

Uganda

Government Programs and Policies to Eliminate the Worst Forms of Child Labor

The Government of Uganda has been a member of ILO-IPEC since 1998.³⁶⁸² In 1999, with funding from USDOL and USAID and technical assistance from ILO-IPEC, the Government of Uganda launched a National Program to Eliminate Child Labor, which focuses on children working in commercial agriculture, construction, street children, commercial sex and domestic workers, fishing, and cross-border smuggling/drug trafficking.³⁶⁸³ The Ministry of Gender, Labour and Social Development established a Child Labor Unit to develop policies and programs on child labor, to promote coordination and networking among key stakeholders and to monitor the implementation of programs.³⁶⁸⁴ In 2000, the Statistics Department of the Ministry of Finance, Planning and Economic Development, with funding from the USDOL and USAID and technical assistance from the ILO-IPEC's SIMPOC, conducted a national survey on child labor.³⁶⁸⁵ Uganda is also one of five countries participating in a USDOL-funded ILO-IPEC regional program to combat child labor in the commercial agricultural sector.³⁶⁸⁶

The Universal Primary Education (UPE) program was launched in 1997 to improve access to education, improve the quality of education, and ensure that education is affordable.³⁶⁸⁷ In Financial Year 2000-2001 education was the largest expenditure in the government budget, with an

³⁶⁸² ILO-IPEC, *All About IPEC: Programme Countries*, [online] [cited November 15, 2002]; available from http://www.ilo.org/public/english/standards/ipec/about/countries/t_country.htm.

³⁶⁸³ Regina Mbabzi, ILO-IPEC coordinator, interview with USDOL official, August 14, 2000. See also ILO-IPEC, *National Programme on the Elimination of Child Labor in Uganda*, project document, UGA/99/05/050, Geneva, October, 1998, revised 1999, 3.

³⁶⁸⁴ FIDA (Uganda), *Children in Domestic Service: A Survey in Kampala District*, International Federation of Women Lawyers (FIDA), Kampala, 2000, 14.

³⁶⁸⁵ The Uganda Bureau of Statistics has prepared the final report and is waiting publication. See ILO-IPEC, *National Programme on the Elimination of Child Labor in Uganda*, technical progress report, Geneva, September 2002.

³⁶⁸⁶ Among the institutions anticipated to play an active role in the project are the Federation of Uganda Employers, the National Organization of Trade Unions, the National Union of Plantation and Agricultural Workers, the World Food Program, UNICEF, Save the Children, various government ministries, and other nongovernmental and community-based organizations providing direct services to child laborers. See ILO-IPEC, *Targeting the Worst Forms of Child Labor in the Tea, Tobacco and Coffee Sectors in Uganda*, Geneva, September 2000. The other countries in the project are Ghana, South Africa, Zambia and South Africa, see U.S. Department of Labor, *ILO-IPEC*, Bureau of International Labor Affairs, [online] [cited September 25, 2002]; available from http://www.dol.gov/ILAB/programs/tech_assist/ilopec/main.htm.

³⁶⁸⁷ Ministry of Education and Sports, *The Ugandan Experience of Universal Primary Education (UPE)*, Government of Uganda, Kampala, July 1999, 10.

allocation of 26.7 percent; of this amount, 68.6 percent was allocated to primary education.³⁶⁸⁸ UPE has raised primary school enrollment from 3.1 million children in 1996 to 6.6 million children in 1999.³⁶⁸⁹ The Government of Uganda has also begun several programs to improve girls' education, such as the Girl Education Movement, which seeks to improve girls' leadership and technical skills, the Girl Child Education Strategy, which seeks to increase girl student enrollment and, in conjunction with UNICEF, a "Non-Formal Alternatives" program aimed to teach basic skills to girls ages 10 to 16 years who have never attended school.³⁶⁹⁰

Some major obstacles to the provision of quality education remain. These obstacles include the inability of teacher recruitment to keep pace with rising enrollment, low teacher salaries, poor payroll management, inefficient bureaucracy, a lack of professional development and training opportunities for teachers, sexual harassment of female teachers and a lack of incentives to attract teachers to hard-to-reach areas.³⁶⁹¹ In 1999, approximately one-fourth of all students failed the final examinations in primary school.³⁶⁹² The Government of Uganda works with international and multinational agencies to provide education to the country's children through the Alternative Basic Education for Karamoja program, which brings literacy programs into the homes of children not attending formal school, and the Complementary Opportunities for Primary Education initiative, for children ages 10 to 16 years who have never attended school or dropped out before acquiring basic literacy and numerical skills.³⁶⁹³

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 43.8 percent of children ages 10 to 14 years were working in Uganda.³⁶⁹⁴ Children sell small items on the streets, beg, wash cars, scavenge and work in the commercial sex industry.³⁶⁹⁵ Children work on commercial farms, including tea, coffee, and

³⁶⁸⁸ U.S. Department of State, *Country Reports on Human Rights Practices- 2001: Uganda*, Washington, D.C., March 4, 2002, 727-30, Section 5 [cited September 23, 2002]; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/af/8409.htm>. See also Ministry of Education and Sports, *Seventh Education Sector Review: Aide memoire*, [online] April 2002 [cited September 3, 2002]; available from <http://www.education.go.ug>. The "outturn" — the amount actually spent — was 24.9 percent on education overall, of which 67.4 percent was spent on primary education.

³⁶⁸⁹ Fred Kirungi, "Uganda Tackling School Bottlenecks," *Africa Recovery*, July 2000, Vol. 14, no. 2 [cited August 26, 2002]; available from <http://www.un.org/ecosocdev/geninfo/afrec/subjindx/142educ4.htm>.

³⁶⁹⁰ U.S. Embassy- Kampala, *unclassified telegram no. 2989*, September 18, 2001.

³⁶⁹¹ International Monetary Fund and the International Development Association, *Uganda: Poverty Reduction Strategy Paper*, progress report, March 9, 2001. See also Ministry of Education and Sports, *Seventh Education Sector Review*, para. 40.

³⁶⁹² International Monetary Fund and the International Development Association, *Uganda: Poverty Reduction Strategy Paper*, progress report.

³⁶⁹³ See UNESCO, *Education for All 2000 Assessments: Country Reports- Uganda*, prepared by Ministry of Education and Sports, pursuant to UN General Assembly Resolution 52/84, [cited December 19, 2002]; available from <http://www2.unesco.org/wef/countryreports/uganda/contents.html>.

³⁶⁹⁴ World Bank, *World Development Indicators 2002* [CD-ROM], Washington, D.C., 2002.

³⁶⁹⁵ Sophie Kyagulanyi, legal assistant for the Foundation for Human Rights Initiative, electronic communication to USDOL official, September 29, 2000. See also U.S. Department of State, *Country Reports- 2001: Uganda*, 730-34, Section 6d.

tobacco.³⁶⁹⁶ The Government of Uganda reports that some of the worst forms of child labor in the country include heavy domestic work, commercial sex and sexual slavery, the smuggling of merchandise across borders, the use of children as soldiers, and work performed by children living on the streets.³⁶⁹⁷

Dissident military groups have also forced children into military service. Two antigovernment rebel groups, The Lord's Resistance Army (LRA) and the Allied Democratic Forces, have reportedly abducted approximately 10,000 children in northern Uganda and southern Sudan for use as soldiers, porters and sex slaves.³⁶⁹⁸ An estimated 4,000 children abducted by the LRA continue to be held in southern Sudan.³⁶⁹⁹

The Constitution states that a child is entitled to basic education, which is the responsibility of the state and the child's parents.³⁷⁰⁰ However, education is neither free nor compulsory;³⁷⁰¹ the Government of Uganda pays the school fees for four children per family and provides free textbooks.³⁷⁰² In 1998, the gross primary enrollment rate was 154.1 percent; in 1997, the net primary enrollment rate was 87.3 percent.³⁷⁰³ An estimated 94 percent of children reached grade

³⁶⁹⁶ Kyagulanyi, electronic communication, September 29, 2002. According to a survey conducted by the Federation of Uganda Employers, of 115 enterprises involved in tea, coffee, sugar, rice and tobacco production, children perform a variety of tasks, including harvesting tea and tobacco (25 percent), picking coffee beans (23 percent), weeding (14 percent), slashing (9 percent), spraying (9 percent), and sorting tobacco (5 percent). Federation of Uganda Employers (FUE), *The Employers' Effort in Eliminating Child Labour Within the Formal Agricultural Sector in Uganda: A Study Conducted by FUE*, April 1999, 22.

³⁶⁹⁷ Republic of Uganda, "Uganda's Report and Position on Child Labour" (paper presented at the OUA/ILO African Regional Tripartite Conference on Child Labour, Kampala, January 1998), 6.

³⁶⁹⁸ African Church Information Service, *Uganda; Release All Child Soldiers, UN Agency Tells Rebel Group*, Africa News, [online] March 18, 2002 [cited December 19, 2002]; available from <http://www.globalmarch.org/clns/daily-news/march-2002/march-18-2002.htm>. See also Tom Barton, Alfred Mutiti, and the Assessment Team, *Northern Uganda Psycho-Social Needs Assessment*, Marianum Press, Kisubi, 1998, vii -viii. The Lord's Resistance Army in the north and the Allied Democratic Forces in the southwest are reported to abduct children. There are reports that the Government of Uganda recruited children to work as soldiers during the 1980s, but there have been no reports of such activity since 2000. See Coalition to Stop the Use of Child Soldiers, "Uganda," in *Global Report 2001*, [cited January 30, 2003]; available from <http://www.child-soldier.org/report2001/countries/uganda/html>. See also Barton, Mutiti, and Team, *Northern Uganda Psycho-Social Needs Assessment*, vii-viii. See also U.S. Department of State, *Trafficking in Persons Report- 2001: Uganda*, Washington, D.C., July 2001, 104 [cited December 19, 2002]; available from <http://www.state.gov/g/tip/rls/tiprpt/2001/3928.htm>. The number of abductions dropped in 2001. No abductions were reported in the first three months of 2002. See African Church Information Service, *Uganda; Release All Child Soldiers*.

³⁶⁹⁹ U.S. Department of State, *Country Reports- 2001: Uganda*, 730-34, Section 6f. According to UNICEF, a total of 5,555 abducted children were missing as of March 18, 2002. African Church Information Service, *Uganda; Release All Child Soldiers*.

³⁷⁰⁰ *Constitution of the Republic of Uganda*, Article 34 (2) [cited August 14, 2001]; available from <http://www.government.go.ug/constitution/chapt4.htm>.

³⁷⁰¹ U.S. Embassy- Kampala, *unclassified telegram no. 2989*.

³⁷⁰² Ministry of Education and Sports, *The Ugandan Experience of UPE*, 10.

³⁷⁰³ World Bank, *World Development Indicators 2002*.

five.³⁷⁰⁴ Primary school attendance rates are unavailable for Uganda. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.³⁷⁰⁵

Child Labor Laws and Enforcement

The Constitution of Uganda states that children under 16 years have the right to be protected from social and economic exploitation and should not be employed in hazardous work or work that would otherwise endanger their health, physical, mental, spiritual, moral, or social development or that would interfere with their education.³⁷⁰⁶ The Employment Decree of 1975, Section 50, sets the minimum age for employment at 12 years, except for light work as proscribed by the Minister of Labor by statutory order.³⁷⁰⁷ Children's Statute No. 6 of 1996 also prohibits the employment of children under 18 in work that may be harmful to their health, education, or mental, physical, or moral development.³⁷⁰⁸

Article 125 of the Penal Code prohibits individuals from soliciting females for prostitution; violation of this code is punishable by up to 7 years of imprisonment.³⁷⁰⁹ Owning or occupying a premise where a girl under age 18 is sexually exploited is a felony, and offenders are subject to 5 years of imprisonment.³⁷¹⁰ Under Article 123 of the Penal Code, rape of a girl under the age of 18 is an offense punishable by imprisonment for up to 18 years with or without corporal punishment.³⁷¹¹

The Armed Forces (Conditions of Service) Regulations set the minimum age for military service at 18 years, although children age 13 and older may enroll with the permission of a parent or guardian.³⁷¹² The Ministry of Gender, Labor and Social Development is the primary institution responsible for investigating and addressing complaints related to child labor.³⁷¹³ The Government of Uganda has not ratified ILO Convention 138, but did ratify ILO Convention 182 on June 21, 2001.³⁷¹⁴

³⁷⁰⁴ Ibid.

³⁷⁰⁵ For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

³⁷⁰⁶ *Constitution of the Republic of Uganda*, Articles 34 (4) (5).

³⁷⁰⁷ Republic of Uganda, "Uganda's Report and Position on Child Labour", 25.

³⁷⁰⁸ Ibid.

³⁷⁰⁹ Government of Uganda, Penal Code of Uganda, Article 125, as cited in Protection Project, *Country Report: Uganda*, [database online] January 2001 [cited October 10, 2002]; available from <http://209.190.246.239/protectionproject/statutesPDF/UgandaF.pdf>.

³⁷¹⁰ Ibid.

³⁷¹¹ Deborah Serwada, "Defilement" (paper presented at the Report of the Policy Maker's Seminar on Child Abuse, Uganda, June 7, 2000), 6.

³⁷¹² Coalition to Stop the Use of Child Soldiers, "Uganda."

³⁷¹³ U.S. Embassy- Kampala, *unclassified telegram no. 2989*.

³⁷¹⁴ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited November 14, 2002]; available from <http://ilolex.ilo.ch:1567/english/newratframeE.htm>.