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**Compliance with regional commitments on sexual and gender based violence in Uganda:
Promoting external visibility to achieve internal viability⁵**

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Abstract

This paper examines Uganda's compliance with commitments of the International Conference on the Great Lakes Region (ICGLR) on Sexual and Gender Based Violence (SGBV). The findings show that Uganda has partially complied with these commitments mainly by incorporating them into national laws and policies. Compliance is primarily motivated by domestic factors. Firstly, it aims at addressing a real need given that SGBV is a pervasive phenomenon in this country. Secondly, and in accordance with international relations perspective, this compliance, though partial, advances additional agendas, namely (1) promoting the country's positive image while diverting international and regional attention from internal governance deficits including controversial presidential elections of 2011 and 2016, (2) responding to advocacy pressure from women-led organisations' and (3) achieving political correctness in the eyes of national and international partners.

Key words: Compliance, Gender Based Violence, Governance, Political Correctness, Prevention.

1. Introduction

Scholarship has produced a significant body of knowledge on why states comply with international commitments both binding and so-called non-binding also referred to generally as

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hard and soft laws (Kenneth W and Sdinal, 2000; Ilhami, 2015). The same literature has concentrated on compliance from the perspective of the international incentives, leaving compliance from domestic or internal dynamics relatively under-researched.

Scholars who attempted to understand compliance from a domestic perspective have focused on the type of regime in place (whether democratic or not) at the expense of other factors (Hongju, 1997). As a result, other dynamics that influence state compliance such as internal politics and pressure from non-state actors have so far attracted disproportionate attention. Additionally, there is a huge imbalance in terms of regional coverage, particularly with regard to compliance with 'non-binding' commitments. Some regions of the globe are widely studied while others are underrepresented.⁶In this regard little is known about Africa's Great Lakes Region (GLR) compliance with such commitments (Krieger, 2015).

Focusing on the case of Uganda, this paper examines the country's compliance with ICGLR's SGBV commitments from both external and internal perspectives. The choice of Uganda is motivated by the fact that the country is one of ICGLR member states seriously affected by SGBV; it hosted the ICGLR's summit that adopted the Kampala Declaration on SGBV in December 2011 and hosts the Regional Training Facility on prevention of and response to SGBV.

Given that resolutions of the ICGLR are taken on the basis of states' good will, this paper demonstrates how compliance with such resolutions can serve multiple purposes and provide the complying state with various gains. Despite a general consensus that states comply better in the presence of binding commitments, this paper posits that the distinction between binding and non-binding commitments is sometimes not only possible, but also irrelevant, in terms of both compliance process, and outcomes. Indeed, due to the complexity of the international system and to the increasing role of non-governmental actors, the distinction between binding and non-binding commitments is hard to operate. Evidence from modern practices seriously challenges

the belief that states comply better in presence of binding instruments for several reasons (Guzman, 2005; Abbott & Sdinal, 2000, p.423). For instance, as noticed by Shelton, ‘it is rare to find soft law standing in isolation; instead it is used most frequently as a precursor to hard law or a supplement to a hard law instruments’ and that ‘procedures to comply with both binding and non-binding commitments are either the same or very similar’ (2000, p.10). In this regards, the ICGLR is an illustrative case. Though its resolutions are not binding themselves, yet they take stock from binding ones, such as the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW).

The ICGLR was created in 2000 following the UNSC resolutions 1291 and 1304 in recognition that political instability and conflicts in African GLR constitute a threat to international peace and security. This intergovernmental mechanism is formed of twelve member states⁷. According to the Pact on Security, Stability and Development for the GLR, the ICGLR mandate is to ‘create conditions for security, stability and development for the region’ (ICGLR, 2012a).

Though ICGLR’s mandate is wider, SGBV has rapidly grown to become its key focus in recognition of its devastating nature and its spillover effect in the region (ACCORD, 2012; ICGLR, 2012b). Indeed, SGBV is one of the main features of the conflicts, a weapon used by all sides of the conflicts, a crime committed at a massive scale and that affects thousands of women and girls (Femmes Africa Solidarité, 2007) in the GLR. For instance, article 6 of the Dar-es-Salaam Declaration on Peace, Security, Democracy and Development in the Great Lakes Region of 2004 from which the ICGLR Pact originates refers to SGBV as a ‘deep concern’. For this reason, there is a shared belief that ‘regional peace processes that will disregard SGBV will not achieve peace’ (Dranginis, 2014).

In response, the ICGL has adopted a number of instruments⁸ to address SGBV as well as a guide for their domestication. In the language of ICGLR, domesticating a commitment means turning it into ‘national laws, policies and action plans and implementing them’ (2012c, p.7). With the issuing of the domestication guide, the ICGLR called its member states to comply according to the principle of non-selectivity. However, the principle of non-selectivity relies on the good will of member states. Consequently, states are free to use compliance legal frameworks of their own choices either monism or dualism.⁹

In addition to this introduction and a brief methodology section, the paper briefly discusses the theoretical landscape and defines the analytical framework. It also describes and analyses Uganda’s status of and reasons for compliance vis-à-vis ICGLR’s SGBV commitments. The paper concludes by drawing lessons in light of the compliance theory.

2. Methodology

This paper is a follow up research output of the postdoctoral fellowship that the author conducted at the School of Global Studies (SGS), Gothenburg University in Sweden from November 2015. Data was collected between 2016 and 2019. In addition to an extensive desk review from relevant laws, policy documents, studies and reports, this paper relies on transcripts from interviews with key informants. In total, 17 key informant interviews have been conducted, some individually and others in groups. Interviewees consisted mainly of civil society members, government representatives, gender consultants, and university lecturers in Uganda with relevant expertise on the issue under study.

⁸ These include the Protocol on the Prevention and Suppression of Sexual Violence against Women and Children (2006); the Goma Declaration on Eradicating Sexual Violence and Ending Impunity in the Great Lakes Region (2008); and The Kampala Declaration on SGBV (2011)

⁹ According to conventional wisdom, State can accept and integrate international law into the domestic system in one of the two ways. In a monist legal system, international law is considered joined with and part of the internal legal order of a state. In a dualist legal system, international law stands apart from national law, and to have any effect on rights and obligations at the national level, international law must be domesticated through legislative process (The International Judicial Academy, *International Judicial Monitor*, Winter 2014).

Uganda is considered as a *representative* or *typical* case representing other (many) ICGLR member states. The objective of such a case is to generate information on the existing theory basing on the selected case. As suggested by some methodologists, a case study is most appropriate when the focus of the research is to answer ‘how’ and ‘why’ questions, the very focus of this paper; and when the researcher ‘wants to cover contextual conditions because he believes they are relevant to the phenomenon under study’ among other factors (Yin, 2009). Given contexts’ similarities between Uganda and other ICGLR member states¹⁰ and while the paper allows learning more about this individual case, the study provides useful information on compliance dynamics and trends in the GLR.

The approach for data analysis was content-based. Key patterns from data were identified and organized into coherent categories corresponding to key research themes, particularly those pertaining to factors that motivate Uganda’s compliance with ICGLR SGBV commitments. Emerging themes from each interview were rigorously scrutinized to understand their meaning and to know where they fit. In a bid not only to remain as faithful as possible to interviewees, but also to share the field ambiance with readers, efforts were made to reproduce textually the most expressive ideas. Where feasible and relevant, data is triangulated using different sources in order to ensure quality and more precisely data credibility (Patton, 1994).

3. Theoretical landscape and analytical framework

Attempts to understand compliance can be structured into a cluster of four non-exclusive theories, namely realism, rational functionalism, liberalism and constructivism. From all the four theories, state interests appear to be central compliance.

Realists from both international law and international relations support that ‘states choose to comply with international law when this corresponds to their own interests’ (Hongju, 1997, p.2632). To achieve their various national interests, states ‘employ cooperative strategies’ (Chayes and Chayes, 1995; Franck, 1995; Williamson, 2003). Compliance is easier when interests coincide with the need to avoid the implications of non-compliance such as sanctions

¹⁰ For instance, out of the twelve ICGLR member states, nine are post-conflict countries and have been undergoing similar governance issues.

and negative reputation (Chayes and Chayes, 1995; Franck, 1995; Hongju, 1997; Goldsmith and Posner, 2003-2004). In sum, realists simply consider international commitments as ‘an epiphenomenon of state interests’ (Simmons, 1998, p.79).

Functionalists on their side support the idea that state compliance is “interest-centered” and that incentives, including *direct sanctions* and *reputation* constitute important variables (Chayes and Chayes, 1995). Functionalists more particularly put an emphasis on the role of international institutions in explaining state’s compliance: ‘institutional device is a starting point for compliance’ (Simmons, 1998; Peck, 1996).

Liberalists approach compliance from the perspective of the ‘type of regime in place’. In substance, liberalists hypothesize that democracies are likely to comply with international agreements better than authoritarian regimes do in the sense that the former are ‘more disposed to do law with one another’ (Hongju, 1997, p.2633). This likelihood of democracies to abide by international commitments suggests that “democratic regimes tend to bind themselves into a *zone of law* in the conduct of their foreign relations’ (Simmons, 1998). However, other compliance theorists tend to put an emphasis on domestic political interests rather than the type of regime in place. For instance, in his article on “*Why Comply? The Domestic Constituency Mechanism*”, Xinyuan Dai argues that internal political gains are determinant to understanding state compliance. According to him, in order ‘to ensure reelection, governments comply primarily to respond to competing interests of domestic constituencies’ (2005, p.387).

Contrarily to realism and rational functionalism that attach a particular importance to state interests, constructivism sees compliance from the perspective of shared values, principles and norms by members of the international society. In light of constructivists such as Checkel J. Jeffrey (2001), states come to discover their needs and preferences through interaction with other states, which helps them to adhere to these new preferences at the expense of egoistic choices. The process of mutual learning participates in creating a new collective identity, leading to collaborative attitudes between states (Checkel, 2001, p.560). In this context, to recall the expression of Dinah Shelton ‘compliance results not from the possibility of sanctions but from recognition of the need to ensure sustainability of the common good’ (2000, p.14). The need to

appear as a reliable member of the international community is therefore an equally important factor of compliance (Williamson, 1995).

This paper draws predominantly from a combination of realistic and rational functionalist perspectives. It spouses Young's definition of Compliance: 'the degree to which state behavior conforms to what an agreement prescribes or proscribes' (1979, p.104). Compliance is a process that consists of two key steps: *domestication* of the agreement (or incorporation into national legislation/internalization) and *implementation* of the agreement or translation of the international commitment into practice (Raustiala, 2000, p. 392; Haas and Bilder, 2000). This paper does not look into the issue of *effectiveness* (whether the problem that led to the agreement' formation was solved or not or the impact on the underlying problem) that some scholars consider as the ultimate goal of international commitments (Martin, 2000).

For reasons of suitability with the case study, three variables that guide the analysis were selected from the theoretical terrain above. These are respectively *domestic concern*, *reputation*, and the *influence of advocacy networks*.

The need to address a real *domestic concern* is a factor that motivates states compliance with international commitments. According to Peter Haas and Richard B. Bilder (2000), any matter of interest for individuals or groups of individuals can influence the state decision to adhere to international agreements. Regardless of whether the regime is democratic or not, and contrarily to what some theorists had predicted (Leeds, 1999; McGillivray and Alastair, 2000), 'domestic audiences are very supportive of international commitments when these are likely to address their concerns.' (Tomz, 2002). In these conditions, responsible leaders will act to implement what the author call 'serendipitous compliance' whereby states' actions coincide with international obligations without an intentional choice. Conversely, 'non-compliance may be justified by the magnitude of expected resistance at home and political backlash by powerful domestic audiences' (Goldstein, 1993; Oye, and Maxwell, 1995).

From this literature, *reputational concerns* are another important factor justifying states' willingness to comply with international commitments. Illustratively, Guzman (2015) supports

that ‘states comply partly because they are concerned with reputational implications’. Other scholars add that: ‘states comply to avoid reputational damages’ (Downs and Jones, 2002). Richard Parker (1999) emphasizes that states may choose to comply ‘with the aim to protect their image as trustworthy partners even after their formal participation in an agreement’. In sum, scholars believe that ‘state high compliance in one area is generally used to compensate or counter-balance its defection in other areas’ (Downs and Jones, 2002).

State compliance with international commitments can also result from *transnational influence of advocacy networks*. Choice to comply is often subject to various forces, including pressures from international organizations, both state and non-state actors. From the international relations perspective, ‘states choice to comply is influenced to a significant extent by international institutions’ (Keohane, 1989; Chayes and Chayes, 1995). Empirical studies have established that international institutions exercise real influence on national choices, by notably (1) enhancing the contractual environment within which state choices are made, (2) building state concern, and (3) building national capacity (Haas, Keohane and Levy, 1993).

A set of research has documented the growing role of non-state actors, including traditional interests groups and non-government agencies (Keck and Sikkink, 1999). It is believed that interactions between private groups determine national, preferences and international outcomes (Abbott and Snidal, 2000). Interactions between various actors that Keck and Sikkink call “*transnational advocacy networks*” have gained crucial prominence in influencing state compliance. These networks have the ‘ability to mobilize information strategically to help create new issues and categories, and to persuade, pressurize, and gain leverage over much more powerful organizations and governments’ (1999).

Transitional advocacy networks are believed to promote norm implementation, by ‘putting the issues on government agendas, pressurizing policy makers to take actions, and by following up alignment to regional and international norms’ (Finnemore, 1996).

4. Finding presentation and discussions

The findings below are grouped into two main themes: the status of compliance in relation to ICGLR SGBV commitment areas and reasons for compliance.

4.1 Status of compliance with ICGLR’s SGBV commitments

This section describes the extent to which Uganda has so far complied with provisions of ICGLR’s SGBV commitments. Progresses related to domestication and implementation of SGBV commitments are examined following the three key areas of interventions as defined by the ICGLR key SGBV instruments,¹¹ namely preventing SGBV, ending impunity for SGBV perpetrators and providing services to victims of SGBV.

ICGLR key SGBV commitments per area and Uganda’s compliance (May 2017)

Area of intervention	Key provisions	Summary Uganda’s progress
Prevention of SGBV	Put in place anti-GBV legal and policy frameworks	Laws and a new policy on GBV are in place
	Establish national and grass root structures to fight against SGBV	National structures on GBV are in place but attempts to establish community structures have remained so far unsuccessful
	Integrate SGBV into national planning and budget documents	GBV activities are allocated symbolic and fluctuating funds ¹²
End of impunity for SGBV perpetrators	Declare “Zero Tolerance Now” for SGBV crimes and impunity and launch national campaigns for zero tolerance on SGBV	Zero tolerance campaign launched since 2012
	Initiate special courts, sessions and procedures to fast track SGBV	No special

¹¹ The Protocol on the Prevention and Suppression of Sexual Violence against Women and Children and the Kampala Declaration on SGBV of December 2011.

¹² In 2015/2016, the budget of the ministry in charge of budget was cut due to fund elections.

	cases in the judicial system in order to improve access to justice and protect SGBV victims	court/chamber on SGBV
	Put in place adequate mechanisms to investigate and prosecute sexual violence crimes...	Special department on SGBV under the Criminal Investigations Directorate was introduced
	Establish a regional legal basis for the surrender of persons and fugitives charged with committing sexual offences (judicial cooperation)	Not functional so far, but responsibility shared with other regional states
Services to survivors/victims of SGBV	Establish a regional special fund that would provide assistance to victims of SGBV among other things	Not functional due to irregular/non contribution by state members
	Establish recovery centers that provide comprehensive services to victims of SGBV free of charge	In the piloting phase to date with funds from development partners
	Develop programs that would provide support to women especially those involved in the cross-border trade	No such programs to support women survivors of SGBV are in place
	Elaborate national reintegration strategy for SGBV victims	No specific reintegration strategy for survivors/victims in place

Prevention of SGBV in Uganda

Significant progress has been achieved to prevent SGBV. Taking advantage of the 1995 Constitution that provides for equal rights between men and women (chap. 4, art. 21), and for affirmative actions in favor of women (art. 78), a number of laws aiming at protecting and

promoting women's rights have been passed. The Domestic Violence Act of 2009 recognizes domestic violence in all its forms and provides for no excuse for such violence. The Act criminalizes marital rape among other practices, which represents a huge progress. The Female Genital Mutilation (FGM) Act of 2010 provides for the prohibition of FGM, a practice that was prevalent in some regions of Uganda, for prosecution and punishment of offenders and the protection of victims as well as girls and women under threat of FGM. Other legal mechanisms, including the 2006 Employment Act and the 2009 Trafficking in Persons Act introduced significant progress in respect of women's rights.

Key strategic policies are in place and set a comprehensive framework for protection of women against SGBV and for advancement of women's rights in general, including the National Gender Policy and the National GBV Policy that was adopted early in 2016. This specific policy marks a clear alignment to ICGLR's SGBV commitments in that it makes explicit reference to the Protocol on the Prevention and Suppression of Sexual Violence against Women and Children of 2006. The adoption of the GBV policy that civil society members qualify of 'major progress' (Group interviews, 13-17 September 2016) is particularly interpreted as an example of Uganda's efforts to comply with regional SGBV commitments in that it was strictly adapted to ICGLR's provisions. By setting the standards for SGBV prevention, response and services to victims of SGBV, the policy is believed to bring about an added value.

Efforts to prevent GBV have kept increasing, but compliance with ICGLR's SGBV commitments has remained problematic in some areas. For instance, a child protection unit that deals with SGBV cases has been established at each police station. The unit however counts less than 700 police across the country, representing less than 1% of the total Uganda police force (Musuya, Interview, 16 September 2016). In the views of gender experts, and contrarily to ICGLR's provisions, "attempts to establish and strengthen community structures for the fight against SGBV at the grass root level have remained generally unsuccessful" (Jean Kemitare, Interview, 13 September 2016).

Ending impunity for SGBV

Ending impunity focuses on raising awareness of communities through communication campaigns and on judicial activities to ensure perpetrators of SGBV are held accountable. Field findings show that progresses have been made in this particular area, but serious challenges remain.

The government has launched the “Zero Tolerance Now” campaign in 2012 as provided for in the ICGLR SGBV instruments. However, due to budget constraints, the yearly campaign has so far concentrated on few districts particularly those affected by the conflict in the northern part of the country, leaving the rest of the country under-covered. In this region where SGBV prevalence is reportedly higher due to armed conflict, reporting of rape and other sexual abuse is increasing as a result of the said campaign (Akina Mama wa Africa, Interview, 13 September 2016).

Following police reforms, SGBV is a key aspect of the police training. In addition, a special unit in charge of criminal investigations has been established. There are sustained capacity building programs to provide quality response to cases of SGBV. Most training activities in which civil society organizations are particularly active are designed for judicial personnel, including the police, prosecutors and probation officers.

The Evidence Act represents a significant step to deliver justice as provided for in the ICGLR relevant protocol. In order to provide justice services to victims of SGBV, various changes have been introduced, including a friendlier complaint form. Similarly, evidence of sexual violence provided by all doctors and midwives would be admissible in court (ISIS-Women’s International Cross Cultural Exchange and Akina Mama wa Africa, Isis-Women’s International Cross Cultural Exchange (and Akina Mama wa Africa, 2014; Action for Development, 2009), which was not the case before. However, the special courts/sessions to accelerate justice for cases involving sexual violence provided for by ICGLR have not yet been established. According to interviewees, ‘such reforms were judged expensive’ by the judiciary (Akina Mama wa Africa, Interview, 13 September 2016).

Despite the progress above, access to justice for victims of SGBV is still problematic, for several reasons. Firstly, there are social norms that condone SGBV. According to interviewees, there are

a lot of backlashes between the existing policies and procedures and the treatment of SGBV victims. In the words of a gender expert, “in some communities, the public looks at the victims of SGBV as somebody causing troubles...consequently, victims are blamed and sometimes intimidated when they are not killed” (Musuya, Interview, 16 September 2016). Such a hostile social environment constitutes a serious obstacle to the fight against impunity for SGBV. Secondly, corruption in the judicial chain is allegedly high. Corruption among the judicial personnel was described as “common practice”, resulting into disappearance of several cases of SGBV. In some cases corruption consists in ‘buying the victims’ silence’ (Idem), therefore preventing them from pursuing cases.

Thirdly, though the government has put in place SGBV hostile legal and policy environment, civil society actors are unanimously concordant that ‘SGBV is not a priority as opposed to terrorism, border protection and internal politics’ (Group interview, 13-17 September 2016), which raises serious concern among civil society members about the real intent of the government when it elaborates laws and policies against SGBV without allocating an adequate budget. For this reason, as one of the key informants ironized, ‘the money is put where the mouth is’ (Kemitare, Interview of 13 September 2016). Consequently and fourthly, the financing of SGBV activities is still extremely low, which leads to leap services.

Support to victims of SGBV

Service to victims of SGBV is possibly the least performing area in Uganda’s efforts to comply with regional SGBV commitments. Fieldwork research shows that little has so far been done to address the needs and rights of victims. In relation to the support to victims, the ICGLR provides for services meant to rehabilitate the former, including a regional special fund for reconstruction and development, part of which is meant to address basic needs and rights of victims of SGBV; recovery centers to be established by each member states; and national reintegration mechanisms. The regional special fund for reconstruction has remained dormant because several member states do not contribute or contribute on an irregular basis, which affects proper functioning of ICGLR (Byamukama, Interview 17 September 2020).

Uganda has been piloting recovery centers for victims of SGBV in 5 districts with the funds from the United Nations Population Fund (UNFPA). While the functionality of these centers has remained problematic, questions arise concerning their sustainability since they largely rely on external donors (Uganda Women's Network, 2012). Efforts have also been made by various civil society organizations to provide basic services to survivors of SGBV.

These services include “temporary accommodation, physical protection from perpetrators, counseling, legal aid, provision of medical care and of basic needs such as food and clothing” (Isis-Women's International Cross Cultural Exchange (Isis-WICCE) and Akina Mama wa Africa, 2014, p.80). However, some components of the services are particularly inadequate, such as psychosocial support and legal aid service points that are disjointed (Musuya, Interview, 16 September 2016).

Though there are multiple initiatives in favor of women involved in informal cross-border trade in general, field research was not able to confirm whether Uganda provides support to those victims of SGBV as provided for by the ICGLR. There is no specific reintegration mechanism for victims of SGBV in Uganda, community structures having remained non-operational. Overall, reintegration of victims is widely unaddressed.

In light of the above findings, Uganda has made visible progress with regard to domestication of SGBV commitments as evidenced by the legal and policy frameworks described above. However, translation of these commitments into practice has remained less successful due to several reasons. The current political conjuncture has led the government to focus its attention on ‘more pressing issues’, downgrading SGBV. As summarized above, compliance appears therefore to be a fluctuating process with fair progress in some areas and little progress in others.

4.2. Reasons for Uganda's compliance with ICGLR SGBV commitments

The above description points to mixed results. This section examines the reasons for Uganda's compliance efforts. Three major factors emerge from field findings: (1) sexual violence is a real issue that affects the quality of life of Ugandans, therefore complying with SGBV commitments is a way to address a legitimate need; (2) complying allows Uganda to promote positive

reputation while diverting opinion from internal politics; and (3) compliance is also a result of advocacy influence from national and international networks.

SGBV is a pressing real domestic concern

Uganda's adherence to regional SGBV commitments is primarily motivated by the need to respond to a serious domestic need. Despite competing other national priorities, SGBV is recognized to count among the most important issues that affect lives of Ugandans. Indicatively, '28 percent of women between 15-49 years of age have suffered from sexual violence while 16 percent have experienced it in the 12 months that preceded the survey' (Uganda Bureau of Statistics, 2011, p.245). Girls aged below 18 years represent 90 % of all victims in the northern districts victims of the war (UNICEF, 2012).

The indicative figures above are highly expressive of the pervasive character of SGBV in Uganda. However, 'violence remains normalized and socially condoned' (Bukuluki, 2013). The newly revised National GBV Policy recognizes that this crime 'is perpetuated by traditional myths, beliefs, and customs and that cultural practices are responsible for some of the worst forms of GBV, including FGM'.¹³ Yet, it is believed that SGBV is underreported due to cultural and economic hindrances. Existing studies show that 'only 2 in 10 women report violence or seek help in Uganda. Even when cases are reported to judicial structures, conviction rates for perpetrators stand at only 6.6% of prosecuted cases' (Isis-Women's International Cross Cultural Exchange and Akina Mama wa Africa, 2014, p. 79).

In light of the reality above, it clearly appears that SGBV is a serious domestic concern. Officials have recognized at several occasions that it had reached horrifying magnitude. The new GBV document reads that the 'policy has been developed to address the critical and largely unrecognized problem of GBV in Uganda'. Likewise, during his speech at the 4th extraordinary summit of heads of state of the ICGLR and special session on SGBV in the Great Lakes Region

¹³The Health and Demographic Survey of 2011 shows that violence especially the one perpetrated by the husband is widely tolerated in some communities of Uganda. For instance, the survey's findings show that 42.1% of women find that wife hitting or beating by the husband is justified for some reasons, including neglecting a child, denying a husband sex, burning food, disobeying their husbands or being unfaithful.

of 2011, President Museveni referred to shameful traditions and customs that result into the increase of SGBV of which women are mostly victims.

He emphasized that ‘abuse of women is a shameful subject’, adding that ‘zero tolerance’ should be strictly applied. For the president, ‘allowing impunity for SGBV in this era is indiscipline of the highest order’ (Presidential speech, 15 December 2011). In the same vein, at a function to launch a GBV shelter in Kamuli District in 2014, Uganda’s then Inspector General of Police recognized that ‘SGBV is the second biggest threat to the wellbeing of Ugandans after terrorism’ (The Daily Monitor, 05 December 2014).

According to civil society leaders, “Museveni’s statement has given a new move to the fight against SGBV”. The statement translated since into “visible but insufficient efforts towards compliance with the country’s SGBV commitments” (Akina Mama wa Africa, Group interview, 13 September 2016). For instance, in July 2015, the government has launched the National Gender-Based Violence database to support evidence for SGBV prevention and prosecution in accordance with ICGLR commitments (The New Vision, 10 July 2015).

The approval of the new GBV policy by the cabinet during its seating of 17 August 2016 is seen as a ‘commendable step towards fulfillment of Uganda’s international obligations’ (Group interviews, 13-17 September 2016). According to Tina Musuya, Executive Director of the Center for Domestic Violence Prevention (CEDOVIP), ‘the absence of appropriate framework had become a barrier to addressing GBV since funds could not be allocated for implementation’ (Interview, 16 September 2016). The adoption of the GBV policy is directly associated with President Museveni’s statement during the ICGLR heads of state special summit on SGBV in Kampala in 2011.

Despite compliance progress above, there is a shared opinion, particularly among civil society organizations (CSOs) that the fight against SGBV has ceased to be a government priority. CSOs believe that ‘the government of Uganda has relaxed’ (Group interviews, 13-16 September 2016) as compared to efforts it invested in the fight against HIV/AIDS during the first presidency of Museveni late in the 1980s. The opinion that SGBV is no longer part of Uganda’s priorities became more important following the double Al-Shabab terrorist attack against restaurants that

were screening the world football cup final between Spain and the Netherlands on July 11, 2010 making 74 victims. Women organizations believe that the government's attention has shifted from SGBV to counter-terrorism. Terrorism, border security and internal politics in reference to recent opposition marches and refusal to recognize Museveni's electoral victory of February 2016 were said to be top government priorities (Group interviews, 13 September 2016). SGBV has been since downgraded to second importance issue, reinforcing consequently the assumption that compliance with SGBV commitments is primarily meant to win regional and international credibility.

The findings above show that Uganda has partially complied with SGBV commitments, particularly with regard to incorporation of commitments into domestic legislation. However, as already recorded by Isis-Women's International Cross Cultural Exchange (Isis-WICCE) and Akina Mama wa Africa, two active women-led CSOs, 'despite an encouraging policy environment, Uganda lacks political will for the policy to materialize into actions' (Isis-Women's International Cross Cultural Exchange and Akina Mama wa Africa, 2014, p.79). Consequently, little tangible achievements have been so far registered with regard to policy implementation. It is this discrepancy between national plans and the implementation process that Jean Kemitare, has referred to as "walking between loopholes" (Interview, 13 September 2016). From the same discrepancy, there is a shared view among CSOs that "the government of Uganda has put laws and policies in place, but expects civil society organizations to do the rest." (Group interviews, 13-17 September 2016).

Reputational gains

The second factor that explains Uganda's compliance efforts is reputation. From interviews, there is a shared belief that the making of laws and development of policies and programs on SGBV are mainly meant 'to achieve political correctness', to recall the expression of Tina Musuya. Ugandans believe that their government is also concerned with its regional image. The country invests efforts to ensure its regional reputation is not affected by internal struggles for power and alike. For instance, in response to ICGLR call upon its members, Uganda offered to host the Regional Training Facility (RTF) on the fight against SGBV in the GLR in the midst of internal electoral turmoil. The RTF was inaugurated in February 2014. In the opinion of

interviewees, hosting the RTF is a calculated decision to ensure the country's image and visibility are intact (Group interviews, 13 September 2016).

A recent study pointed to similar observations. In a report with a very evocative title "*Weak Ugandan democracy, strong regional influence*", Murray and colleagues argue that "a large proportion of Uganda's current domestic policies are aimed at maintaining Museveni's hold on power and that Uganda's regional leadership role has also been a key dimension in cementing Museveni's relationships with important domestic, regional, and international constituencies." (Murray, Mesfin and Wolters, 2016).

The report further indicates that Museveni's participation in regional security and conflict issues 'has strengthened his image and conveniently minimized attention on Uganda's democratic decay.' (Ibid.) The deployment of Ugandan peacekeeping forces in conflict zones such as Somalia and South Sudan are interpreted from the same angle. If it is true that this participation generates tangible benefits, it is also true that it contributes towards shaping the country's reputation as a reliable and credible partner of the international and the regional community bodies.

Alignment to SGBV commitments is equally interpreted from the same perspective: maintaining regional visibility while diverting attention from internal contentious presidential victories of 2011 and 2016. While initiated to respond to real needs, this alignment that Jean Kemitare refers to as 'surface compliance' or 'walking between loopholes' because 'plans are not effectively implemented (Interview, 13 September 2016), partly because resources are allocated to 'top priorities' is also seen as a public relations operation. But for a former government official working presently for a regional body 'having policies is the entry point for any compliance process. The next step of compliance, namely implementation of policy provisions will follow'" (Byamukama, Interview, 17 September 2016)

Low implementation of policy and law provisions has led some members of CSOs to doubt whether there is enough political will to respond to SGBV in Uganda. Others have questioned the level of determination of top leaders, starting from the President himself. For some

interviewees, ‘Museveni is very much concerned with his legitimacy’ (Kezie-Nwoha, Interview, 16 September 2016) and the ‘ruling National Resistance Movement (NRM)’s initial effervescence to promote equal gender rights has become blurred’ (Group interview, 13 September 2016). From interviewees, it is not understandable why a government can adopt policies for the sake of adopting them.

The ‘surface compliance’ with SGBV commitments has reinforced people’s opinions about reputational calculations of the Ugandan government. In a very expressive language, Jean Kemitare summarizes the reputational agenda of the government in a very evocative way: ‘by incorporating most of SGBV commitments into national laws, Uganda cultivates its regional credibility; by facing internal criticisms for failing to materialize policy provisions, it loses nothing’ (Interview, 13 September 2016). In relation to the theoretical framework, such compliance even imperfect, together with other interventions of Uganda at regional level, including the mediation role of President Museveni in the political crisis in Burundi from 2015 on behalf of the East African Community (EAC) is used to counter-balance or downplay domestic and international criticisms, particularly those pertaining to controversial elections.

The ‘reputational character’ of Uganda’s compliance is amplified by the belief that SGBV is no longer a priority for the government of Uganda. CSOs are nostalgic of the years 1990s when Uganda was leading the world in combatting HIV/AIDS. Not surprisingly, the findings from interviews clearly suggest that needs and priorities change over time. The coming into power of President Museveni and his NRM in 1986 inaugurated a new era with reference to women rights and gender equality in Uganda. The *movement*, as Ugandans like to call the ruling party still has a directorate in charge of gender, but interviewees are unanimous that the country has lost its momentum.

Influence of national and regional advocacy networks

Uganda’s efforts to comply with its regional SGBV commitments are also a result of pressure from a vibrant national civil society. With financial and technical support from regional and international non-government organizations and development partners, the civil society of Uganda, particularly women-led organizations, has succeeded to put on the government agenda

proposals pertaining to the advancement of women rights (Group interviews, 13 September 2016). Regional women organizations have played a specific role in the process to develop and adopt the ICGLR SGBV commitments and to domesticate them by respective state members. The role of women organizations in the process of national domestication varies however from one country to another for various reasons, including free space for expression. Though the comparative approach is used in a separate paper, Ugandan women organizations seem to have been particularly active.

At the regional level, an umbrella of women organizations, the ICGLR Regional Women Forum (ICGLR-RWF), was established to ensure the rights and needs of women are addressed during peace processes. While CSOs seized the ICGLR-RWF opportunity to influence domestic policy making in some countries, such as Uganda, they did not in others. Formally established in 2010, the forum aims specifically at ‘advocating and lobbying on women-specific issues in the context of the ICGLR pact and other related regional and international instruments on women’s rights’(Akina Mama waAfrika, 2016). The idea to create the regional women forum was initiated as early as 2002 two years after the United Nations Security Council had called for the creation of the Great Lakes regional conference.

The ICGLR-RWF was to become particularly active in the design of the ICGLR SGBV commitments. For instance, in addition to the role it played in the design of the ICGLR itself, the forum is responsible for the design of the 2011 Kampala Declaration on SGBV. According to Eunice Musiime, Executive Director of Akinama Mama wa Africa, a Ugandan women rights organization that chairs the ICGLR-RWF, “the project of the declaration was initiated by a technical staff from the civil society forum. Of all the 22 resolutions that were submitted to Heads of states, 17 were incorporated into the final declaration” (Musiime, Interview, 13 September 2016).

In order to mobilize support, women rights organizations lobbied policy makers and First Ladies before the Special summit for ICGLR Heads of states convenes. Based on the outcome above, women advocacy and networking approach have proven to be effective as more evidence shows. In 2014, the ICGLR-RWF was elevated to the status of observer in the peace talks that brought

the DRC and the rebel movement M23 around negotiation talks, another proof, if need be, that the regional women network is influential.

After the Kampala Declaration on SGBV was adopted in December 2011, national women organizations used the same approach in Uganda to ensure commitments to which they had contributed significantly do not remain empty promises. In this regard, the ICGLR National Civil Society Forum of Uganda was established in 2013. In order to influence policy, the forum closely works with the Uganda National Coordination Mechanism for the ICGLR. The forum benefits support from international organizations including Amplify Change, an international organization that provides direct support funds to advance the rights of victims of sexual violence and UN agencies such as UN Women and UNFPA.

Advocacy by the National Civil Society Forum of Uganda is based on evidence. Before any proposal is forwarded to government relevant agencies, research is conducted and policy briefs informed by field findings produced. This approach has provided credibility to the forum. For instance, the forum has become integral part of the national planning process. Interview findings show that the forum has widely influenced and contributed to the elaboration and the adoption of the new GBV policy. As it was mentioned several times during interviews, the establishment of this forum has significantly improved collaboration between CSOs and the government.

Following this collaboration, significant improvements in relation to preventing and responding to SGBV were reported. Each member of the forum intervenes in the area where it has a comparative advantage. As a result, some organizations intervene importantly in SGBV prevention; others focus on judicial capacity building while the rest is involved more significantly in support to victims of SGBV. The forum has transformed into a space where various issues related to gender equality and women's rights are discussed.

Regional and national advocacy networks have played a key role in Uganda's compliance with SGBV commitments to the extent that their active role has created additional expectations. Indeed, during interviews, it was repeatedly mentioned that some officials might consider enough the existing SGBV legal and policy frameworks, expecting civil society and community structures to do the rest. If this assumption was to be confirmed, that would mean that ownership

of SGBV commitments is lacking, which would consequently confirm that adoption of laws and policies is chiefly meant to achieve reputational purposes.

5. Finding discussion

In light of the findings above, Uganda's compliance with ICGLR SGBV commitments is mainly motivated by domestic factors though there are also international incentives for compliance. From the perspective of the international relations, Uganda's alignment to ICGLR's SGBV commitments aims at achieving several objectives at the same time, including reputation and diversion of the international attention from internal governance deficits, particularly the contentious 2011 and 2016 presidential elections while responding to a real need, that is to say SGBV.

Though there is a gap between policy provisions and practice, the 'surface compliance' still provides the government with real dividends. Such compliance lowers internal pressure from advocacy bodies, allows ruling leaders to appear politically correct and promotes a positive image of the country as a credible and respectable regional partner. In addition, though imperfect, adherence to SGBV and other regional endeavors, including peace processes helps the government in general and President Museveni in particular to position himself as a regional leader. This image is in turn used to downplay other compliance deficits, including electoral gaps and corruption. The current compliance progress also results from vibrant regional and national advocacy networks, particularly women organizations that managed to put SGBV on national legislation priorities.

The Ugandan case confirms the existing theories on compliance as discussed in section 3 above. However, while confirming the reputational theory, the findings clearly show that internal political dynamics and an active and free civil society play a key role in the compliance process.

6. Conclusion

Uganda has partially complied with its SGBV commitments mainly by incorporating them into national laws and policies. The country has put in place frameworks for the fight against SGBV and important reforms of the judicial system are under way to respond more effectively to cases

of SGBV. Out of nine specific regional SGBV commitments, Uganda has fully or partially addressed six. Other commitments, particularly those related to services/support to victims of SGBV are so far not addressed. However, the most important gaps are associated with the second level of compliance, namely translation of commitments into reality.

The case of Uganda provides additional insight with regard to compliance with international commitments. Even when imperfect, compliance still provide state with political gains, both internally and externally: it is used to downplay internal political issues while promoting a sense of credibility and trustworthy at the regional and international arena. In this regard, being seen to comply is better than non-compliance. In addition to international reputation, partial compliance lowers internal advocacy pressure in that the passing of laws and adoption of policies suggests that there is political will and tends to mean that further steps will follow. Partial compliance does not understandably address the issue that led to the formation of the commitment, but as a public relation tool, it helps the leaders to appear politically correct.

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