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United Nations Committee on the Rights of Child (CRC)

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during the 100th Session

Joint Stakeholders' Submission from

Franciscans International (FI)
(General Consultative Status with UN ECOSOC)

The Bright Doves of St. Francis, Little Sisters of St Francis, John Paul II Justice and Peace Centre, Caritas Kampala, Joy for Children, Sr. Brigid Women's Empowerment Centre, Somero Uganda, Franciscan Sisters of the Immaculate, Franciscan Missionary Sisters for Africa, Secular Franciscan Order and Order of Friars Minors

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INTRODUCTION

Submitting organizations

1. The organizations listed below present this joint submission concerning the situation of children's rights in Uganda for consideration by the Committee on the Rights of Child (hereafter the Committee) of the fourth periodic report of Uganda.¹
2. Franciscans International (FI) is a faith-based International Non-Governmental Organisation (INGO) in General Consultative Status with the United Nations Economic and Social Council (ECOSOC). It was founded in 1982 to bring the concerns of the most vulnerable to the United Nations. FI relies on the expertise and first-hand information of Franciscans and other partners working at the local level around the world to advocate at the United Nations for structural changes addressing the root causes of social and environmental injustice.
3. The Bright Doves of Saint Francis is a faith-based Ugandan Youth organization established in 2006 and based in Kamwokya – Kampala. It is a registered Community Based Organization under Kampala Capital City Authority and works through the Young Franciscans (YouFra) network to reinforce cultural values which emphasize freedom, democracy, and non-violence by propagating peace and helping the young discover and utilize their potential.
4. John Paul II Justice and Peace Centre was established in 2006, by a consortium of five religious missionary congregations: Comboni, Holy Cross, Mill Hill, Missionaries of Africa and Society of Jesuits. The founders intended to create an institution to facilitate collective action against social injustice, through research, advocacy, and training. They were compelled by the wanton violation of human rights, rising economic inequalities and poverty, prevalence of violence, as well as abuse of workers.
5. Caritas Kampala is the social services and economic development department of the Catholic Church in Kampala Archdiocese, mandated to carry out socio-pastoral activities within the administrative districts of: Mpigi, Kampala, Wakiso and Butambala. Caritas Kampala's initiatives focus on community development, good governance and civil society enhancement, orphans and vulnerable children, support to marginalized groups, and women's empowerment.
6. Joy for Children Joy (JFCU) is a child rights non-profit organization established in 2005 to respond to the plight of vulnerable children in Uganda. JFCU champions the rights of all children to live peacefully & without exploitation, to benefit from quality free education, to thrive in economic security & justice, and to prosper with access to clean water, good health care, & nutrition. From working directly with communities in Uganda to advocacy at the international level, JFCU acts as a bridge providing project implementation & services for international organizations who require local knowledge & expertise from a trusted partner, who also understand & work in the global development arena.
7. Somero Uganda was founded by a group of young people living and staying in the slums of Kawempe Division, Kampala District Uganda. The group was founded following the suicide of a 17-year old-girl trapped in a debt bondage paying her father's debt, and forced into sexual exploitation where she contracted HIV/AIDS and became a victim of social stigmatization by

¹ See UNITED NATIONS CHILD RIGHTS COMMITTEE, *Combined third to fifth periodic reports submitted by Uganda under article 44 of the Convention, due in 2011*. 12 May 2021. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FUGA%2F3-5&Lang=en

community members and faced numerous health challenges. Somero Uganda envisions a Uganda where children and young women live a sustainable life, free from all forms of exploitation.

8. Franciscan Sisters of the Immaculate are based in the Matugga Wakiso District of Kampala from 2013. The Franciscan Sisters foster education for young children, cultivating moral and social values, giving opportunities to the children to grow and learn. The Sisters are also engaged in primary health care, and health education for young growing girls and boys.
9. The Little Sisters of St. Francis of Assisi (LSOSF) are an indigenous Congregation of African Sisters. The LSOSF care for the physically challenged, the deaf, blind, lame, the aged, as well as refugees, single mothers, individuals with HIV and AIDS, and youth. The LSOSF run schools, hospitals and carry out other social work activities in prisons, women empowerment.
10. The Franciscan Missionary Sisters for Africa are a pontifical congregation reaching out to various communities through pastoral work, social intervention i.e community empowerment and skilling, Cheshire home for elderly, human rights and advocacy, health and education.

Methodology

11. This submission is based on the evaluation of the commitments made by the Government of Uganda to implement the International Convention on the Rights of the Child and in response to the State report. The data and information obtained for this submission were gathered from the above-mentioned field organizations supporting individuals and groups affected by human rights violations and abuses in Uganda as well as secondary sources.
12. The first-hand information was gathered through continuous monitoring and documentation by various stakeholders in all parts of Uganda, with case studies using interviews with victims, informants, and experts as well as through desk research. Updated information was then consolidated during a workshop held in Kampala from 30 September to 2 October 2024.
13. The present submission will address the following issues in four clusters of rights in relation to the implementation of the Convention in Uganda:
 - a. General implementation of the Convention of the Rights of the Child under cluster 1 on general principles;
 - b. Access to education, including for children with disabilities under cluster 2 on education, leisure and cultural activities and disability, basic health and welfare;
 - c. Child marriages, teenage pregnancies and female genital mutilation under cluster 3 on violence against children; and
 - d. Children in human trafficking under cluster 4 on special protection measures.
14. FI and partners have highlighted the above-mentioned issues in submissions to the Human Rights Committee, Committee on the Elimination of Discrimination against Women and for the Universal Periodic Review. This report will provide follow-up on observations and comments made in these reports and provide updated and specific information in relation to children's rights.

Cluster 1: General principles (article 2)

15. In the 2008 Concluding Observations from the Committee on the Rights of the Child², the Committee had recommended that Uganda “[...] ensure that the National Council for Children has a clear mandate and adequate human and financial resources in order to ensure its effective implementation.”
16. In the third cycle of the UPR in 2022, Uganda accepted several recommendations regarding enhancing capacities of human rights institutions, including *“provide the Human Rights Commission, the Equal Opportunities Commission and relevant line ministries with adequate financial resources and support measures and capacities”*; *“ensure that the Human Rights Commission, the Equal Opportunities Commission and relevant line ministries are adequately funded”* and *“continue the efforts of mainstreaming human rights into policies, laws and budgets”*³.
17. The State Party report referred to the 2016 Amendment to the Children Act (Cap 59 Laws of Uganda) to align itself with the provisions of the Convention on the Rights of the Child and uniformize all existing policies and legal frameworks under one legislation. The National Council for Children was established pursuant to this amendment as an independent body to promote and protect children’s rights. The State Report also emphasized the lack of resources and capacity to effectively conduct its mandate.
18. This is corroborated with information received from government officials who highlighted inadequate budget allocation particularly at the district level, and the lack of training, awareness-raising and knowledge-building amongst officials leading to poor implementation of new legislations, often adopted in a highly centralized State system.
19. Recent information provided by civil society organizations further pointed out the recent dissolution and merger of the National Children Authority with four other institutions under the Ministry of Gender, Labour and Social Development, following the adoption of the Children (Amendment) Bill 2024 in April 2024⁴. Despite the report of the Committee on Gender calling for an independent monitoring body for children, this move was intended to increase efficiency of existing institutions and maximize costs but subsequently raised uncertainties on staffing, independent budgeting and overall functioning of these entities. The dissolution of this authority will leave a gap in monitoring and awareness raising on children’s issues, and signals a lack of commitment by the Ugandan government in providing adequate human and financial resources to address children’s rights in the country, among other vulnerable groups.
20. In addressing non-discrimination, the State party report recognized discrimination of certain categories of children (children with disabilities, orphans, street children) and mandated the Equal Opportunities Commission to address discrimination and inequalities against any individual, including age amongst other factors. This Commission is also now at risk to be

² Uganda’s Concluding Observations for the CRC, 16th October 2008 (CRC/C/OPAC/UGA/CO/1),

<https://documents.un.org/doc/undoc/gen/g08/445/28/pdf/g0844528.pdf>

³ Human Rights Council, Report of the Working Group on the Universal Periodic Review: Uganda, 4th April 2022 (A/HRC/50/11)

<https://documents.un.org/doc/undoc/gen/g22/300/83/pdf/g2230083.pdf>

⁴ The Sunrise, *Parliament dissolves Children’s Authority in rationalization process*, 24th April 2024

<https://sunrise.ug/news/202404/parliament-dissolves-childrens-authority-in-rationalisation-process.html>

merged with the Ugandan National Human Rights Commission. Given the different mandates, the inadequate protection of specific categories of persons from discrimination may arise⁵.

Recommendations:

- a. Repeal the Children (Amendment) Bill 2024 to allow the reestablishment of the National Children’s Authority as a separate entity, with a clear mandate of promotion and protection of children’s rights, and adequate funding and staffing
- b. Ensure sufficient funding and staffing for the Equal Opportunities Commission to include and implement a mandate that includes the protection of children’s rights, and tackle discrimination against children, in coordination with the National Children’s Authority and relevant government entities.
- c. Establish a dedicated committee to monitor and ensure compliance with periodic reporting to the Committee on the Rights of the Child.
- d. Develop a plan of action to implement the recommendations from the concluding observations of the Committee on the Rights of the Child and wstrengthen inter-ministerial coordination and ensure ownership across all line ministries.

Poverty as the root cause for children’s rights violations in Uganda

21. Our organizations have repeatedly highlighted the link between high levels of poverty in Uganda – with 41% of the population earning less than \$2.15 per day⁶ - and violations of children’ rights in Uganda as lower income households often lack economic means to ensure uninterrupted education for all children, especially girls who are married in exchange of financial gains and are vulnerable to trafficking networks.
22. **On education:** as a result of household economic constraints and the lack of awareness of the importance of schooling, children’s education is often interrupted due to associated additional costs for attending school including school materials, uniforms and school registration. Regions with high levels of poverty such as Karamoja, in Northern Uganda, are often correlated with low attendance of children in schools⁷.
23. Household poverty coupled with additional costs for education contribute to a higher rate of school dropouts, especially of girls at an early age. The perception of girls as an economic burden very often leads parents to marry them for economic gains, resulting in an increase of early marriages and pregnancies in Uganda. According to UNICEF, 40% of girls in Uganda are married before turning 18 and girls in rural areas are twice as likely to be married before 18-years compared to those in urban areas⁸. Grassroot organizations have underlined the increasing trend in rural areas to force girls into sexual exploitation in exchange of money, resulting also in unwanted pregnancies and health complications including HIV infections. It is worth noting that teenage pregnancy has contributed to an increase in poverty levels as it negatively impacts on family expenditures thus increasing financial burden on households and communities.

⁵ NewVision, Equal Opportunities Commission opposes merged with rights body, 17th October 2024, https://www.newvision.co.ug/category/news/equal-opportunities-commission-opposes-merger-NV_197906

⁶ World Bank, Uganda Country Profile, <https://pip.worldbank.org/country-profiles/UGA>

⁷ Uganda Bureau of Statistics, Uganda Household Survey 2019-20, 2021 https://www.ubos.org/wp-content/uploads/publications/09_2021Uganda-National-Survey-Report-2019-2020.pdf

⁸ UNICEF-UNFPA, Uganda Country Profile (UNFPA-UNICEF Global Programme to End Child Marriage), 2019 <https://www.unicef.org/media/88846/file/Child-marriage-Uganda-profile-2019.pdf>

24. ***School dropout drives children into forced labour to support economic income for their families.*** Parents allow or knowingly send their children to urban centers instead of pursuing their education, and traffickers who are often relatives, village mates or friends, exploit their vulnerability by promising them jobs and education opportunities in urban centers where they are mistreated and exploited to beg in the streets. Many children did not return to school after the Covid-19 pandemic, and continue to remain vulnerable to trafficking⁹. Girls are further exposed to trafficking for forced labour or sexual exploitation outside their families.

Cluster 2: Education, leisure and cultural activities and disability, basic health and welfare (art.23; art 28; art.29)

25. The right to education is enshrined in articles 30 and 34(2) of the Constitution, and free Universal Primary Education and free Universal Secondary Education were respectively introduced in 1997 and 2007.
26. The Education Act 2008¹⁰ ensures access to education for all children. It mandates free primary education and provides for the establishment of a national curriculum. The system of formal education in Uganda has a structure of 3 years of pre-primary education, 7 years of primary education, 6 years of secondary education, and 3 to 5 years of post-secondary education. Primary education, however, is still largely considered the first official level of formal education since the government has not established any pre-primary schools for children¹¹. School is compulsory from 6-years-old which "shall last seven years"; 13 years old corresponds to primary level education.
27. Uganda received and supported two recommendations during its third cycle UPR review in 2022 on providing equal opportunities to vulnerable groups including children and persons with disabilities¹², and 13 recommendations on improving access to education¹³. They include providing free and quality education to all, including girls in rural areas, addressing factors contributing to school dropouts and allocating an appropriate amount of the national budget to mitigate the impact of Covid-19. Uganda noted recommendations on making education compulsory for twelve years¹⁴ and increasing public expenditures for education.¹⁵ The existing legal and policy framework make provisions for free education, but continued obstacles to attendance include: gaps in addressing additional associated education costs; lack of incentive and awareness in low-income households to encourage education of their children; inadequate adapted infrastructures and staff for children with disabilities; and the persistence of conservative cultural norms depriving girls from uninterrupted education.

⁹ US State Department, 2024 Trafficking in Persons Report: Uganda. <https://www.state.gov/reports/2024-trafficking-in-persons-report/uganda/>

¹⁰ Education Act 2008 <https://www.esc.go.ug/wp-content/uploads/2018/04/Education-Act-2008.pdf>

¹¹ UNICEF, The Achievement of Primary School Learners in Uganda in Numeracy and Literacy in English, 2023 <https://www.unicef.org/uganda/media/16981/file/Achievement%20of%20Primary%20School%20Learners%20in%20Numeracy%20and%20Literacy%20in%20English%20in%20Uganda.pdf>

¹² Report of the Working Group on the Universal Periodic Review, Uganda, 4th April 2022. Recommendation 125.208 (Tunisia) and Recommendation 125.263 (Mozambique). <https://documents.un.org/doc/undoc/gen/g22/300/83/pdf/g2230083.pdf>

¹³ Recommendations 125.181 to 125.192, 125.206 (Latvia) and 125.249 (Zambia).

¹⁴ Recommendations 125.180 (Mauritius) and 125.184 (Poland)

¹⁵ Recommendation 125.193 (Holy See)

Deterioration of the public schooling system

28. Uganda devoted only 8.4 % of its national budget to education for the financial year 2023-2024 despite pledges as part of the United Nations 2030 Agenda for Sustainable Development to allocate at least 15 to 20 % of public expenditures to education¹⁶.
29. Educators deplored the worsening state of public-school infrastructure in Uganda lacking basic facilities such as classrooms, libraries, and sanitation, impacting the learning environment of children. This situation is combined with a teacher shortage, as many prefer teaching in private schools for better wages and engaging in part-time work in public schools due to the absence of a uniformed wage system in the public sector. This has resulted in a high volume of work for teachers in public schools and an inability to provide quality education for children attending those schools.
30. Educators and teachers conveyed the need for an improved Early Childhood Development (ECD) policy which currently attaches ECD centers to primary schools and provide pre-primary education. The Education Act 2008 does not make any provision for free pre-primary education and creates learning disparities between children whose families can afford pre-primary education and those who cannot and enter primary schools at the age of six¹⁷. The Government should consider revising the existing policy to ensure equal access to education for all children.
31. The Government does not adequately regulate the establishment of new private schools which are proliferating in the absence of a robust legal framework. These schools often compete with public schools, and create a learning inequality among students who do not benefit from the same quality of education and learning opportunities which would translate into unequal access to job opportunities. The existing schooling infrastructure should instead be improved to provide uniform, equal and quality learning for all.

Access to education of the girl child

32. Girls are particularly vulnerable to deprivation of education due to gender stereotypes prioritizing boys' education over girls, financial considerations in lower-income households, early marriage and pregnancies, and a higher risk of trafficking.
33. Strong prevalence of cultural norms increased the number of child marriages as families do not perceive value in girls' education. Uganda has an overwhelming number of school drops-outs in girls, and limited enrolment and retention of girls in schools. Girls marrying before 18 have lower school completion rates and are subjected to unpaid labour. In a 2018 estimate from Save the Children, access to education and prevention of child marriage is intrinsically linked as they estimate that 1 000 000 child marriages could be prevented by 2030 if all girls finished secondary education¹⁸. Deprivation of continuous education for girls leads to high levels of illiteracy, and an overall lack of empowerment of the girl child.
34. Child marriage and teenage pregnancies also result in fewer girls returning to school, and perpetuates and exacerbates disparities between girls and boys. The Government does not

¹⁶ UNICEF, Sustaining the gains in the education sector. Financial Year 2023/24, October 2023

<https://www.unicef.org/esa/media/13251/file/UNICEF-Uganda-Education-Budget-Brief-2023-2024.pdf>

¹⁷ Human Rights Watch, Uganda: Lack of Free Pre-Primary Education Creates Lifelong Harm, 12th June 2024

<https://www.hrw.org/news/2024/06/12/uganda-lack-free-pre-primary-education-creates-lifelong-harm>

¹⁸ Save the Children, Nearly one million child marriages in Uganda could be prevented if girls get secondary education, 11th October 2018

<https://uganda.savethechildren.net/news/nearly-1-million-child-marriages-uganda-could-be-prevented-if-girls-get-secondary-education>

have updated incentivizing policies or awareness raising programs geared towards the promotion of the education of girls despite the adoption of the education strategy on girls in 2015¹⁹.

35. Reports further indicate that girls are deterred from attending or remaining in school because of sexual harassment and violence. 35% of girls have experienced sexual violence in school before the age of 18, and 59% were victims of physical violence, perpetrated by teachers and/or students, and only 5% of girls have reported being victim of sexual violence which demonstrate a lack of awareness to enable a safe and protective environment for all children, including girls, to study.²⁰
36. Educators highlighted the lack of adapted sanitation infrastructure for menstruating girls who often have to miss out on school on classes during their menstruation, on average missing 24 days out 220 learning days in a school year, or do not have access to affordable sanitary products, impeding continuous education²¹.

Disparities in the roll out of the new curriculum

37. In 2020, the Ministry of Education of Uganda adopted a new curriculum for secondary schools focused on competency-based teaching, moving away from theory-based teaching. The new curriculum is intended to “to produce secondary school graduates with employable skills that are competitive in the current job market”. It is observed that the new curriculum is more inclusive than the old one and helps students to acquire practical skills²².
38. Teachers and educators reported a lack of training on this new student-centered curriculum, leading to differentiated interpretations and implementation of the curriculum. Teachers, particularly in rural areas and lacked preparation as the teachers’ training was not updated with modules corresponding to the new curriculum’s requirements. Instead, teachers who have received some training on the curriculum were tasked to train other colleagues, an approach deemed ineffective and counterproductive which created interpretative differences on content and materials to be taught. The absence of a uniformed training program for teachers and continuous learning opportunities could have long lasting negative impacts on children and widen pre-existing learning inequalities.
39. Teachers further lacked appropriate and affordable materials including information and technology (IT) equipment required to roll out this new program, deepening pre-existing learning disparities between underfunded rural schools and the other schools, particularly in urban areas. Some organizations observed that the old curriculum is still taught in rural schools widening learning disparities in Uganda.

¹⁹ Ministry of Education and Sports, National Strategy for Girls’ Education (NSGE) in Uganda (2015-2019), <https://scorecard.prb.org/wp-content/uploads/2018/05/National-Strategy-for-Girls%E2%80%99-Education-in-Uganda-2015-2019.pdf>

²⁰ United Nations’ Girls’ Education Initiative, Factsheet on Uganda and School-Related Gender-Based Violence, 2021, <https://www.ungei.org/sites/default/files/2021-03/Uganda-fact-sheet-School-Related-Gender-Based-Violence-2020-eng.pdf>

²¹ Joy for Children, Keeping Girls in School through providing Menstrual Hygiene Support, May 2023, <https://joyforchildren.org/keeping-girls-in-school-through-providing-menstrual-hygiene-support/>

²² Economic Policy Research Centre, Policy Brief n°160: Teacher training and re-training are critical for delivering the competence-based lower secondary curriculum, April 2023 <https://eprcug.org/publication/teacher-training-and-re-training-are-critical-for-delivering-the-competence-based-lower-secondary-curriculum/?wpdmdl=15757&refresh=6718c5d19744c1729676753>

Access to education for children with disabilities

40. Uganda has a comprehensive legal framework guaranteeing the rights of persons with disabilities. The Constitution of 1995 recognizes the dignity of persons with disabilities as considered as a social and economic national objective²³. Moreover, article 32 of the Constitution clearly states that “the State shall take affirmative action in favour of groups marginalised on the basis of gender, age, disability”.
41. Uganda also ratified the Convention on the Rights of People with disabilities (CRPD) in 2008 and was reviewed by the Committee on the Rights of People with Disabilities in 2016²⁴. In its concluding observations, the Committee analysed the implementation of article 7 of the Convention and was particularly concerned “that the legislation and policies fail to provide protection for the rights of children with disabilities”. The Committee recommended to the State to amend the Children’s Act in line “with the Convention in order to mainstream the rights of children with disabilities across all programmes and provide the necessary budget and resources for their protection”.
42. We welcome the continuous efforts of the Government of Uganda to improve access to education for children with disabilities with the 2016 Amendment to Children’s Act which emphasizes special needs for children with disabilities and the prioritization of inclusiveness and accessible physical infrastructure for students with disabilities in the National Development Plan II.
43. The legal improvements do not however address structural inequalities persisting in Ugandan schools. Educators have reported barriers to implementation of the Special Needs and Inclusive Education Policy adopted in 2021 due to poor funding, inadequate training of teachers, lack of physical accessibility and social discrimination of children with disabilities²⁵. The Education Services Commission found that a highly bureaucratic system was a major barrier to implementing existing policies and programmes on inclusive education. Despite the Constitution making provision for 10% of the budget being allocated to inclusive education, only 0.1% of the budget is currently allocated²⁶.
44. Children with disabilities are victims of harmful cultural beliefs with disability being perceived as a curse or a shame by communities. Parents continue to perpetuate negative attitudes against children, hiding them from communities and preventing them from interacting with other children and members of the community. Stigmatization of children with disabilities keeps them away from schools, and do not actively participate in class fearing stigma among fellow students. Data from the World Bank suggests that 2.5 million children in Uganda have a disability preventing access to schools²⁷. 2.3% of children aged 6-12 do not attend school due to a disability, and only 0.6% out of the students enrolled in secondary schools have been registered as having special learning needs. UNICEF further noted only 5% of 16% of disabled children are enrolled in primary schools in Uganda. Educators have expressed the urgency to

²³ National objectives and directive principles of State policy – Point XVI of the Constitution of Uganda. Op.cit. footnote 8

²⁴ UNITED NATIONS COMMITTEE ON THE RIGHTS OF PEOPLE WITH DISABILITIES, Concluding observations on the initial report of Uganda, UN Doc; CRPD/C/UGA/CO/1, 12 May 2016. Accessible at:

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/UGA/CO/1&Lang=En.

²⁵ Schools2030, Understanding learning difference across Schools2030. Country Profile: Uganda, 2023. https://schools2030.org/wp-content/uploads/2023/01/Learning-Differences-Report_Uganda.pdf

²⁶ Education For All: Making Education Inclusive, Accessible to Uganda’s Children With Special Needs, The World Bank, Retrieved May 2022

²⁷ World Bank, Education For All: Making Education Inclusive, Accessible to Uganda’s Children With Special Needs, 7th February 2020

<https://www.worldbank.org/en/news/feature/2020/02/07/education-for-all-making-education-inclusive-accessible-to-ugandas-children-with-special-needs>

reach out and raise awareness among parents and students on disabilities and accessing education²⁸.

Recommendations:

- a. Take concrete measures to address the root causes of socio-economic disparities leading parents to prevent children from pursuing their education or return to school through adapted programs and incentivizing policies for lower-income families.
 - b. Adopt and implement measures to promote gender equality in education, such as gender-sensitive curricula, school infrastructures with adequate Water, Sanitation and Hygiene (WASH) infrastructures and affirmative action policies.
 - c. Ensure retainment of girls in schools through dissemination of comprehensive programs to prevent early marriages and pregnancies.
 - d. Strengthen policies and mechanisms to prevent and address sexual harassment and violence in schools.
 - e. Provide adequate resources to ensure proper functioning of public schools including adequate training, continuous learning opportunities and uniform pay for teachers, teaching materials, adequate infrastructures and equal dissemination of the curriculum across the country.
 - f. Adopt awareness-raising programs and adapted policies to combat harmful stereotypes against children with disabilities in accessing education.
1. Encourage the full implementation of the Persons with Disabilities Act 2020 and related policies, in accordance with SDG4, by allocating an appropriate national budget to achieve the development of adequate infrastructure to accommodate children with disabilities.
 2. Ensure appropriate training of schoolteachers to enable them to effectively and adequately include all children with disabilities in their class.

Cluster 3: violence against children (art 24(3))

45. Uganda has adopted several measures to eliminate all forms of violence against children with the amendment of the Children Act Cap 59 amended in 2016 providing the right to legal protection of children from all forms of violence including sexual abuse and exploitation, child marriage, child trafficking and female genital mutilation (FGM).

Child marriages

46. Child marriage and teenage pregnancy still occur in Uganda at a large scale as a result of persistent conservative gender norms especially in traditional ethnic communities where marriage is perceived as offering lifelong security for girls and avoiding pregnancies outside of marriage.
47. The two phenomena are intrinsically linked, as child marriages increase the risk of early pregnancies. Uganda ranks 16th out of 25 countries assessed by UNICEF with the highest rates of child marriage.²⁹ Child marriage is a major driver of adolescent pregnancies as 90% of

²⁸ Ibid.

²⁹ Ibid 15

adolescent pregnancies occur as a direct consequence of child marriages³⁰. This practice often leads to early pregnancies, which have devastating consequences on girls' health, education, and economic opportunities. Current numbers indicate that 34 % of women are married before the age of 18, i.e. 1 in 5 girls in Uganda, and 7.3 % before the age of 15, while 6% of boys are married before their 18th birthday³¹. It is estimated that 8.9 million girls aged 10-19 are at risk of FGM, child marriages and pregnancies.

48. The Constitution of 1995 stipulates in Article 31 the minimum age of 18 at which men and women could marry, prohibits forced marriage and provides for free consent of the man and woman to enter into marriage. Under the Children Act of 2016, the minimum legal age of marriage in Uganda is 18 years old with no exceptions³². The 2016 reform introduced the notion of "harmful customary or cultural practices" which can include child marriage and teenage pregnancy as the practice is defined as an "activity that is mentally, physically, socially or morally harmful to a child and includes an activity that interferes with a child's education and social development".
49. Constitutional provisions and other specific legislations are undermined by other lenient and contradictory laws on marriage in the absence of a uniform marriage law due to the prevalence of customary laws establishing a different legal age for marriage and creating confusion in the overall legal framework. The Marriage Act 1904 CAP 251 sets 21 years as the age of consent for marriage but allows for written consent from a legal guardian for earlier marriage whereas customary laws provide different legal ages for marriage, whereas the Customary Marriages Act 1973 sets the age of consent at 16 years for girls and 18 years for boys.
50. To address these issues, Uganda has implemented the National Strategy to End Child Marriage and Teenage Pregnancy (2022/2023 – 2026/2027).³³ This framework reflects both global and national commitments to end child marriage and reduce teenage pregnancies through a multi-sectoral approach. But in the absence of an overarching and clear legal framework protecting the rights of children, the prevalence of customs and gendered stereotypes severely hinders the full realization of girls' rights in Uganda.
51. The prolonged closure of schools and loss of economic opportunities for families due to the Covid-19 pandemic reversed gains³⁴ in curbing teenage pregnancies and child marriages and further exacerbated risks of girls to be married. Projections showed that school closure increased the risk of child marriage by 25% per year³⁵. The disruption of essential support services including the temporary suspension of the Child's Helpline and postponement of cases on gender-based violence severely impacted any progress to advance girls' rights³⁶. The number of teenage pregnancies significantly increased between March 2020 and September

³⁰ Girls Not Brides, Supporting Married Girls, Adolescent Mothers and Girls who are pregnant, October 2021 https://www.girlsnotbrides.org/documents/1642/Supporting_married_girls_adolescent_mothers_and_girls_who_are_pregnant_Thematic_report.pdf

³¹ Ibid 15

³² The Children (Amendment) Act, 2016, the Uganda Gazette n.38 Volume CIX, 1 June, 2016. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/104395/127307/E-171961747/UGA104395.pdf>

³³ Minister for Gender, Labour and Social Development, The National Strategy to end child marriages and teenage pregnancies 2022/2023 – 2026/2027 <https://www.unicef.org/uganda/media/13666/file/National%20Strategy%20to%20end%20Child%20marriage%20and%20Teenage%20Pregnancy%202022-2027.pdf>

³⁴ Family planning methods implemented by the government include hormonal contraception, barrier methods, fertility awareness and long-acting reversible contraception (implant or uterine device)

³⁵ UNICEF, COVID-19: A threat to progress against child marriage, 2021. <https://data.unicef.org/resources/covid-19-a-threat-to-progress-against-child-marriage/>

³⁶ Ibid 15.

2020 with a 366% increase in pregnancies in girls aged 10-14 years old with a higher occurrence in average in rural areas (27%) compared to 19% in urban areas³⁷.

Teenage pregnancies

52. The lack of school attendance where sexual and reproductive health education is barely and unevenly taught is a leading factor of teenage pregnancies, especially in rural areas. Limited access to education increases the occurrence of young girls getting married and pregnant. 35% of girls aged 15-19 years without full primary education have had a child compared to 11% of girls with secondary education³⁸. In correlation, pregnancies account for 22.3% of school dropout between 14-18 years old due to a lack of access to education and comprehensive awareness of sexual and reproductive health including contraception and menstrual health.
53. Teenage pregnancies constitute a major impediment to girls' socio-economic empowerment as they have access to fewer educational opportunities after a pregnancy and face multiple health risks due to childbirth, complicated pregnancies and abortions³⁹. Child marriage increases risks of contracting Sexually Transmitted Infections (STIs) including HIV infections due to lack of sexual and reproductive health awareness, subjecting girls to domestic violence, poverty and overall disempowerment. Married and pregnant girl children are at major risk of maternal death with 28% of mothers aged 15 to 19 facing this situation compared to mothers aged 20 to 24⁴⁰. Our organizations have reported in their field observations that hospitals require a huge fee from patients especially imposition of costly (about 300 000 UGX) and risky cesarean surgeries to young pregnant girls.
54. Girls end up being trapped in a cycle of poverty, face gender-based violence in their households and are further isolated from society, impacting their psychosocial wellbeing⁴¹. Girls often do not return to schools after a pregnancy, or those who return are often perceived and treated as adults amongst their peers and teachers, leading to less leniency of treatment compared to other children.
55. This intertwined nature of child marriages and teenage pregnancies also affect the boy child as an estimated 13.5% of boys joining primary year one does not make it to primary year seven and ends up leaving school to care for their families and take on adult responsibilities including providing financially for their families. This situation results in limited professional and educational opportunities in the long term⁴².

Recommendations:

- a. Take all necessary steps and measures to prohibit child marriages across the country including by uniformization of marriage laws, in line with the Constitution, and wider dissemination of existing laws among parents, teachers, community leaders and other relevant stakeholders.

³⁷ Ibid 33.

³⁸ Uganda Demographic and Health Survey 2016, <https://dhsprogram.com/pubs/pdf/FR333/FR333.pdf>

³⁹ UNFPA 2020 Population Matters, Child Marriage and Teenage Pregnancy in Uganda: Issue Brief 14 October 2020

⁴⁰ UNFPA 2020 Population Matters, Child Marriage and Teenage Pregnancy in Uganda: Issue Brief 14 October 2020

⁴¹ World Bank (2017). Educating Girls: A Way of Ending Child Marriage and Teenage Pregnancy.

<https://www.worldbank.org/en/country/uganda/publication/educating-girls-a-way-of-ending-child-marriage-and-teenage-pregnancy>

⁴² Ibid 29

- b. Raise awareness among all parents, teachers, community leaders and local authorities on the importance of accessing education to prevent child marriages and teenage pregnancies, and ensure empowerment of boys and girls.
- c. Reinforce sexual and reproductive health education programs at all levels of education and among local communities.
- d. Take measures to involve youth groups, religious leaders, and local authorities in the prevention of early marriages and teenage pregnancies to raise awareness of parents and local communities.
- e. Adopt measures and policies to ensure and support the reintegration of young mothers into the education system including increasing the national budget and appropriate educational programs and avenues.
- f. Improve access to health care, neo-natal and post-natal services to teenage mothers at health facilities.

Female Genital Mutilation (FGM)

- 56. The Prohibition of Female Genital Mutilation Act (2010) defines FGM as any procedure that involves the partial or complete removal of a woman's external genitalia or other injuries to her female genital organs for non-therapeutic purposes. All types of FGM are prohibited in Uganda by the Prohibition of Female Genital Mutilation Act 2010.
- 57. The Committee on the Elimination of Discrimination against Women recommended it its concluding observations to Uganda in 2022 to conduct awareness raising campaigns on the Female Genital Mutilation Act and ensure systematic punishment of perpetrators of FGM⁴³.
- 58. Civil society organizations continue to deplore the persistence of FGM in Eastern Uganda notably in the Karamoja region among the Tepeth and Pokot communities and refugee communities in Kampala (from Somalia for instance). The practice is still widespread among the populations of Karamoja and Sebei even though it is illegal since the adoption of the 2010 Act. The custom is linked to transitional rituals from infancy to adulthood and womanhood⁴⁴.
- 59. Even though 95% of women in Eastern Uganda are in favor of ending the practice, peer pressure and societal norms continue to have a significant impact. The activity is still carried out secretly, from dangerous and unsanitary locations. Communities have now turned to concealing and occasionally crossing the border into Kenya to have the practice carried out after the law was passed.
- 60. Although FGM is not very common in Uganda, it is thought to affect 1.4% of women and girls aged 15 to 49. The Sabiny and Pokot ethnic groups in the Karamoja region of northeastern Uganda, which borders Kenya, are the main practitioners, reported at roughly 50% and 95%

⁴³ Concluding observations on the combined eighth and ninth periodic reports of Uganda of the Committee on the Elimination of Discrimination Against Women, CEDAW/C/UGA/CO/8-9, 1st March 2022

<https://www.ohchr.org/en/documents/concluding-observations/cedawcugaco8-9-concluding-observations-combined-eighth-and-ninth>

⁴⁴ The CrossCultural Foundation, The persistence of Female Genital Mutilation in Uganda's communities: A case for the Pokot and Tepeth communities in Karamoja, September 2023 <https://crossculturalfoundation.or.ug/wp-content/uploads/2023/09/The-persistence-of-Female-Genital-Mutilation-among-the-Tepeth-and-Pokot-in-Karamoja-CCFU-2023-min.pdf>

respectively. Girls targeted by FGM are 14 – 15 in the Pokot; and in the Sabinu, FGM is seen as a rite of passage before marriage (17 – 19).⁴⁵

61. There is growing concern of intergenerational perpetuation of FGM, where women that have undergone FGM actively promote it; this includes mothers influencing their daughters to undergo FGM.
62. The root causes of FGM needs to be addressed, the practice is seen as a rite of passage, cutters are often from the same families, and there is an impact of social and cultural norms in this practice. Cutters earn a source of living with this activity and the practice represents a real economic benefit for them, who now operate informally. This issue is also linked to the lack of knowledge around menstrual health and menstrual cycles, and overall consequences of pregnancies on young girls' health and lives.⁴⁶

Recommendations:

- a. Reinforce awareness-raising campaigns on the illegality and dangers of FGM in areas where the practice is still prevalent, including all stakeholders from local communities.
- b. Ensure the systematic prosecution of persons committing or aiding and abetting the criminal offence of FGM.
- c. Carry out awareness-raising campaigns and other measures to combat the socioeconomic and cultural factors underlying the prevalence of FGM.
- d. Develop and strengthen effective local child protection mechanisms especially for victims of FGM.

Cluster 4: Special protection measures (art. 35; art 39).

63. Uganda continues to remain a source, transit and destination of victims of human trafficking, as previously underlined in our 2022 UPR⁴⁷ and CEDAW submissions⁴⁸. The Ministry of Internal Affairs report (2024) indicates that at least 142 Ugandans are trafficked every month⁴⁹.
64. Violence against children persists due to harmful societal and cultural practices and results in physical, mental and emotional harm, including trafficking. In 2023 1,698 victims were registered, including children, who were trafficked locally and transnationally. Of the 1,698 victims, 63% were children, while 642 (37%) were adults. In comparison to the global trend of 1/3 victims of human trafficking being a child, Uganda shows a worrying trend of 2/3 victims of trafficking being children. As a result of poor economic income of parents and school dropouts, children are being trafficked for labor and sex exploitation, including girls and women aged 13-24 years targeted for domestic sex trafficking and young women vulnerable to transnational

⁴⁵ UNICEF, Female Genital Mutilation in Uganda, 12 October 2020

https://www.unicef.org/uganda/media/8931/file/FGM%20Evidence%20from%20Uganda_Policy%20Brief_12%20October%202020.pdf

⁴⁷ Summary of Stakeholders' submission on Uganda, Universal Periodic Review, 9th November 2021, see Joint Submission 17

<https://documents.un.org/doc/undoc/gen/g21/319/74/pdf/g2131974.pdf>

⁴⁸ Franciscans International, Written contribution for the eighth and ninth periodic review of Uganda during the 81st Session of CEDAW,

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2FCSS%2FUGA%2F47466&Lang=en

⁴⁹ The Monitor, 140 Ugandans trafficked every month, says report, 16th July 2024 <https://www.monitor.co.ug/uganda/news/national/140-ugandans-trafficked-every-month-says-report-4691720>

trafficking, usually seeking employment as domestic workers in the Middle East⁵⁰. Young children are also trafficked to South Sudan and Democratic Republic of Congo (DRC) to work in trade, fishing and agriculture industry.

65. Uganda has a comprehensive legal framework to tackle human trafficking with specific provisions on the protection of children. The Children Act Cap 59 amended in 2016 provided the right to legal protection of children from all forms of violence and child trafficking and had adopted the Prevention of Trafficking in Persons Act (2009) prohibiting all forms of trafficking and set out comprehensive punitive measures for those who were found guilty, with article 5 dedicated to children being trafficked⁵¹.
66. Uganda received and supported six recommendations during its third cycle UPR review on trafficking. They included: allocation of appropriate funding to the national action plan for the prevention of trafficking in persons 2019-2024⁵², provisions for victims with shelter, counselling and legal and psychosocial assistance⁵³ and protection of vulnerable groups such as girls from trafficking⁵⁴. The 2022 CEDAW Concluding Observations put an emphasis on taking measures against girl and child prostitution, and adequately prosecuting perpetrators.
67. In that regard, we note the Government of Uganda's efforts to enhance legal protections domestically. We particularly commend it for its accession to the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (Palermo Protocol) supplementing the United Nations Convention against Transnational Organized Crime in 2023.
68. Our organizations also acknowledge the continuous efforts deployed by Uganda to tackle the harmful effects of trafficking in the country, including on children. We note an improvement in identification, investigation and prosecution compared to other years, with 2,099 cases identified in 2022 and 1,698 in 2023, among which 1,200 in 2022 and 1,006 in 2023 were investigated, and 728 in 2022 and 589 in 2023 were prosecuted. We also note an increase in anti-trafficking training for officials; front-line officials, prosecutors, and judges, and new collaboration with international stakeholders such as the European Union and the United States of America on trafficking, with a focus on victim identification in vulnerable areas, especially Karamoja region⁵⁵. We also commend the establishment of an online directory to connect NGO and government agencies with victims.
69. Despite these developments, our organizations deplore the persistence of shortcomings in addressing the issue of trafficking in a comprehensive manner. We continue to observe that the Coordination Office to Prevent Trafficking in Persons (COPTIP)⁵⁶ and other key enforcement agencies have not been provided with adequate financial and logistical support, human and non-human resources, to execute their duties and limit their ability to combat trafficking, particularly in rural areas where trafficking is often overlooked. COPTIP remains severely underfunded, and its personnel lack adequate training hampering the office's capacity to provide necessary support and rehabilitation services to victims, and assistance to victims

⁵⁰ Ibid.

⁵¹ The Prevention of Trafficking in Persons Act, 2009, The Uganda Gazette N. 52, volume CII, 23 October, 2009.

Accessible at: <https://mglsd.go.ug/wp-content/uploads/2019/05/Prevention-Trafficking-Persons-Act-2009.compressed.pdf>

⁵² Recommendation 125.62 (Philippines) and recommendation 125.125 (Qatar).

⁵³ Recommendation 125.127 (Holy See)

⁵⁴ Recommendation 125.236 (Malawi)

⁵⁵ US State Department, 2024 Trafficking in Persons Report: Uganda. <https://www.state.gov/reports/2024-trafficking-in-persons-report/uganda/>

⁵⁶ The COPTIP, along with the Ministry of Internal Affairs and the Ministry of Gender Labour and Social Development are coordinating, monitoring, and overseeing the implementation of counter human trafficking activities.

and witnesses during legal proceedings. Victims of trafficking who testify in court or report their traffickers are often left unprotected, making them vulnerable to retribution.

70. Our organizations highlighted a decline in prosecution, with 494 cases registered in 2023 against 589 cases in 2022, and victim identification, with 1,698 victims in 2023, compared with 2,099 victims identified in 2022, suggesting a lack of consistency in efforts and possibly a reduced commitment or resources for trafficking-related operations⁵⁷.
71. The Government continues to rely on NGOs to provide victim services which underscores the lack of state-run facilities and support programs. NGOs fill the gap, offering shelters, medical care, and psychosocial support, but they are often overstretched and underfunded. Victim support services remain inadequate, with most survivors left without long-term assistance, such as vocational training, legal aid, or reintegration programs. While the government's report providing some services, they are often insufficient to address the complex needs of trafficking victims.
72. Corruption within law enforcement officials and official complicity has significantly hindered anti-trafficking efforts. Our organizations received reports of allegations regarding senior government officials' involvement in trafficking through organized networks or even owning labor recruitment companies. Police officers and immigration officers reportedly accepted bribes from traffickers at airport border crossings to facilitate trafficking activities, creating a culture of complacency of authorities to this phenomenon. In 2023, 12 government officials were prosecuted for alleged trafficking crimes, 10 cases are still pending⁵⁸.
73. The State Report of Uganda asserts that external trafficking, particularly to the Middle East, is a concerning trend. However, human rights organizations suggested that internal trafficking of children is more prevalent but remains underreported due to weak monitoring and the covert nature of these operations.
74. The Uganda Police Annual Police Crime 2023 reported at least 510 children being trafficked, mostly coming from vulnerable regions such as Karamoja where a lack of resources drives children into cities and are exploited into domestic servitude, commercial sexual exploitation, labour and street begging⁵⁹. Traffickers exploit women, girls, and boys for sex labor throughout the country, with 7,000-12,000 children exploited in sex trafficking in Uganda, with a majority coming from Karamoja. Children as young as 7 years old are exploited in forced labour in industries, agriculture, fishing, mining, street vending, hospitality and domestic work⁶⁰.
75. Children are physically abused and hurt so that they appear more vulnerable and are then placed in areas of heavy transportation traffic the entire day for begging. Afterward, traffickers either return the child to the parents, often traumatized and unable to disclose information on their conditions, or they are handed over to another trafficker. These children may live in shelters and are subjected to physical violence for failure to return with money from the streets, denied medical care if they have sustained injuries on the streets, and are exposed to sexual harassment, drug abuse, and HIV infection if breastfed by HIV-positive women who are not their mothers.
76. As of 2022, Uganda has 670 licensed local and foreign recruitment agencies registered which are based in Uganda or abroad, to recruit Ugandans to work abroad, especially in the Middle

⁵⁷ Ibid 51

⁵⁸ Ibid 51.

⁵⁹ Uganda Police Force, Annual Crime Report 2023, 23rd February 2024 <https://upf.go.ug/annual-crime-report-2023/>

⁶⁰ Ministry of Internal Affairs, National Action Plan for Prevention of Trafficking in Persons in Uganda, 2019-2024, July 2020 <https://www.mia.go.ug/sites/default/files/2022-06/National%20Action%20Plan.pdf>

East, where they can be exploited into forced labor, including in hospitality and construction⁶¹. We deplore the multiplication of unlicensed labour companies operating without oversight. Rampant corruption amongst government officials significantly hindered the adoption of regulatory frameworks to protect workers sent abroad without adequate protection and thrust into exploitative work.

77. Uganda lacks a comprehensive legal framework for domestic workers and has yet to ratify the ILO Convention 198, which would provide greater legal protection for domestic workers who are often young girls hired as house maids in Middle Eastern countries. The state's failure to ratify the Convention hinders access to remedies and redress for domestic workers victims of exploitation or abuse. Victims reported being tricked or forced to work and were sexually abused by male employers and/or relatives. They often worked in harmful working conditions without rest, extra pay, sick leave, subjected to physical violence (beatings), and were denied adequate nutrition and medical care. Their passports were confiscated at their arrival, and without the possibility to return, some girls were sold as housemaid in markets, which are akin to modern slavery practices.

Recommendations:

- a. Ratify the ILO C198 Convention on Domestic Workers to enhance legal protections, including for young girls.
- b. Continue efforts to implement and disseminate the 2009 Prevention of Trafficking in Person Act.
- c. Provide adequate funding and resources to the Coordination Office to Prevent Trafficking in Persons (COPTIP) to enhance its capacity to provide training for personnel involved in identifying and supporting trafficking victims and developing outreach programs to educate communities about trafficking risks.
- d. Increase protection for Ugandan trafficked children exploited abroad, including by training Ugandan embassy staff to identify and assist victims, and prevent transnational trafficking.
- e. Increase targeted training for law enforcement officials and other stakeholders, focusing on rural areas, children in trafficking and victim-centered approaches.
- f. Engage with local community leaders and families to raise awareness about the interconnectedness between non-attendance of school and persistence of harmful traditional practices leading to child trafficking.

⁶¹ Ibid 49