

The persistence of FGM, despite strong legal measures, exposes a deep disconnect between national legislation and the cultural realities of rural communities where the practice remains a deeply rooted rite of passage.

BY YAHUDU KITUNZI

Uganda criminalised Female Genital Mutilation (FGM) in 2010 through the Prohibition of Female Genital Mutilation Act, introducing severe penalties, including long prison sentences, for anyone who performs, participates in, or aids the practice. Yet, 15 years later, the harmful tradition continues in parts of the Sebei and Karamoja sub-regions, with only two cases successfully prosecuted since the law came into force.

The persistence of FGM, despite strong legal measures, exposes a deep disconnect between national legislation and the cultural realities of rural communities where the practice remains a deeply rooted rite of passage. In districts such as Kapchorwa, Bukwo, Kween, Amudat, Moroto and Nakapiripirit, girls are still subjected to the cut—often in secret ceremonies or across the borders in Kenya—to evade arrest. Community elders, who hold strong cultural influence, continue to defend the ritual as a mark of womanhood and purity.

What is FGM and why is it still rife?

FGM involves altering or injuring the female external genitalia. The practice can pose serious risks to the health and well-being of girls and women and is widely recognised as a human rights violation. Nevertheless, it is estimated that at least 200 million girls and women alive today have undergone some form of FGM and a further 68 million are at risk of being cut by 2030.

According to local leaders and activists, the law's limited impact stems from fear, silence, and social pressure. Many survivors or witnesses avoid reporting offenders because they are often family or respected community figures. Others fear being stigmatised for betraying their culture.

"People in the villages don't see it as a crime but a tradition," says Mr Patrick Kipsang, a human rights activist.

The cutters are protected by the same community that hides them from police. While the law is clear and penalties are severe, up to 10 years' imprisonment or life for aggravated cases, enforcement remains weak. Many local police officers lack training to handle such sensitive cases, and investigations often collapse for lack of evidence or witness cooperation.

Mr Emmanuel Ochieng, the project legal officer at Action Uganda International, says the implementation of the FGM Act continues to face major challenges, including victims' reluctance to reveal information. He says the Sebei culture is deeply rooted, noting that "leaders accuse those fighting the practice of interfering with culture, saying every community has its own traditions."

Who are most susceptible to FGM?

Girls and women who are very poor, nearing marriageable age, about to be married or recently married, residing

Why has the FGM law become a paper tiger?



Some girls writhe in pain as they walk back home after undergoing a Female Genital Mutilation procedure in Bukwo District in 2010. PHOTO/FILE

in rural areas, and/or have mothers who were themselves cut.

Mr Ochieng reveals that the practice is often carried out secretly, usually in forests or remote areas, which makes it nearly impossible to track or arrest the perpetrators. He says the police are not adequately facilitated to investigate FGM cases.

"Most police posts lack vehicles and motorcycles. Even when you provide information about someone practicing FGM, police cannot reach the scene in time," he says.

Mr Ochieng notes that Sebei Sub-region has not recorded any FGM-related conviction since the law was passed.

"In Karamoja, there was at least one person who was sentenced, but here in Sebei, we have never had a single conviction," he reveals.

Why does the FGM Act appear to be toothless?

Ms Judith Chemonges, a long-time anti-FGM activist, says the law has not delivered the expected results because it was introduced without matching investments in community sensitisation and witness protection.

"The FGM law looks strong on paper, but on the ground, it is powerless because communities don't understand it," Ms Chemonges says. "You cannot enforce a law when the very people affected fear reporting, fear giving evidence, and fear being seen as traitors to their culture. Without witness protection, survivors keep silent and the perpetrators go into hiding."

Ms Stella Chesuro, a resident of Bukwo District, says the law is failing because it clashes directly with strong cultural beliefs, and many leaders secretly support the practice.

"Here in Sebei Sub-region, FGM is still seen as a cultural requirement for respect. Even when the law bans it, the community believes culture is stronger than [the] government. Some elders even tell us that the law is for towns, not for people in the villages," Ms Chesuro says, adding, "If a girl refuses to be cut, she is insulted and isolated. They call her names like 'a soldier' or say she is not clean. That shame pushes girls to get cut

200M

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What's the prevalence of FGM in Uganda?

The prevalence rate is approximately 0.3 percent nationally, but much higher in Karamoja, where it is estimated at 6.4 percent. Among communities such as the Pokot, prevalence can reach up to 95 percent.

Government efforts to promote alternative rites of passage have seen some success, especially among younger generations, but these programmes are inconsistent and underfunded.

Experts argue that while criminalisation is important, ending FGM will require a holistic approach—combining law enforcement with community dialogue, education, and empowerment of local leaders and reformed cutters to champion change.

Does the transboundary nature of the practice complicate matters?

Yes. Circumcisers are also reported to cross from Kenya into Uganda to perform FGM. Human rights activists say stopping cross-border FGM is a rising priority for governments in the East Africa region. The East African Community Prohibition of FGM Bill was passed by the East African Legislative Assembly (Kenya, South Sudan, Tanzania and Uganda) in 2016 in order to ensure all member states share the same definition and commitment to prosecute cases of cross-border FGM. The Bill also calls for the establishment of a regional coordination body, and the need to implement initiatives to eliminate it.

BACKGROUND

Uganda has the lowest rate of Female Genital Mutilation (FGM) in East Africa. In 2016, the national prevalence of the practice among girls and women 15 to 49 years was determined to be 0.32 percent, a decline from 0.64 percent reported in 2006. According to the World Health Organization (WHO), FGM has no health benefits and

The Regional Inter-ministerial Declaration to End Cross-border Female Genital Mutilation in Kenya, Uganda, Tanzania, Ethiopia and Somalia (2019) calls for similar actions, as does the Pan African Parliament action plan to end FGM in Africa (2016). Both Kenya and Uganda have specific provisions for cross-border FGM offences that apply to nationals and foreigners, whether within or outside the country.

What purpose do the pieces of legislation serve if they are paper tigers?

Ms Dora Byamukama, a lawyer and advocate, says even if only one FGM case is prosecuted, or none at all, the existence of the law remains important. Ms Byamukama, who was the architect of the 2010 Anti-FGM Act, explains that culture plays a huge role in limiting prosecutions.

"You cannot successfully prosecute cultural practices when there is no witness protection, when people fear stigmatisation, and when sensitisation is not done alongside implementing the law. Even the number of cases that have been prosecuted shows that it is possible," Ms Byamukama says.

She adds: "You cannot change a long-standing customary practice by just passing a law. You need intensive sensitisation alongside prosecution because you must touch people's hearts, help them understand the negative impacts, and encourage communities to abandon the practice. That support then strengthens the ability to prosecute offenders."

Recently, EALA granted leave to Ms Byamukama to introduce the East African Community Prohibition of Female Genital Mutilation Bill, 2016. The Bill, which seeks to outlaw the cultural practice across the region, is considered critical and is expected to significantly reduce the number of people still engaging in FGM.

Ms Byamukama notes that FGM leads to numerous complications, including early child marriage, defilement, health problems that may result in HIV transmission, injuries, and even death. She explains that with the advent of the EAC Common Market Protocol—which enables free movement across borders—the influence and spread of cultural practices such as FGM could increase if not addressed.

Surveys estimate more than 200 million women in 27 African countries have undergone FGM.

What is law enforcement's take?

The Sipi Regional Police spokesperson, Fred Chesang, confirms that incidents of FGM are still being practiced in the region. He says the police have not failed in their duty to arrest the culprits or investigate FGM cases, but the main challenge is that such cases are simply not reported. The police, Mr Chesang insists, have the capacity to handle the cases once reported.

"We have never received a case of FGM and failed to investigate or arrest the culprits."

causes serious short and long-term consequences, including excessive bleeding, infections, childbirth complications, and psychological trauma. The WHO estimates that more than 230 million girls and women alive today have undergone FGM in 30 countries in Africa, the Middle East and Asia where FGM is practiced.