

Annex 1

Statutory Laws and Cases

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
Kenya	SOA: S.3 Rape S.8 Defilement S.10 Gang rape	Minimum sentences imposed to limit judicial discretion to be exercised in favour of lenient sentences	SOA S.3: Rape – imprisonment for a minimum of 10 years, which may be enhanced to life imprisonment S.8: Defilement of a child aged 11 years or less shall on conviction be sentenced to life imprisonment S.8: Defilement of a child aged 12–15 years or less shall on conviction be sentenced to imprisonment for a minimum of 20 years S.8: Defilement of a child aged 16–18 years or less shall on conviction be sentenced to imprisonment for a minimum of 15 years S.10. Gang rape: Imprisonment for a minimum of 15 years, which may be enhanced to life imprisonment *Where the accused is a minor, the court may, on conviction, sentence the minor in accordance with the provisions of the Borstal Institutions Act and the Children Act	C.K. (A Child) through Ripples International as her guardian and next friend & 11 others v Commissioner of Police/ Inspector General of National Police Service & 3 others [2012] eKLR C.K.W. v Attorney General & another [2014] eKLR Dennis Osoro Obiri v Republic [2014] eKLR Esther Nangwana Nandi v Jones Chewa Bobo [2006] eKLR Joseph Lotoyo v Republic [2011] eKLR MBO v Republic [2010] eKLR POO. (A Minor) v DPP & another [2017] eKLR W.J. & L.N. v Astarikoh & 9 others [2011] eKLR

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
Rwanda	OLPC Art. 196: Rape Art. 198: Marital rape Art. 200: Marital rape Art. 190: Child defilement Art. 192: Child defilement by a person having authority over the child Art. 193: Child defilement resulting in death or an incurable illness Art. 201: Penalty for rape with intention to infect another person with an infection	Art. 38 GBV Law – right of the victim of GBV to claim damages	OLPC Art. 197: Rape – general penalty, imprisonment of more than 5–7 years <ul style="list-style-type: none"> If victim is elderly, a person with disability or a sick person, imprisonment of 7–10 years and fine of 500,000–1,000,000FRw If rape results in an incurable disease for the victim, imprisonment of 10–15 years. If rape results in death of victim, life imprisonment Art. 199: <i>Marital rape</i> – imprisonment of at least 2 months but less than 6 months and fine of 100,000–300,000FRw If marital rape results in: <ul style="list-style-type: none"> An ordinary disease, imprisonment of 6 months to 2 years An incurable illness, imprisonment of more than 5–10 years Death of the victim – life imprisonment Art. 191: <i>Child defilement</i> – life imprisonment with special provisions Art. 192: <i>Child defilement by a person having authority over the child</i> – life imprisonment with special provisions and a fine of 100,000–500,000FRw Art. 193: <i>Child defilement has resulted in death or incurable illness</i> – life imprisonment with special provisions and a fine 500,000–1,000,000FRw Art. 201: <i>Rape with intention to infect another person with an infection</i> – imprisonment of 20–25 years	<i>Prosecution v M</i> [2010] RWSC 0321 <i>Prosecution v Maniragaba</i> [2015] RWSC 0257 <i>Prosecution v Nkurinzira</i> [2015] RWSC 0118 <i>Prosecutor v Jean Paul Akayesu</i> [1998] ICTR –94-4-T

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/provision	Measures	Sanctions	Case law
Tanzania	<p>Penal Code</p> <p>S.130: Rape</p> <p>S.131A: Gang rape</p> <p>S.158(1): Incest by male</p> <p>S.133: Abduction</p> <p>S.134: Abduction of girls under 16 years</p> <p>S.138: Defilement by husband of wife under 15 years</p>	<p>Rape: Compensation of amount determined by the court to the victim (S.131)</p> <p>Minimum sentences imposed so as to act as deterrent to rape convicts</p> <p>Incest: Incest by male definition limited by excluding victims such as nieces</p> <p>Requirement of conduct of <i>voir dire</i> for a victim/witness under 13, testimony no longer a requirement.</p>	<p>Penal Code S.131(1): Punishment for rape – imprisonment of minimum of 30 years, with corporal punishment and a fine and an order to pay compensation of amount determined by the court to the victim</p> <p>S.131(2): Punishment for rape – where accused is a minor (less than 18 years), he shall:</p> <p>a. If a first-time offender, imprisonment only</p> <p>b. If a second-time offender, be sentenced to imprisonment of 12 months with corporal punishment</p> <p>c. If a third-time and recidivist offender, be sentenced to life imprisonment</p> <p>S.131(3): Punishment for rape – where victim is a girl under 10 years, the offender shall on conviction be sentenced to life imprisonment</p> <p>S.131A2: Gang rape – life imprisonment, regardless of actual role played in the rape</p> <p>S.158(1)(a): Incest to child below 18 years – imprisonment of minimum of 30 years</p> <p>S.158(1)(b): Incest by male – If the female is above 18 years, imprisonment of minimum of 20 years</p> <p>S.133: Abduction of a woman over 16 years – 7 years' imprisonment</p> <p>S.134: Abduction of a woman below 16 years – punishment not specified</p> <p>S.138(1): Defilement of a wife under 15 years – imprisonment of minimum of 10 years</p> <p>S.138(2): Parents/guardian of victim of defilement under 15 years – 10 years' imprisonment</p>	<p><i>Diha Mafali v Republic</i> [2015] TZCA 245</p> <p><i>DPP v Jamal Waziri</i> [2003] TLR 324</p> <p><i>John Martin alias Marwa v Republic</i> [2017] Criminal Application No. 20 of 2014</p> <p><i>Lawama Dedu v Republic</i> [2016] Criminal Appeal No. 318 of 2015</p> <p><i>Leonard Jonathan v Republic</i> [1980] TLR 331</p> <p><i>Thomas Adam v Republic</i> [2012] Criminal Appeal No. 134 of 2010</p>

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
Uganda	PCA S.123: Rape S.129: Defilement of girl under 18 years S.130: Defilement of idiots or imbeciles PCA Amendment 2007 S.129: Aggravated defilement		PCA S.124: Rape – death penalty S.130: Defilement of idiots and imbeciles – imprisonment of 14 years	<i>Adoli Dickens v Uganda</i> [2017] COA Criminal Appeal No. 41 of 2010 <i>Bizimana Jean Claude v Uganda</i> [2014] COA Criminal Appeal No. 143 of 2010 <i>Candia Akim v Uganda</i> [2016] COA Criminal Appeal No. 181 of 2009 <i>Diku Francisko v Uganda</i> [2010] UGCA 304 <i>Kaserebanyi James v Uganda</i> SC [2018] Criminal Appeal No. 10 of 2014 <i>Livingstone Ssewanyana v Uganda</i> [2010] Criminal Appeal No. 19 of 2006 <i>Muhezi Alex and Hassan Bainomugisha v Uganda</i> [2010] SC Criminal Appeal No. 21 of 2005 <i>Mureeba Janet and 2 others v Uganda</i> Criminal Appeal No. 007 of 2002 <i>Nfutimukiza Isaya v Uganda</i> COA Criminal Appeal No. 41 of 1999 <i>Ntambala Fred v Uganda</i> [2018] UGSC 34 of 2015 <i>Opira Mathew v Uganda</i> COA Criminal Appeal No. 114 of 1999 <i>Oterna David v Uganda</i> COA Criminal Appeal No. 155 of 2008 <i>Ssendyose Joseph v Uganda</i> [2010] UGSC 150 <i>Kato Sula v Uganda</i> COA Criminal Appeal No. 30 of 1999 <i>Uganda v Atwiine Hamed</i> [2014] HC Criminal Case 236

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
				<p><i>Uganda v Baikamanya</i> [2014] UGHC 25 of 2012</p> <p><i>Uganda v Dimba Pascal</i> [2017] UGHC 89 of 2014</p> <p><i>Uganda v Kasujja Ivan</i> [2014] UGHC 0004</p> <p><i>Uganda v Kusemererwa Julius</i> [2015] UGHC 15 of 2014</p> <p><i>Uganda v Muhwezi Lamuel</i> [2012] UGHC 292 of 2010</p> <p><i>Uganda v Mujuzi Kalooli</i> Criminal Session No. 116- 2009</p> <p><i>Uganda v Mukibi</i> HC Criminal Session No. 0008-2014</p> <p><i>Uganda v Najja Sebango</i> [2012] UGHC 65</p> <p><i>Uganda v Nyanzi David</i> HC Session Case No. 116 of 2016</p> <p><i>Uganda v Okuni Dennis</i> HC Criminal Session Case No. 0025 of 2012</p> <p><i>Uganda v Okwera James</i> [2012] UGHC 144</p> <p><i>Uganda v Olega Muhamad</i> [2016] UGHC 33</p> <p><i>Uganda v Tumwesigye Zirabwa alias Sigwa</i> HC Criminal Session Case No. 92 of 2011</p> <p><i>Uganda v Bukonya Abubakali</i> [2013] UGHC 105</p> <p><i>Yiga Hamidu v Uganda</i> [2004] UGHC 5 of 2002</p>

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
Core incident type: Sexual assault				
Kenya	SOA: Sexual assault		Sexual assault: Imprisonment for not less than 10 years and a maximum period of life imprisonment	
Rwanda	OLPC Art. 182: Indecent assault Art. 183: Indecent assault against a child Art. 184: Indecent assault with violence, trickery or threats against a person aged 18 or above Art. 185: Public indecent assault		GBV Law Art. 27: <i>Violence by exercising sexual torture or intending to commit sexual torture</i> : Life imprisonment with special provisions Art. 31: <i>Sexually indecent acts against someone</i> : Imprisonment of between 2 and 5 years and a fine between 100,000 and 200,000RWF Art. 32: <i>Sexual violence against an elderly person or a handicapped person</i> : Imprisonment of 10–15 years and a fine between 500,000 and 1,000,000RWF	
Tanzania	Penal Code S.135: Sexual assault and indecent assaults on women	Miscellaneous Rights of Action Law of Marriage Act S.69: Age of marriage for girls 15 years and need for consent of parents for marriage of girls under 15 years found to be unconstitutional.	Penal Code S.135: Minimum imprisonment of 5 years or fine not exceeding TSh 300,000	

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
		S.70: Right to damages for breach of promise of marriage S.71: Limitation of actions for breach of promise S.72: Right to return of gifts S.73: Right to damages for adultery S.74: Right to damages for enticement Assessment of damages for adultery or enticement		
Uganda	PCA S.125: Attempt to commit rape S.129(2): Attempted defilement S.128(1): Indecent assaults		PCA S.125: <i>Attempted rape</i> – life imprisonment S.128(1): <i>Indecent assaults</i> – 14 years with or without corporal punishment S.129(2): <i>Attempted defilement</i> – 18 years' imprisonment with or without corporal punishment	
Core incident type: Physical assault				
Kenya			Court took into account the impact of the violence that the wife had suffered at the hands of her husband when sentencing her	<i>Republic v Jackline Kwamboka Omboji</i> [2018] eKLR

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
Rwanda	OLPC Art. 148: Aggravated assault and battery Art. 149: Battery or bodily injuries resulting in incapacity Art. 150: Battery or bodily injuries resulting in incurable illness or permanent incapacity Art. 152: Battery or causing bodily injuries against a child or a person unable to defend him/herself Art. 154: Administering a substance to a person which may cause illness or death Art. 155: Intentional minor violence Art. 151: Battery or bodily injuries resulting in death Art. 158: Assault and battery resulting from lack of foresight and precaution Art. 159: Causing illness to another person		A judge will have to determine the sentence according to the guilt of the offender, taking into account the motives, previous history, circumstances surrounding the case and personal background of the offender (OLPC Art. 69) The Code of Criminal Procedure offers general provisions on possible penalties, such as imprisonment (Arts 218–220), fines (Arts 221–224) and public interest works (community service) (Art. 225) and their execution (Arts 226–246) OLPC Arts 35–96: General provisions on penalties and their execution, e.g. penalty categorisation, mitigating and aggravating circumstances and prescription of sentences	<i>Prosecution v Cyuma Miruho</i> [0142/10/CS] RWSC <i>Prosecution v Fatirakumutima</i> [2013] RWSC 0129 <i>Prosecution v Gatare</i> [2014] RWSC 0317 <i>Prosecution v Mpitabakana</i> [2014] RWSC 0129 <i>Prosecution v Naramabuye</i> [2014] RWSC 0071 <i>Prosecution v Nshutirakiza</i> [2015] RWSC 0047 of 2011 <i>Prosecution v Uwizeye Eustache</i> [2017] RWSC 0225 of 2013

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
Tanzania	Law of Marriage Act S.66 prohibits a spouse from inflicting corporal punishment on the other spouse. Penal Code S.240: Common assaults S.241: Assaults causing actual bodily harm		Penal Code S.240: Common assault – imprisonment for 1 year S.241: Assault causing bodily harm – imprisonment for 5 years	
Uganda	PCA Chapter XXIII – Assaults Causing Grievous Bodily Harm S.219: Doing grievous harm			
Core incident type: Psychological abuse				
Kenya	–	–	–	
Rwanda	GBV Law Art. 26: Distorting the tranquility of one's spouse due to polygamy, adultery, dowry, reproduction and his/her natural physiognomy, or threatening to deprive one's spouse of the right to property and to employment		GBV Law Art. 26: Distorting the tranquility of one's spouse – imprisonment of 6 months to 2 years and a fine between 50,000 and 200,000Rwf Art. 20: Harassing one's spouse – imprisonment of 6 months to 2 years Art. 14: Adultery for offender and co-offender – imprisonment of between 6 months and 2 years	

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
	<p>OLPC (2012)</p> <p>Art. 203: Sexual harassment</p> <p>Art. 238: Refusal to provide support to spouse, descendants or ascendants</p> <p>Art. 239: Denial of freedom to practise family planning</p> <p>Art. 240: Harassment of spouse</p> <p>Art. 243: Family desertion</p> <p>Chapter IV: Threats to Harm a Person</p> <p>Art. 169: Threat to commit an act qualified as terrorism</p> <p>Art. 170: Verbal threats</p> <p>Art. 171: Threat by gestures, signs, images or a symbol</p> <p>Art. 172: Written threats</p> <p>Art. 173: Blackmail</p> <p>Art. 174: Penalty for blackmail</p>			

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
Tanzania	Penal Code S.138D: Sexual harassment S.195 and S.196: Manslaughter and murder (under provocation/diminished responsibility/emotional stress/cruelty/self-defence, insanity)		Penal Code S.13 D(1): Minimum sentence of 5 years of imprisonment <i>Murder</i> – maximum death	Agnes Doris Liundi v Republic [1980] TZCA 46 Jenesia Philemon v Republic [2011] TZCA 179 of 2009 Mwita Masabo v Republic [2002] TZCA 56
Uganda	PCA S.128(3): Indecent assault		PCA S.128(3): Indecent assault – 1 year imprisonment	
Core incident type: Economic abuse				
Kenya	Constitution of Kenya Arts 10, 43	It is a violation of the Constitution to detain patients for failure to pay medical bills; access to quality reproductive health care.	–	MAO & another v AG & others [2015] eKLR

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
Rwanda	OLPC Art. 241: Disposal of marital property without consent of either spouse Art. 330: Appropriating a spouse's personal belonging Art. 404: Causing fire on another person's property Art. 406: Demolishing or damaging another person's buildings Distorting the tranquility of one's spouse by threatening to deprive one's spouse of the right to property and to employment			<i>Mujawimana et al. v Bank of Kigali Ltd (BK)</i> [2016] RWSC 0008 of 2014 <i>Mukamusi Catherine v Mukagasana Domitilla</i> [2013] RWSC 0087 of 2012 <i>Rutabayiru v Batamuliza</i> [2016] RWSC 0013
Tanzania	Penal Code S.166: Desertion of children S.167: Neglecting to provide food and other necessities of life for children.			

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
Uganda	PCA S.199: Responsibility of person who has charge of another S.200: Duty of head of family S.223: Failure to supply necessaries Chapter XXXII Offences Causing Injury to Property			<i>Mifumi and Ors v Attorney General and Kenneth Kakuru</i> [2014] UGSC 2
Core incident type: Forced marriage				
Kenya	Marriage Act S.3(2): Equal rights in marriage S.4: 18 years as minimum age of marriage for all women across religious and cultural divides		Marriage Act S.4: Violation of minimum age requirement – imprisonment for a term not exceeding 5 years or a fine not exceeding KSh 1 million or both	<i>Council of Imams and Preachers of Kenya, Malindi & 4 others v The Attorney General & 5 others</i> [2015] eKLR
Rwanda	OLPC Art. 275: Forcing a person to marry or not to marry a partner of his/her choice Art. 274: Kidnapping or confinement of a person with intent to live together as wife and husband			<i>Prosecution v Nshimiyimana</i> [2016] RWSC 00332 <i>Republic v Modest & another</i> [1969] Criminal Revision No. 26 of 1968

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
Tanzania	<p>Art. 194: Living together with a child as husband or wife</p> <p>Art. 195: Participating in early or forced marriage of a minor</p> <p>Law of Marriage Act</p> <p>S.16 provides that marriage can be contracted only on the free will of parties</p> <p>S.13(1): 18 years as age of marriage for boys and 15 years for girls</p> <p>S.13(2) allows child marriages; provides that a party may enter into a marriage with the consent of the court, if he/she has attained the age of 14</p> <p>Penal Code</p> <p>S.133 and S.134: Abduction of girls under 16 years and above 16 years</p> <p>S.138: Defilement by husband of wife under 15 years</p>		<p>Penal Code: Abduction with intent to marry – 7 years of imprisonment</p> <p>Defilement by husband of wife under 15 years – 10 years of imprisonment</p>	<p><i>Bashford v Tuli</i> [1971] HCD 76</p> <p><i>Challimba Chimbalemba v Republic</i> [2011] Criminal Appeal No. 368 of 2008</p> <p><i>Nyakanga v Mehego</i> [1971] HCD 270</p> <p><i>Rebecca Z. Gyumiv The Attorney General</i></p> <p>Misc. Civil Cause No. 5 of 2016</p>

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/provision	Measures	Sanctions	Case law
Uganda	PCA S.126(a): Abduction with intent to marry		PCA S.126(a): Abduction with intent to marry – 7 years imprisonment	<i>Juuko Musa v Uganda</i> [2010] UGCA 180 <i>Uganda v Abiriga Michael alias Mayia and Anor</i> Criminal Case No. 0094 of 2016 <i>Uganda v Akandinda Jackson HC</i> Criminal Case No. 69 of 2014 <i>Uganda v Kiryagana Emmanuel/HCT/03/CR/SC/0053</i> of 2011 <i>Uganda v Mwanje Aggrey/HCT/03/CR/SC/0416</i> of 2015 <i>Uganda v Ngabanziza Charles Mubende SC</i> No. 104 of 2016 <i>Uganda v Okello Steven</i> [2015] UGHC 093 <i>Uganda v Tumusiime Wilson HC</i> Criminal Session No. 137 of 2016
Core incident type: Female genital mutilation/cutting				
Kenya	Prohibition of FGM Act (2011) S.19(1): A person, including a person undergoing a course of training while under supervision by a medical practitioner or midwife with a view to becoming a medical practitioner or midwife, who performs female genital mutilation on another person, commits an offence		Prohibition of FGM Act S.19(2): If, in the process of committing the offence of FGM, a person causes the death of another – imprisonment for life	
Rwanda	–	–	–	–

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/provision	Measures	Sanctions	Case law
Tanzania	Penal Code S.169A: criminalises FGM; protects women below 18 years old, leaving out adult women who are sometimes mutilated forcefully during child birth		Penal Code S.169A: Imprisonment between 5 and 15 years and fine not exceeding TSh 300,000	
Uganda	Prohibition of FGM Act S.2: Offence to carry out FGM S.3: Aggravated FGM is committed where death occurs as a result of FGM, the offender is a parent, guardian or a person having authority or control over the victim, the victim suffers a disability, the victim is infected with HIV as a result of FGM or FGM is done by a health worker S.4: Carrying out FGM on oneself, attempting to carry out FGM, procuring, aiding abetting FGM and participating in events leading to FGM	A magistrates' court is empowered on application to issue a protection order if the court is satisfied that a girl or woman is likely to undergo FGM (S.14) After convicting a person under this act, the court may, in addition to the punishment provided, order the accused to pay compensation to the victim for injuries suffered. Such order shall be deemed to be a decree enforceable under the Civil Procedure Act (S.13)	Prohibition of FGM Act S.2: <i>Carrying out FGM</i> – Imprisonment for a term not exceeding 10 years S.3(2): <i>Aggravated FGM</i> – imprisonment for life S.16(2): <i>Failure to report</i> – fine not exceeding 12 currency points or imprisonment not exceeding 6 months or both S.12 and S.13: <i>Discrimination and stigmatisation</i> – imprisonment for not more than 5 years	

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/provision	Measures	Sanctions	Case law
	S.16: Duty to report FGM acts or intent to report to the police S.11 and S.12: Discrimination, stigmatisation of a female who has not undergone FGM or a person who discriminates or stigmatises another person whose wife, daughter or relative has not undergone FGM			
Core incident type: Other GBV				
Kenya	Employment Act S.6: Sexual harassment in the work place by an employer, representative of an employer or co-worker S.88: Sexual harassment at workplace Counter Trafficking in Persons Act: Trafficking in persons for purposes of exploitation and that of financing, controlling, aiding or abetting the commission of the offence of trafficking in persons for purposes of exploitation		Counter Trafficking in Persons Act S.3(5): <i>Trafficking in persons</i> – imprisonment for a term of not less than 30 years or a fine of not less than KSh 30 million or both. In both cases, a repeat offender is liable to imprisonment for life	George Hezron Mwakio v Republic [2010] eKLR GMV v Bank of Africa Kenya Limited [2013] eKLR NML v Peter Petrausch [2015] eKLR PO v Board of Trustees, AF & 2 others [2014] Sheikh Ali Samoja v Republic [2016] eKLR

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
Rwanda	GBV Law Art. 12: GBV-related cases shall be heard and pronounced at the scene of the crime, if it is convenient for the victim and if it is possible Art. 29: Intentional transmission of a terminal disease constitutes GBV OPLC Art. 153: Starving or denying drink to person for whom one is responsible Art. 204: Prostitution Art. 206: Encouraging, inciting or manipulating a person for the purpose of prostitution	GBV is a grounds for divorce (GBV Law Art. 6)	OLPC Art. 71: Factors taken into account by the judge in determining a penalty S.2: Mitigating factors/circumstances A.72: Minority of offender or an accomplice less than 18 years Arts 73–78: Provocation Arts 79–82: Recidivism Art. 84: Concurrence of offences Arts 85–87: Suspension of sentence/penalty Arts 89–94: Prescription of penalties Art. 95: Prescription of civil damages S.5: Ban on entry into a place and restriction of movement Art. 202: Penalties for the offence of GBV committed by use of medical or narcotic drugs, pictures, signs, speeches and writings Art. 245: Adultery Art. 252: Penalty for human trafficking Art. 253: Penalty for a person owning a place for human trafficking	Art. 7 GBV Law: The parent, trustee or any other person responsible for a child shall protect the latter against any GBV <i>RE v N.J</i> [2015] RWHC 0787 [2015]

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
	<p>Art. 207: Discouraging efforts to rehabilitate prostitutes</p> <p>Art. 208: Advertisement for facilitation of prostitution</p> <p>Art. 209: Running, managing or investing in a brothel</p> <p>Art. 210: Sharing the proceeds of prostitution</p> <p>Art. 211: Sharing the proceeds of prostitution by a child</p> <p>Art. 212: Aiding, abetting and protecting prostitution</p> <p>Art. 213: Providing a facility for prostitution</p> <p>Art. 273: Kidnapping and unlawful detention of a person</p> <p>Art. 274: Kidnapping or confinement of a person with intent to live together as wife and husband</p> <p>Art. 250: Definitions of human trafficking terms</p> <p>Art. 251: Participating in trafficking persons out of the country</p>		<p>Art. 246: Penalty for bigamy</p> <p>Art. 248: Penalty for cohabitation</p> <p>Art. 254: Penalty for buying a human being</p> <p>Art. 255: Penalties for a person engaged in trafficking in a human being for the purpose of indecent practices</p> <p>Art. 256: Penalties for trafficking in persons as a profession</p> <p>Art. 259: Penalties for a person who engages in child trafficking for the purpose of prostitution or indecent practices</p> <p>Art. 260: Penalties for child trafficking and involving children in indecent practices through different ways</p> <p>Art. 257: Temporary seizure and confiscation of places used for human trafficking</p> <p>Art. 177: Penalties for torture</p> <p>Art. 157: Penalty for involuntary manslaughter</p> <p>GBV Law</p> <p>Art. 17: <i>Abduction</i> – imprisonment of 5–8 years and a fine between 100,000 and 200,000RWF</p> <p>Art. 21: <i>Concubinage</i> – imprisonment of 2–4 years and a fine between 100,000 and 200,000RWF</p> <p>Art. 22: <i>Polygamy</i> – imprisonment of 3–5 years and a fine between 300,000 and 500,000RWF</p>	

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
	Art. 258: Child kidnapping Art. 231: Abandonment or neglect of a child Art. 232: Neglect or abandonment of a child causing disability, death or disappearance Art. 233: Inciting parents to abandon a child Art. 234: Abandonment or neglect of an unable dependent Art. 235: Abandonment or neglect of an unable person causing serious illness or death Art. 236: Harassment of an elderly person Art. 403: Arson which results in death of persons Art. 218: Inflicting severe suffering on a child, harassing or imposing severe punishments on him/her Art. 219: Offering alcoholic beverages or tobacco to a child Art. 220: Engaging a child in narcotic drugs and arms trafficking or in the trade of other illegal products Art. 221: Exploiting a child by involving him/her in armed conflicts		Art. 22: Any person involved intentionally in polygamy by issuing documents or officiating such marriage – imprisonment of 5–8 years Art. 23: Sexual slavery – imprisonment of 10–15 years and a fine between 500,000 and 1,000,000RWF Art. 24: Sexual harassment way of orders, intimidation and terror over a person – imprisonment of 2–5 years and a fine between 100,000 and 200,000RWF Art. 34: Defamation on grounds of gender aimed at disparaging his/her personality or his/her work – imprisonment 2–5 years and a fine between 100,000 and 300,000RWF Art. 35: Disturbance of someone resulting in deprivation rights and thus GBV – imprisonment of 6 months–2 years and a fine between 100,000 and 500,000RWF Art. 36: Refusal to assist the victim of violence or to testify – imprisonment of 6 months to 2 years and a fine between 50,000 and 200,000RWF Art. 28]: Gender-based human trafficking – imprisonment of 15–20 years and a fine between 500,000 and 2,000,000RWF Art. 29: Intentionally transmitting a terminal disease sexually to someone else – life imprisonment Art. 30: Using drugs, narcotics, pictures, signs, language or writing to stir up sexual violence – imprisonment of 5–8 years and a fine between 100,000 and 200,000RWF	

(Continued)

Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
	<p>Art. 223: Refusal to surrender a child</p> <p>Art. 224: Abduction of a child from his/her parents or guardians or where he/she habitually resides</p> <p>Art. 225: Participating in the adoption of a child for the purpose of trafficking</p> <p>Art. 226: Refusal to provide care to a child or unable dependant</p> <p>Art. 227: Child neglect by a parent or guardian without reasonable cause</p> <p>Art. 228: Neglect of a child on the basis of sex</p> <p>Art. 229: Recording and disseminating a child's pornographic picture or voice</p> <p>Art. 230: Advertising of children pornographic pictures</p> <p>Art. 187: Sexual torture</p> <p>Art. 188: Exhibition, sale or distribution of objects of sexual nature</p> <p>Art. 176: Torture</p> <p>Art. 178: Forced labour</p>		<p>Art. 18: Child neglect or harassment (putting someone in unrest condition by persecuting, nagging, scolding or insulting him/her and others) on the basis of sex/gender discrimination or for purposes of spousal harassment –imprisonment of 6 months to 3 years</p>	

(Continued)

Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
	<p>Art. 161: Throwing at another person anything likely to disturb or dirty him/her</p> <p>Art. 162 Self-induced abortion</p> <p>Art. 163: Causing a woman to abort with or without her consent</p> <p>Art. 164: Abortion resulting in death</p> <p>Art. 156: Definition of involuntary manslaughter and unintentional bodily injuries</p> <p>Art. 137: Manslaughter and intentional bodily injuries</p> <p>Art. 138: Premeditation</p> <p>Art. 139: Ambush</p> <p>Art. 140: Murder</p> <p>Art. 142: Spousal homicide</p> <p>Art. 143: Infanticide</p> <p>Art. 144: Poisoning</p> <p>Art. 145: Homicide committed by degrading acts or preceded by another felony</p> <p>S.3: Voluntary manslaughter, assault and battery</p> <p>Art. 215: Refusal to report offences of immorality committed against a child</p> <p>Art. 216: Refusal to assist a victim of violence or to testify on violence</p> <p>Art. 244: Adultery</p> <p>Art. 247: Cohabitation</p>			

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
	<p>Art. 249: Prosecution of adultery and cohabitation</p> <p>Art. 568: False declaration to civil status registrar GBV Law</p> <p>Art. 8: Failure to cater for child under one's trusteeship just because of whether the child is male or female.</p> <p>Art. 9: Forbidden to fire a woman just because she is pregnant or on maternity leave</p> <p>Art. 10: Pregnancy and delivery shall not constitute causes for depriving a student of her right to education</p> <p>Art. 10: Use of drugs, films, signs, language, and other means with the intention of exercising GBV</p> <p>Art. 10: Obligation to prevent gender-based violence, rescue and call for rescue to assist the victims of this violence.</p> <p>Art. 11: Indecent (acts or behaviour contrary to good morals and politeness, degrading human being) conduct and behaviour</p>			

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
Tanzania	Prevention and Combating of Corruption Act S.25: "Sextortion" Penal Code S.196: Murder S.132(1): Attempted rape S.137: Defilement of idiots or imbeciles S.138B: Sexual exploitation of children S.138C: Grave sexual abuse S.139: Procuration for prostitution Anti-Trafficking in Persons Act S.4–S.7: Trafficking in persons Penal Code S.140: Procuring rape S.141: Householder permitting defilement of a girl under 15 years on premises S.142: Permitting defilement of girl under 16 years on his premises. S.143: Detention in any premises with intent or in brothel S.143: Detention in any premises with intent or in brothel		Prevention and Combating of Corruption Act S.25: "Sextortion" – a fine of not less than 1–5 million TSh or imprisonment for not less than 3–5 years or both Penal Code S.196: <i>Murder</i> – maximum sentence of death S.132(1): <i>Attempted rape</i> – life imprisonment maximum sentence or imprisonment for not less than 30 years with or without corporal punishment S.137 <i>Defilement of idiots</i> – 14 years of imprisonment with or without corporal punishment S.138B: <i>Sexual exploitation of children</i> – minimum sentence 5 years' and maximum 20 years of imprisonment S.138C(2)(a): <i>Grave sexual abuse</i> – imprisonment for terms not less than 15 and above 30 years, compensation of amount determined by court to victim S.138C(2)(b) if the victim is under 15 years' imprisonment for not less than 20 years and not exceeding 30 years plus compensation to victim S.139: <i>Procuration for prostitution</i> – imprisonment for not less than 10 years and exceeding 20 years or fine not less than TSh 100,000 and not exceeding TSh 300,000 or both fine and imprisonment	

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
	S.143: Detention in any premises with intent or in brothel S.149: Conspiracy to induce unlawful sexual intercourse S.163: Fraudulent pretence of marriage Cybercrimes Act S.13: Child pornography S.23: Cyber bullying		Anti-Trafficking in Persons Act S.4–S.7: <i>Trafficking in persons</i> – fine not less than TSh 5 million and not more than TSh 100 million or imprisonment for not less than 2 years Penal Code S.140: <i>Procuring rape</i> – fine of not less than TSh 100,000–300,000 or imprisonment for not less than 10 years and not exceeding 20 years or both fine and imprisonment S.141: <i>Permitting defilement of a girl under 15 years on premises</i> – imprisonment of 5 years and under 16 years is guilty of an offence S.149: <i>Conspiracy to induce unlawful sexual intercourse</i> – imprisonment for 3 years S.163: <i>Fraudulent pretence of marriage</i> – imprisonment for 10 years Cybercrimes Act S.13: Child pornography – fine not less than TSh 15 million or 3 times of undue advantage received or imprisonment for a term not less than 7 years S.23: <i>Cyber bullying</i> – fine not less than TSh 5 million or imprisonment not less than 3 years.	

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
Uganda	<p>PCA Chapter XIV S.131–S.149: All offences against morality, e.g. S.131: Procurator; S.149: Incest</p> <p>S.156: Desertion of children S.157: Neglecting to provide food etc. for children</p> <p>S.159: Child stealing S.187: Manslaughter S.188: Murder S.204: Attempt to murder and other offences connected with murder and endangering life or health, criminal recklessness and negligence (Chapters XX, XXI, XXII)</p> <p>S.219: Doing grievous harm Prevention of Trafficking in Persons Act S.10(2): Trafficking or aggravated trafficking in persons and does not report to police or other relevant authority</p>		<p>PCA S.131: <i>Procurator – 7 years'</i> imprisonment Prevention of Trafficking in Persons Act S.10: <i>Trafficking or aggravated trafficking in persons and does not report to police or other relevant authority – a fine of five thousand currency points or imprisonment for six months</i> S.3(1): <i>Trafficking in persons – imprisonment for 15 years</i> S.4: <i>Aggravated trafficking – imprisonment for life, but can also be punishable with death if the offence is committed under any of the circumstances set out in S.5 of the Act</i> International Criminal Court Act S.9: <i>War crime – imprisonment for life</i></p>	<p><i>Uganda v Natukunda Faith</i> [2012] UGHC 001 <i>CEHURD & 3 others v The Attorney General</i> [2011] <i>CEHURD & 3 others v The Attorney General</i> [2013] <i>Bruno Kiwuwa v Ivan Serunkuma and Juliet Namazzi</i> [2007] UGHC 52 of 2006</p>

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
	<p>S.3: Trafficking in person S4: Aggravated trafficking, where the victim of trafficking is a child; adoption, guardianship, fostering and other orders in relation to children is undertaken for the purpose of exploitation; the offence is committed by a public officer, military personnel or law enforcement officer or the victim dies, becomes a person of unsound mind, suffers mutilation or gets infected with HIV/AIDS or any other life-threatening illness as a result of such trafficking.</p>			

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Table A1. Statutory Laws Applicable to VAWG in Commonwealth Member Countries in East Africa (Continued)

Country	Legislative instrument/ provision	Measures	Sanctions	Case law
	<p>International Criminal Court Act S.9: Any person who commits a war crime (committing rape, sexual slavery enforced prostitution, forced pregnancy, enforced sterilisation, and any other form of sexual violence) in Uganda is liable on conviction to imprisonment for life</p> <p>Employment Act S.7(1): Sexual harassment – lodge a complaint with a labour officer who is empowered to make all of the orders he/she could have made if the complaint related to unjustified disciplinary penalty or unjustified dismissal</p> <p>Employment (Sexual Harassment Regulations)</p>			

Table A2. Other Substantive and Procedural Legislative Provisions of General Application to VAWG

Country	Legislative instrument/provision	Measures	Sanctions	Case law
Kenya	<p>The Children Act makes provisions for the safeguarding of the rights and welfare of children, prohibitions and offences under Child Offenders Rules:</p> <p>These apply to proceedings with respect to a child who is charged with an offence. It is the duty of the court to ensure that the rules are implemented to enhance access to justice by children in conflict with the law</p> <p>Protection against Domestic Violence Act: Prevention, protection and assistance to internally displaced persons and Affected Communities Act</p> <p>Matrimonial Property Act provides for the rights and responsibilities of spouses in relation to matrimonial property</p> <p>Evidence Act (S. 124)</p> <p>Criminal Procedure Code</p> <p>Children Act (S. 13, S. 14, S. 15, S. 18)</p> <p>Civil Procedure Act (see Order 32 of Civil Procedure Rules)</p> <p>Police Act</p> <p>Law of Succession Act (S. 29, S. 35, S. 38, S. 40)</p> <p>The Victim Protection Act provides for the protection of victims of crime and abuse of power, to provide them with better information and support services, reparations and compensation and to provide special protection for vulnerable victims</p>	<p>Protection/restraining orders (S.8):</p> <ul style="list-style-type: none"> • Interim <i>ex parte</i> protection order (S.12) to remove the perpetrator from the matrimonial home • Protection order granting a victim exclusive occupation of the shared residence or a specified part • Restitution or compensation to the victim for, among others, the costs of any medical or psychological treatment incurred by the victim; the costs of necessary transportation, victim restitution, accommodation and other living expenses relating to the court proceedings leading to the conviction; or any other relief (S.26 and S.24) <p>Under S.23, a compensation order made against a convicted offender may be enforced as a judgement in civil proceedings. However, such order is not a bar to civil proceedings (Victim Protection Act)</p>		<p><i>Esther Wanjiru Kiarie v Mary Wanjiru Githatu</i> [2016] eKLR</p> <p><i>FIDA v The Attorney General & another</i> [2018] eKLR</p> <p><i>In the Matter of the Estate of the Late George Cheriwo Chepkosiom</i> [2017] eKLR</p> <p><i>J.O.O. (also known as J.M.) v The Attorney General & 6 others</i> [2018] eKLR of 2014</p> <p><i>M G N K v A M G</i> [2016] eKLR</p> <p><i>Ngoka v Madzomba</i> [2002] eKLR</p> <p><i>P K M v R P M</i> [2017] eKLR</p> <p><i>P N N v Z W N</i> [2017] eKLR</p> <p><i>Peter Karumbi Keingati & 4 others v Ann Nyokabi Nguithi & 6 others</i> [2014] eKLR</p> <p><i>Peter Mburu Echaria v Priscilla Njeri Echaria</i> [2007] eKLR</p> <p><i>R P M v P K M</i> [2015] eKLR</p>

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Table A2. Other Substantive and Procedural Legislative Provisions of General Application to VAWG (Continued)

Country	Legislative instrument/provision	Measures	Sanctions	Case law
	<p>Witness Protection Act: Many women victims of sexual abuses, domestic violence and other abuses endure suffering without seeking legal redress owing to, among other reasons, fear of retaliation. The Act establishes:</p> <ul style="list-style-type: none"> • The right to privacy from intrusion by the media, health professionals, and any other person • Witness protection programme 			
Rwanda	<p>2004 Gacaca law: For all formal proceedings in respect to the offences of rape and sexual torture it is mandatory that they are conducted in camera (Art. 38)</p> <p>Hearing in public or in camera: Constitution Art. 151 states that court proceedings shall be conducted in public, unless the court determines that proceedings should be in camera on the grounds that a public hearing may have an adverse effect on general public order or cause moral embarrassment</p> <p>Code of Criminal Procedure Art. 155 also states that hearings are generally conducted in public. According to this law, a court can order for a hearing to be conducted in camera when it finds that a public hearing can be detrimental to public order and good morals. The court should record whether (part of) the hearing was conducted in public or in camera, because this has to be indicated in the judgement (Art. 162)</p>		<p>OLPC</p> <p>Penalties include: Community service (Art. 49) Confiscation of property (Art. 51) Release on parole (Art. 64) Loss of civic rights (Arts 66–68) Punishment of the crime of discrimination and sectarian practices (Art. 136) Penalty for a person who delays to disclose or provide information (Art. 590)</p>	

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Table A2. Other Substantive and Procedural Legislative Provisions of General Application to VAWG (Continued)

Country	Legislative instrument/provision	Measures	Sanctions	Case law
	OLPC Art. 569: Refusal to appear before the judicial police, public prosecution or other authority Art. 570: Concealing an offence or failing to assist a person in danger Art. 571: Destruction of evidence Art. 572: Threats or intimidation with intent to influence a complaint Art. 573: Harboursing or hiding a suspect or an offender Art. 574: Hiding a dead body of a murdered person Art. 575: Denial of justice Art. 576: Refusal to testify Art. 577: Refusal to answer questions from judicial authorities Art. 579: Giving false testimony Art. 580: False testimony due to a gift Art. 581: Influencing witnesses or judges Art. 582: Perjury Art. 583: Suborning of assistants in judicial organs Art. 586: Insulting those in the judicial organs Art. 587: Threats against judicial officers Art. 588: Discrediting a decision of judicial organs Art. 589: Non execution of court decision		Penalty for refusal to provide information or illegal withholding of information (Art. 591)	

(Continued)

Table A2. Other Substantive and Procedural Legislative Provisions of General Application to VAWG (Continued)

Country	Legislative instrument/provision	Measures	Sanctions	Case law
Tanzania	<p>Law of Marriage Act – Part IV Property, Rights, Liabilities and Status: S.56. Rights and liabilities of married women; S.57. Equality between wives; S.58. Separate property of husband and wife; S.59. Special provisions relating to matrimonial home; S.60. Presumptions as to property acquired during marriage; S.61. Gifts between husband and wife; S.62. No liability for antecedent debts of spouse; S.63. Duty to maintain spouse; S.68. Status of widows</p> <p>Arts 12, 13 and 14 of Constitution recognises all human beings are equal and deserves equal protection before the law.</p> <p>National Employment Services Act: The government domesticated the International Labour Standards through the enactment of this law, which provides for equal opportunities to women and men in access to employment services</p> <p>Employment and Labour Relations Act: This prohibits discrimination in the workplace on the basis of gender, sex, marital status, disability, pregnancy and HIV status, among others (S.7). S.5 prohibits child labour</p>	<p>Law of Marriage Act S.69: Right to damages for breach of promise of marriage</p> <p>Consent of a victim of trafficking in persons shall be immaterial.</p> <p>Protection and care of victims is enunciated in the Anti-Trafficking in Persons Act</p>	<p>A person who commits any of the offences or trafficking of persons shall, on conviction, be liable to a fine of not less than TSh 5 million but not more than TSh 100 million or to imprisonment for a term of not less than 2 years and not more than 10 years or to both</p>	

(Continued)

Table A2. Other Substantive and Procedural Legislative Provisions of General Application to VAWG (Continued)

Country	Legislative instrument/provision	Measures	Sanctions	Case law
	<p>Refugee Act: This provides for the protection of refugee women from violent acts. The Act also provides a legal framework for assisting refugees and provides for availability of essential services and amenities to the refugee community. Among others, the law requires that every refugee be provided with education in accordance with the Tanzania National Education Act</p> <p>Land Act S.3: Equal rights of men and women to occupancy and use</p> <p>Village Land Act: Both men and women have equal rights of ownership and access to land, including a customary right of occupancy</p> <p>Law of the Child Act and Juvenile Court Rules: Part II of the Act provides for the rights and welfare of the child, which are set out in S.4–S.13. They include the right to be protected from various forms of violence. S.7 provides for the right of a child to live with his/her parents or guardian. S.9 provides for the right of a child to be protected from neglect, discrimination, violence, abuse, exposure to physical and moral hazards and oppression</p> <p>Anti-Trafficking in Persons Act:</p>			

(Continued)

Table A2. Other Substantive and Procedural Legislative Provisions of General Application to VAWG (Continued)

Country	Legislative instrument/provision	Measures	Sanctions	Case law
	<p>S.4.-(1): A person commits an offence of trafficking in person if that person- (a) recruits, transports, transfers, harbours, provides or receives a person by any means, including those done under the pretext of domestic or overseas employment, training or apprenticeship, for the purpose of prostitution, pornography, sexual exploitation, forced labour, slavery, involuntary servitude or debt bondage; (b) introduces or matches a person to a foreign national for marriage for the purpose of acquiring, buying, offering, selling or trading the person in order that person be engaged in prostitution, pornography, sexual exploitation, forced labour, slavery, in-voluntary servitude or debt bondage; (c) offers or contracts marriage, real or simulated, for the purpose of acquiring, buying, offering, selling or trading a person in order that person be engaged in prostitution, pornography, sexual exploitation, forced labour or slavery. 10 involuntary servitude or debt bondage; (d) undertakes or organizes sex tourism or sexual exploitation; (e) maintains or hires a person to engage in prostitution or pornography; (f) adopts or facilitates the adoption of persons for the purpose of prostitution, pornography, sexual exploitation, forced-labour and slavery, involuntary servitude or debt bondage; (g) recruits, hires, adopts, transports or abducts</p>			

(Continued)

Table A2. Other Substantive and Procedural Legislative Provisions of General Application to VAWG (Continued)

Country	Legislative instrument/provision	Measures	Sanctions	Case law
Uganda	<p>The Domestic Violence Act provides for protection and relief to victims of domestic violence, punishment of perpetrators, procedure enforcement of orders made by the court and related matters</p> <p>The implementation system relies on dual jurisdiction by both the local authorities (Local Council Courts), as these are closer to the people, and the formal courts, which are often far away from populations in rural areas. Under the Act, local councils have powers to act to prevent acts of violence. Both local councils and the formal justice system are required to act swiftly and to hear cases within 48 hours. The formal courts are also empowered to issue orders to protect victims from further violence.</p> <p>The Trial on Indictments (Amendment) Statute regulates the granting of bail for serious offences such as rape and defilement</p> <p>The Magistrates' Courts (Amendment) Act abolishes the procedure of preliminary proceedings in criminal trials and renders certain serious offences, such as rape, bailable only by the High Court</p>	<p>Wide range of remedies to victims, including criminal sanctions, civil remedies and compensatory provisions in the Domestic Violence Act:</p> <ul style="list-style-type: none"> • Protection orders • Interim protection orders • Jurisdiction to issue interim protection orders and protection orders is vested in magistrates and family and children courts • Removing perpetrator from matrimonial home 	<p>A fine not exceeding 48 currency points or imprisonment for a term not exceeding 2 years or both and the court may give any other remedy it considers fit (Domestic Violence Act)</p>	<p><i>Uganda v Armoko</i> [2014] UGHC 69</p>

(Continued)

Table A2. Other Substantive and Procedural Legislative Provisions of General Application to VAWG (Continued)

Country	Legislative instrument/provision	Measures	Sanctions	Case law
	<p>Offence of failure to comply with the terms and conditions of a protection order</p> <p>Refugee Act: Protection for women and child refugees on account of vulnerability. Equal opportunities and access to procedures relating to refugee status and affirmative action to protect them from gender discriminating practices (S.33)</p> <p>Equal enjoyment and protection of all human rights and fundamental freedoms in economic, social, cultural, civil or any other fields, as provided for in the Constitution and other relevant laws in force and international and regional instruments to which Uganda is a party, in particular CEDAW and the ACHPR</p> <p>The Equal Opportunities Commission Act establishes the Equal Opportunities Commission. The Act provides a legal basis to challenge laws, policies, customs and traditions that discriminate against women</p>			

Table A3. Preventive Detention and Bail Provisions

Country	Legislative instrument and provision	Measures
Kenya	Bail and Bond Policy Guidelines (see pp. 16–30 and especially under 4.9(f), 4.16 (in defilement cases) and 4.26(f), especially in offences related to VAWG on views of the victim before bail is granted.	
Rwanda	<ul style="list-style-type: none"> • Code of Criminal Procedure Preventive detention – effective for 30 days (after the expiration of that period, it can be continuously renewed for 1 month) • Maximum period of preventive detention for misdemeanours 6 months • Felonies the maximum period of preventive detention is 1 year (Arts 98–104) <p>The accused (or his or her defence attorney) can also at any time apply for release on bail to the public prosecutor or to the court depending on the stage of the investigation.</p>	GBV-related conditions for bail (i.e. no contact orders, prohibition against harassment, stalking and threats to commit abuse, prohibition of third parties contacting victims on behalf of the accused, confiscation of weapons, liquor abstinence and participation in any available treatment programme or support group). Can also order re-detention of the accused, if deemed necessary, because of new and serious circumstances (Arts 101–102).
Tanzania	<p>Article 6(b) of the Constitution states, “No person charged with a criminal offence shall be treated as guilty of the offence until proved guilty of that offence.” This provision is the basis of enunciating that a person charged in with a criminal offence has a right to bail. Substantive statutes creating offences and procedure have provisions relating to the granting of bail. For instance, the Criminal Procedure Act has S.148. There are no guidelines for determination of bail for those charged with VAWG and GBV.</p> <p>A person charged with offences under the Anti-Trafficking in Persons Act shall not be admitted to bail under S.148(5)(a)(vi) of the Criminal Procedure Act.</p>	The right to bail for the accused is also accorded to those charged with committing offences related to GBV and VAWG.

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Table A3. Preventive Detention and Bail Provisions (Continued)

Country	Legislative instrument and provision	Measures
Uganda	<p>The 1995 Constitution: Art. 23(6)(a): Right of an accused person to apply to court to be released on bail subject to the legal requirements and conditions which must be fulfilled before court grants bail.</p> <p>Art. 23(6)(b): Right to be released on bail, if the person has been on remand for 60 days before trial, in respect of an offence that is triable by the High Court or subordinate court (Magistrates' Court) and mandatory bail – where an accused person is remanded in detention before trial starts for a continuous period exceeding 180 days for major offences.</p> <p>Art. 44: Right to a fair hearing.</p> <p>Magistrates' Court Act S.75(1): A pre-trial detainee may be granted bail.</p> <p>The TIA gives High Court unlimited power to grant or deny accused persons bail upon proof of exceptional circumstances.</p> <p>Police Act S.25: If a person is detained in police custody beyond 48 hours without being charged in court, then he or she can apply to a magistrate within 24 hours, who will then order for his or her release.</p>	