



**PRESS RELEASE NO. 2/2024**

**FOR IMMEDIATE RELEASE: 15<sup>th</sup> October 2024**

### **PRESS STATEMENT ON THE ALLEGED SEXUAL ABUSE OF A 14-YEAR-OLD GIRL BY A STEP FATHER**

The Islamic Women's Initiative for Justice, Law & Peace (IWILAP), the Muslim Women Lawyers Alliance (MWOLA), Center for Health, Human Rights and Development (CEHURD) Muslim Female Lawyers Network on Abortion and the Uganda Association of Women Lawyers (FIDA- Uganda) are deeply saddened by the recent case involving alleged sexual abuse of a 14-year-old girl.

We are deeply concerned by the allegations that some Muslim religious leaders and family members are encouraging the mother and survivor to withdraw from seeking justice through the rightful legal process. This issue not only undermines the safety and dignity of children but also poses significant challenges to the pursuit of justice for survivors and their families. We are also alarmed by reports of alleged corruption and failure to conduct proper investigations by the Uganda Police. The allegations as stated in the video by the mother of the survivor are sad and we condemn such acts.

As a society, we must confront these terrible crimes with urgency, transparency, and a commitment to safeguarding our young girls. We categorically reject any misinterpretation of Islam to the effect that it encourages silence in the face of injustice, especially when it concerns the rights and dignity of children. Sexual abuse is a serious crime that cannot and should not be ignored or hidden under the guise of protecting religious or community image. Islam is a religion that emphasises humanity in all aspects of life, enjoins good and forbids evil. The Qur'an and Hadith teach the importance of justice, doing righteous deeds both in public and private domain, protecting the vulnerable, standing against wrong doing and holding people individually accountable for bad deeds.

**Islam prohibits sexual immorality and unlawful relations. Indeed, in Surah Al-Isra (17:32):** *“And do not approach unlawful sexual intercourse. Indeed, it is ever an immorality and is evil as a way.”* This verse prohibits all forms of unlawful sexual relations, emphasizing the gravity of engaging in any form of sexual misconduct. This prohibition extends to any act of forced sexual relations, as these acts violate the rights and dignity of individuals.

The religion rather **promotes justice and doing righteous deeds. In Surah an Nahl 16:90:** *‘Allah commands justice, doing of good and liberality to kith and kin, and He forbids all shameful deeds, injustice and rebellion.’* Moreover, the principles of Justice and Punishment in Sharia Law as derived from the *Sunnah* (teachings of the Prophet Muhammad SAW), the broader framework of *Sharia* (Islamic law), and subsequent legal interpretations have established that defilement (*zina bil jabr*—forcible sexual intercourse) is a severe crime with strict punishments, which could include capital punishment or severe corporal punishment.

This case adds on the already daring statistics in the country of sexual abuse. Uganda's Annual police crime report of 2023 indicates that the number of victims defiled by parents were 97 and those defiled by guardians were 90.

Uganda has several legal and policy frameworks aimed at protecting children and keep them safe from abuse but implementation is still minimal. The penal code Act cap 128, the Domestic Violence Act cap 123, Children's Act Cap 62, 2018 National sexuality education framework, the 2020 revised guidelines for prevention and management of teenage pregnancy in school settings in Uganda among others all aim at protecting such cases of abuse. Its sad that such abuse still happens in Uganda.



We strongly believe that reporting cases of sexual abuse is not a source of shame; rather, it is a crucial step towards securing justice for the victim and preventing future harm to others. This incident serves as a reminder of the importance of educating our communities about the signs of abuse and the mechanisms available for reporting it. We encourage parents, educators, religious leaders and community members to engage in open conversations about safety and the need to report abuse and violation of children's rights.

We condemn the actions of some family members and religious leaders who have chosen to criticize the victim and her family for seeking legal redress only serve to perpetuate a culture of **SILENCE AND IMPUNITY** that breeds violence and facilitates perpetrators to escape accountability and injustices to persist.

#### **We therefore ask that;**

- **The Uganda police and Director of Public Prosecutions should** expedite the investigations and process of delivering justice upholding and prioritizing the rights and dignity of the survivor and not the alleged perpetrator.
- **The Uganda police** should deploy a victim centered approach that offers a safe and supportive environment for the victim to provide testimony and safeguarding her from any intimidation or harassment.
- **The Uganda police conduct an immediate transparent investigation into allegations** of bribery and corruption associate with reporting and investigation of cases within it's and office of DPP in handling this case.
- **The Religious leaders** including Sheiks, Imams, the Mufti and his deputies should use their influence seek justice for survivors of sexual violence as the beacons of hope for those facing injustice, not a tool for silencing and shaming the vulnerable.
- **The family** especially parents should speak out against any injustices occasioned in the family and stand together to call out wrong doing this is the beginning of protection for all family members.
- **The Parliament of Uganda** should fast track the process of enacting laws to establish Qadhis' courts as enshrined under article 129 (1)(d) of the Constitution by enacting an enabling Muslim Personal Law with clear and comprehensive legal provisions that follow the human rights and gender principles. Continued absence of this law perpetuates injustices including those directed at girls and women within the Muslim community.

**In conclusion**, we stand firm in our commitment to ensuring that justice is served. We will stand with the survivor and her family during this difficult time providing provide legal support, counselling, and advocacy to ensure that their voices are heard and their rights are protected. We will not allow to be silenced by anyone for we believe that the suspect must be held accountable. to prevent further harm.

Islam is not a religion against women. If we fail to get domestic justice, we intend to explore the well known regional and international human rights mechanisms that Uganda has ratified to seek justice and remedy for the abused girl and her mother.

For ore information, contact Counsel Haurah Nalubega at [info@iwilap.org](mailto:info@iwilap.org) or Tel: +256393243413 ; Nakibuuka Noor Musisi on [info@cehurd.org](mailto:info@cehurd.org), 0782496681.

#### **For God and my Country!**

- Mwanga Mastullah Ashah, For Islamic Women's Initiative for Justice, Law & Peace (IWILAP), [info@iwilap.org](mailto:info@iwilap.org)
- Sophie Kyagulanyi , **Muslim Women Lawyers Alliance (MWOLA)**, [mwola@protonmail.com](mailto:mwola@protonmail.com).
- Hajira Gimbo, For **Muslim Female Lawyers Network on Abortion** [hajirahg4@gmail.com](mailto:hajirahg4@gmail.com)
- Nakibuuka Noor Musisi, Center for Health, Human Rights and Development; [info@cehurd.org](mailto:info@cehurd.org)