



Oral Statement to the CEDAW Committee

UGANDA

81st CEDAW Session | Monday, 7 February 2022

1. Thank you, Madam Chair and esteemed CEDAW Committee.
2. I read this statement on behalf of the Islamic Women's Initiative for Justice, Law and Peace, and Musawah.
3. The Constitution of Uganda, and supreme law of the land, recognizes equal rights for both men and women at the time of marriage, during and at dissolution.
4. Muslims in Uganda contend with a plural legal system. In addition to the Constitution of Uganda, Muslims are governed by the Marriage and Divorce of Mohammedans Act Cap 252 which commenced in 1906.
5. Muslim women particularly have to navigate systemic challenges and intersectional discriminations in their marriages and family lives stemming from negative patriarchal interpretations of religion.
6. Although the 1995 Constitution provides for the establishment of Qadhi courts¹ as subordinate courts for Muslim family issues, this has not yet been implemented. Current Qadhi courts operate informally, and are managed by all-male panels, who impose deeply patriarchal approaches to handling marital disputes.
7. Additionally, many underage Muslim girls and women are in forced or unregistered marriages. Muslim marriages account for only 6 percent of the total number of marriages registered. Young girls are forced in marriages against their will due to patriarchal interpretations of Islam. This worsens the challenges within and after marriage.

The Consortium, IWILAP and Musawah, recommend the CEDAW Committee urge the State party to:

8. Enact the Administration of Muslim Personal Law Bill to allow for the establishment of formalized Qadhi courts that cater for the needs of all genders.
9. Engage the Uganda Muslim Supreme Council and Uganda Registration Services Bureau to further support the process of registration and documentation of Muslim marriages.
10. Amend the Marriage and Divorce of Mohammedans Act to provide clear procedures for marriage and divorce.
11. Thank you.

¹ Article 129 (1) (d) of the 1995 Constitution