

Judge wants special courts on violence

Challenge. Justice David Batema notes that countries in the Great Lakes region lack a collective law on marriage and divorce and cites loopholes in the existing laws.

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KAMPALA. The Soroti High Court resident judge, Justice David Batema, has demanded that the governments in the Great Lakes Region establish special courts to handle issues of Sexual and Gender-Based Violence (SGBV) cases.

"Any country willing to set up special courts must begin with the stakeholders and actors so that we speak the same language about the gender human rights violence, discrimination and sexual gender-based violence against women and girls," Justice Batema said on Sunday.

He was speaking at a three-day conference organised by the International Conference of the Great Lakes Region (ICGLR) at Munyonyo Commonwealth Resort in Kampala.

Justice Batema decried the absence of a collective law on marriage and divorce and the loopholes in the existing law.

"The law we inherited is patriarchal, colonial and has English interpretations some of which have



My view. Soroti High Court Resident Judge David Batema (right) chats with former police spokesperson Asan Kasingye in Kampala on Monday during a dialogue on violence against women and girls.

PHOTO BY ALEX ESAGALA

been dropped in England, but [are] still applicable in Uganda," he said, adding that judges, magistrates, registrars should be trained to question the existing law.

"We have to question provocation, marital rape, who is a reasonable man, the idea of sexual violence theory, open trial policy in rape cases and treat victims as victims, not survivors," the judge said.

The Deputy Chief Justice Alfonse Owiny-Dollo, while closing the conference, challenged the judiciaries of member states to raise the bar in handling gender-related cases.

BACKGROUND

The ICGLR is an inter-governmental organisation which, among other things, trains and sensitises judicial officers, law enforcement, social workers and medical officers on handling cases of sexual violence. Its purpose is to guarantee peace and security. The agenda of the Munyonyo summit was: "Fighting sexual violence in conflict situations - obligation to eradicate illegal armed groups and negative forces in the region".

"We need to think outside the box. We must be ready, within the permissible perimeters to rise to the peculiar challenges that are within the administration of justice. Gender issues is one such challenge," he said.

The conference was held against the backdrop of the ongoing 16 days of activism against GBV.

It was attended by delegates from the 12 ICGLR-member states; Angola, Burundi, Central Africa Republic, DR Congo, Republic of Congo, South Sudan, Sudan, Kenya, Rwanda, Tanzania, Uganda and Zambia.

REVIEW NORMS ON WOMEN

Justice David Batema also asked institutions to review cultural norms to empower women in the move to fight gender-based violence in the country. "Religious and cultural institutions should review cultural norms which are fuelling gender-based violence in the country," Justice Batema said, adding that men are basing on the said norms to harass women in their respective communities. He identified norms such as promoting the boy child, property inheritance, females barred from eating certain foods and beating women, among others. Justice Batema made the remarks while presenting a paper on gender-based violence in Uganda on Monday. According to the Demographic and Health Survey 2016, Uganda has a high prevalence against women and girls with more than one in five women aged 15 and 49 reported to have experienced sexual violence. Ms Catherine Baraza, the World Bank senior social development officer, said each year, Uganda loses about \$500 million because women are unable to work due to gender-based violence.