I would like to conclude by saying that the disability fraternity in Uganda in particular and the world at large needs to work towards ensuring that the government honor their promises of implementing the convention on the rights of people with disabilities. Particularly article 16 which stress prevention of violence and exploitation against people with disabilities in general and women and girls with disabilities in particular.

The ratification of the CRPD should not be on paper but in practice.

For God and my country.