



WHY ONLINE VIOLENCE AGAINST WOMEN IS PERSISTENT IN UGANDA DESPITE EXISTING LAWS AND POLICIES

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In order to try and answer the above question one of the Arise contributors spoke to a number of people whose views are captured below.

“ The law on online communication is not explicit on harassment’ – Bill Ndyamuhaki, Cybercrime Investigator at the Uganda Police Force.



CYBER-BULLYING



TROLLING



HATE SPEECH



DOXXING



CYBER-STALKING



PUBLIC SHAMING



**INTIMIDATION
/THREAT**

The biggest problem is excitement about social media; people are excited with the new technology. Many WhatsApp groups share pornography. You don't solicit it, but people send it freely. Unlike before, with the new technology, someone can easily send you a whole video.

The other challenge is ignorance of the law. Many people don't know that when you threaten someone, it is a crime; that when you share nudes, it is a crime. We arrest them every day and they say they didn't know, yet ignorance of the law is no defence. The fact is that the moment you share that (nude) picture, you have shared pornography.

Then the absence of a law that regulates online communication. All we have is the Computer Misuse Act, but it does not talk about online communication explicitly; it generalises it. Yet matters of the law require that you prove beyond

reasonable doubt.

We also encounter challenges of victims becoming obstacles of justice. When women come as complainants and we propose taking the culprit to court, many times the woman will forgive the culprit, especially if he is a boyfriend or former boyfriend. There are very few who continue with the case; many of them pull out.

The other challenge is some culprits live beyond our borders where they cannot be extradited, so it becomes very difficult to apprehend them from countries where we don't have extradition treaties.

**"Online crimes are sophisticated,"
Yona Okoth Gongo, Head of Secretariat,
Technical Policy Forum, Ministry of ICT
and National Guidance**

Regulating online behaviour, especially violence against women,

is inherently more difficult than regulating behaviour offline. This is because of the diverse nature of crimes committed online and the sophistication of perpetrators. People intimidate, character assassinate, threaten to harm or rape, and harass women online using anonymous identities. It therefore becomes very difficult for law enforcement agencies to track, to arrest and proffer charges against such individuals, let alone regulate behaviour online because of their sophisticated nature, regardless of the existence of laws and policies.

Sometimes, because of the viral nature of online communication, cases of harassment are not reported. The victims fear that by reporting, they will instead fuel more violent conversations online, which will negatively affect them. Some victims have little hope that

the perpetrators will ever be brought to account and this keeps them away from reporting violent behaviour.

Online violence against women can only be reduced; it cannot be stopped. There is need to continuously sensitise women regarding what they can do to protect themselves online and where to seek redress in case of violence. Continuous assurance that something is being done or will be done to help them if they are faced with such situations will encourage many to report cases to the authorities. Law enforcement agencies should also be equipped better with tools and skills to track and arrest perpetrators of violent online behaviour.

“Parents, community are to blame for violence,” Fr Simon Lokodo, Minister for Ethics and Integrity

The biggest problem we have is that people have succumbed to the pressure of external influence and have taken pleasure in doing what is abominable and culturally wrong.

We have a challenge of commercialisation of nude photos and videos. I recently met film producers and told them that much as it is their role to educate and entertain the world, they have opted to misuse this talent by poisoning the minds and psychology of the people. We have arrested people and taken them to court, but they say they are adults who are free to do whatever they want, and it is unconstitutional to arrest people who are behaving indecently. The biggest problem, therefore, is apathy. But above all, I want to blame the parents and communities for allowing such things to happen; allowing their children to indulge in ugly things and saying nothing about it or not even reprimanding them for that matter. If you keep silent, it becomes acceptable; but if you caution them, people think twice before doing it.

We therefore need to enforce the laws, and sensitise the people about

the destructiveness of such behaviour, and that should be a responsibility of everyone to ensure an end to such behaviour. Everyone should say no to this kind of behaviour, be it religious leaders, politicians or ordinary citizens. Involving everyone is the best way to curb violence against women.

“Law enforcers don’t understand online violence against women,” Miria Matembe, Women Rights Activist and Former Minister for Ethics and Integrity

The limited knowledge about online violence against women (OVAW) is one of the reasons why OVAW is still persistent. We have laws and policies but they are not effective. Perpetrators go scot-free because everyone, including the police, doesn’t understand OVAW.

We have seen so many women victims of OVAW, but little is done about their situation. Even those who report cases to the police rarely get justice. Instead, they are accused of being the ones behind the plot. Take, for example, the case of non-consensual sharing of photos and videos. The Minister for Ethics and Integrity has many a time come out to warn the victims instead of protecting them. How do you expect to put a stop on OVAW when even the policymakers are yet to fully grasp it?

The other factor is that the policies in place are generalised and do not explicitly address the real problem. The Computer Misuse Act, for example, is not clear on OVAW, yet it is the same Act that law enforcers refer to for guidance.

There is, therefore, need for massive sensitisation of all stakeholders to online violence against women, as well as coming up with policies that specifically address OVAW.

“Online violence against women is a fallacy,” Pastor Martin Ssemu, Religious Leader and Activist

This is a trick by feminists to convince the government to police and take away people’s freedom of speech and normal conversation about men and women. They redefine it as online violence and harassment. These are efforts of Europeans to impose draconian gender laws on Africa.

You cannot have only one side of gender discussions from women. All this is intended to deny men a chance to debate these issues; it is about blocking men from having their say. Feminists, for example, fronted the idea that a Woman Member of Parliament was harassed by a young man last year. This is the same woman who had been published in the New Vision as single and searching for a man. When the young man read the story, he tried his chances, and what was wrong with that? Unfortunately, without shame, the woman went to court and had the young man jailed.

There is, therefore, nothing like online violence against women. This is simply a plan to take away our freedom of speech and police our language. It is total confusion.

When it comes to nudes, many a time it is the women themselves who leak these nudes. There is a pornographic culture in this generation. Look at the clothes women wear in public and imagine what they do in private.

They ask each other for nudes, and when they fall into the hands of the authorities, they start crying foul, but when in actual sense they were the initiators. I therefore have no sympathy for them. What I have experienced is actually the opposite of what they are claiming. I have no doubt that there may be genuine cases of cyber harassment, but I am yet to witness them.