



## INTRODUCTION

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### a) **About the Submitting Organisation**

1. Uganda Child Rights NGO Network (UCRNN) is a coalition of 200 child focused organizations including community based, national, and international organizations working for the welfare and rights of children in Uganda. UCRNN envisions a society where children's rights are realized and exists to promote a coordinated action for the promotion and protection of children's rights in Uganda. [www.ucrnn.net](http://www.ucrnn.net)

### b) **Methodology**

2. This report is a result of a collaborative engagement amongst civil society actors working on children's rights in Uganda. The child rights cluster comprehensively reviewed government policies, strategies, plans, reports and studies conducted on the status of children in Uganda, taking into consideration the progress made towards the realization of children's rights in light of the recommendations accepted by the government of Uganda during second cycle of UPR. The network members provided information and later a validation meeting was held virtually where members agreed and endorsed the preliminary findings.

### c) **Executive Summary**

3. Uganda has participated in two Universal Periodic Reviews; in 2011 and 2016 and received recommendations from UN Member states relating to a cross section of human rights issues, including children's rights. Uganda committed to undertake specific measures in response to the recommendations to ensure the protection and promotion of human rights in Uganda. This submission elaborates progress made by the Government of Uganda over the last four and half years on specific children rights related recommendations emanating from the second cycle of the UPR in 2016, and identifies the gaps and challenges that need to be addressed. It further highlights the emerging concerns, proposes recommendations aimed at improvement.

## **SECTION A: SUBMISSION ON STATUS OF IMPLEMENTATION OF ACCEPTED RECOMMENDATIONS IN RELATION TO THE RIGHTS OF CHILDREN**

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### **A.1 Recommendation: 116.4 Ratify the Convention on Protection of Children and Cooperation in respect of Inter-country Adoption (Madagascar);**

4. Uganda did not ratify the Convention on Protection of Children and Cooperation in respect of Inter country Adoption.

#### **Emerging concerns**

5. And whereas the Government during this period adopted the Children (Amendment) Act 2016 which carries provisions on Inter country adoption; these provisions remain inadequate to offer the required protection and safeguards.
6. Furthermore, while Section 32 of the Refugee Act provides that every refugee child is entitled to the rights and freedoms provided for in the Children Act, section 27(5) of the Refugee Act empowers Commissioner for Refugees to recommend for adoption a child who arrives in Uganda unaccompanied and who wishes to remain as a refugee without considering other forms of temporary care recognized by the Children Act. This is not in harmony with Article 23.3 of the African Charter<sup>i</sup>

#### **Recommendations:**

7. Expedite the process of ratification of the Hague Convention on Inter country Adoption.
8. Amend the Refugee Act to recognize other forms of temporary care as provided under the Children Act.

### **A.2 Recommendation: 115.36 Accelerate the establishment and functioning of the National Children's Authority to prevent and combat violence, exploitation and other degrading practices (Spain);**

9. The government of Uganda in 2016 established the National Children's Authority as an autonomous body pursuant to the Children (Amendment) Act 2016.
10. The Authority, however, has no board and is faced with under staffing and funding which inhibits the Authority's ability to effectively carry out its mandate.

#### **Recommendation:**

11. Fully operationalize the National Children's Authority with a board and Increase funding to guarantee its effectiveness.

### **A. 3 Recommendation on the Rights related to name, identity, nationality**

12. Recommendations were made in relation to the rights related to name, identity and nationality including the following;
  - a) 115.99 Exert further efforts to ensure that all children born in the national territory are registered (Sudan);

- b) 115.100 Adopt measures to reduce the number of children without birth registration (Angola);
13. Overall, there has been slow progress in implementing these recommendations by the government of Uganda for the past four and half year. The 2017 Constitutional Amendments did not address these recommendations to foster further legislative reforms
14. Birth registration slightly increased during this period. Government adopted measures to enhance birth registration utilizing electronic and mobile registration at various registration points in order to ease, de-concentrate and intensify registration of children. Registration of children under five years rose from 30% in 2011<sup>ii</sup> to 60% in 2017<sup>iii</sup>. Mothers are registering at the point of delivery in hospitals or when they take children for immunization. Births of children in hospitals are registered and birth notifications issued immediately. Private hospitals are increasingly filing returns on births and deaths<sup>iv</sup>. However, challenges are evidenced with obtaining birth certificates.

### **Substantive concern**

15. The 1995 Constitution of Uganda does not recognize the right of children born in Uganda to Ugandan citizenship if they would otherwise be stateless, which is incompatible with Article 6(4) of the African Charter. In addition, Uganda does not provide for safeguards against childhood statelessness and the Citizenship and Immigration Control Act, places children at increased risk as naturalized citizens cannot confer nationality on their children.
16. There is also express exclusion of refugees from the provisions of the Registration of Persons Act<sup>v</sup> on acquisition of nationality by registration. The UNCRC<sup>vi</sup>, the African Charter<sup>vii</sup>, the International Covenant on Civil and Political Rights and numerous other human rights treaties prohibit discrimination on grounds of “other status.”<sup>viii</sup> Refugee status is clearly an example of “other status.”
17. The government of Uganda has not implemented the commitments made at the Ministerial Conference on the Eradication of Statelessness in the Great Lakes Region which included completion of a legal study on statelessness and citizenship in order to better understand and address the factors leaving certain populations stateless or at risk of statelessness and to support comprehensive legal and constitutional reform by 2021<sup>ix</sup>; ensure that by 2024 safeguards are introduced and implemented in its nationality law, to grant nationality to children born on the territory who would otherwise be stateless and to prevent denial of attribution of nationality at birth on discriminatory grounds.
18. Uganda continues to face challenges in registering births and providing certificates to the entirety of its populations including the large numbers of refugee and asylum seekers communities as Uganda continues to be the epicenter of forced displacement in the Great Lakes Region<sup>x</sup>. There is less coordination between stakeholders, such as NIRA, the Directorate of Immigration and Citizenship Control, the Ministry of Health, Local Government and health facilities to ensure that vulnerable populations and communities at risk of statelessness are particularly targeted during awareness-campaigns about birth registration. This is coupled with prohibitive costs and distances that hinder registration.

19. Commendably, Uganda has been a state party to the 1954 Convention relating to the Status of Stateless Persons since 1965.<sup>xi</sup> Commitments have been made to ratify the 1961 Convention,<sup>xii</sup> in line with the Brazzaville Declaration<sup>xiii</sup> (Points 2/3) and the accompanying Action Plan (1.1.3. /1.1.4).<sup>xiv</sup> During a Ministerial Conference on the Eradication of Statelessness in the Great Lakes Region, the Ugandan government pledged to accede to the 1961 Convention on the Reduction of Statelessness noting that the state has the option to deposit its instruments of accession at a special treaty event at the High-Level Segment in October 2019<sup>66</sup>. Government, however, did not deposit its instrument.

## **Recommendations**

20. The Registration of Persons Act, Refugee Act or Children Act should be amended to recognize the obligation of authorities to register the birth, in Uganda, of children of refugees and asylum seekers. In particular, sections 1(2) (b), 14(2) (b) and 25(e) of the Registration of Persons Act should be amended to eliminate the provisions that discriminate against refugees.
21. The Constitution should be amended to recognize the right of children born in Uganda to Ugandan citizenship, if they would otherwise be stateless.
22. Accede to the UN Statelessness Convention on the Reduction of Statelessness
23. Implement all the commitments made at the Ministerial Conference on the Eradication of Statelessness in the Great Lakes Region

## **A.4 Recommendation on Right to education – General**

24. The government accepted recommendations in relation to the right to education including the following;
  - a) 115.126 Continue increasing the enrolment rate of children in primary schools and achieve equal gender opportunities, particularly in setting up policies that strengthen the rights of girls in education and provide education to all those who have been deprived (vulnerable groups), and improve the quality of the public education system (Libya);
  - b) 115.128 Take further measures to improve children’s enrolment, access, quality and sustainability of education, especially for girls (Ukraine);
  - c) 115.124 Improve fair access to and the quality and sustainability of primary education (Djibouti);
  - d) 115.125 Improve access to education, in particular in marginalized areas (Algeria)

## **Status of Implementation**

25. We commend the efforts undertaken by the government of Uganda to implement these recommendations.
26. Government developed and passed the National Guidelines for Prevention of Teenage Pregnancy and Re-entry of Child Mothers in School Settings (2020) as well as the Gender in Education Strategic Plan (2015-2020) to enable the increase in the enrolment rate of children in primary schools and achieve equal gender opportunities, particularly

in setting up policies that strengthen the rights of girls in education and provide education to vulnerable groups, and improve the quality of the public education system.

27. The provision of primary and secondary school education at the parish and subcounty level through Universal Primary and Secondary Education (UPE & USE) Programs has improved access to education but this improvement does not necessarily translate into equitable access to education. Some parishes and sub-counties are either too big or densely populated to be equitably served by one primary or secondary school<sup>xv</sup>. This ultimately affects the net enrollment rate

### **Substantive concerns**

28. The low funding of the education sector has affected quality of education in the county. The percentage share for education in the national budget continued to reduce during this period. In FY2016/17 the sector budget reduced from 15.6% in 2012/13 to 11.08%. In FY2019/20, the education sector share of the national budget was 10.4%, representing 0.68%, reduction from the 11.08% of the FY2018/19 approved budget, the sector expenditure as a percentage of the Gross Domestic Product decreased from 2.78% to 2.69%<sup>xvi</sup>. This is 3.31% below the internationally recommended 6%.<sup>xvii</sup> As a result of the failure to increase funding to education, schools implementing UPE and USE programs are operating with limited funds. This has made education unaffordable for children from poor and marginalized backgrounds. 67.6% of boys and 64.6% of girls who leave school attribute it to education being expensive and unaffordable and lack of funding to keep them in school.<sup>xviii</sup> The UPE and USE schools are operating with a lot of human resource and infrastructural constraints such as classrooms, teacher staff quarters, laboratories, and sanitation facilities. This has led to a high pupil classroom ratio currently standing at 71:1.<sup>xix</sup>
29. Key rights, principles and obligations recognized by the UNCRC, ACRWC are not recognized by current legislation<sup>xx</sup>. Even though primary education is compulsory and the legislation has some provisions about out-of-school children, it does not provide specifically for the prevention of school-leaving<sup>xxi</sup>.
30. The declining quality of education in public schools remains a major concern. Studies reveal that less than 50% of Primary 6 and Primary 7 children can grasp concepts that are taught at Primary 3 level<sup>xxii</sup>.
31. The growing weaknesses in the public education system delivery have opened space to the private sector to thrive in the delivery of education. Currently, at the primary level, about 39% of the schools are privately owned with about 21% enrollment rate of the learners<sup>xxiii</sup>. The private schools' share of primary education enrolment has been growing at an average of 1% per annum over the last years<sup>xxiv</sup>. At the secondary level, over 66% of the schools are privately owned and these have been enrolling on average 51% of students.<sup>xxv</sup> However, this growing number of private schools has not been matched with an effective and adequate regulatory framework and as a result, the number of private schools has gone beyond the capacity of the education sector to effectively regulate and monitor their operations.

32. In Uganda, despite existing legalization<sup>xxvi</sup> prohibiting corporal punishment, it is still used by many parents and teachers as the primary form of discipline, resulting into high prevalence of physical violence suffered by children at home and in the community. Evidence indicates that 29.3% of girls and 40.8% of boys experience physical violence by an adult in the community most often by a teacher while at school<sup>xxvii</sup>. In addition, classmates are the most frequent perpetrators of sexual abuse (26.6%) often against girls and teacher to student sexual violence is on the increase<sup>xxviii</sup>. All these have continued to make the school environment hostile for children leading to drop outs.

### **Recommendations:**

33. The government should immediately prioritize and increase financial investment in the public education sector by allocating 20% of the budget to education.
34. The Education Act should be amended to include a section requiring schools to accommodate pregnant students and support them in completing primary and or secondary education to bring the Act in line with Article 11.6 of the African Children Charter.
35. The government should take all necessary measures to regulate the private education sector by monitoring their compliance with education standards and where necessary review and amend its laws and policies governing private education providers. The government must strengthen public schools.
36. Uganda should undertake capacity strengthening of teachers on positive discipline to replace the use of corporal punishment by teachers and other school authorities.

### **A.5 Recommendation: 115.20 Take the measures necessary for the amendment of the law on children in accordance with the Convention on the Rights of Persons with Disabilities (Togo)**

37. The Government is commended for amending the Children Act Cap 59 as amended (2016) that underscores the standards of regional and international conventions like the ACRWC, UNCRC and its Optional Protocols. It incorporates provisions on children with special needs.
38. It is also worth noting that government adopted the National Disability Inclusive Planning Guidelines for Uganda in 2017 that seek to address issues of disability in the country. Uganda officially recognized local sign language to enable children with disability overcome communication barriers.
39. However, in 2017, the Uganda Human Rights Commission found that one requirement of the Convention on Rights of Persons with Disabilities was not met by the current legislation in force and that is providing information, services and support to the families of children with disabilities, so as to prevent the concealment, abandonment, neglect or segregation of such children.

## Recommendations:

40. Amend the Persons with Disabilities Act to criminalize the concealment, abandonment, neglect or segregation of children with disabilities.

## A.6 Recommendation relating to Children: family environment and alternative care

41. The government of Uganda received and accepted three recommendations in relation to the children: family environment and alternative care including the following;
  - a) 115.71 Strengthen the fight against violence against children and the care of abandoned children (Algeria);
  - b) 115.14 Enact legislation prohibiting violence against children in all settings (Zambia);
  - c) 115.80 Continue to develop strategies to protect children, including measures to ensure that children living on the street and in foster care institutions have the right to live in a family and have access to health and education (Chile);

## Status of implementation

42. The government of Uganda is commended for developing and rolling out the Remand Homes Management Information System and the Children's Home Management Information System (Children First Software) to identify and manage a plan to actively achieve the best family-based outcome for the registered child; and monitoring activities and welfare of children in the Remand Homes in Uganda respectively.
43. In 2019, the Ugandan cabinet and parliament approved approximately \$1.5 million in funding as part of a strategic action plan that aims to expand efforts to remove street children working in Kampala and provide services<sup>xxix</sup>. However, only \$500,000 was released making it hard to meet the set target and this was a one off.

## Substantive concerns

44. **Leadership and governance:** Although the Government of Uganda is commended for the adoption and enactment of several policies and legislation related to alternative care for children across all care areas, comprehensive provisions to support specific service areas are not always referenced. Examples of these service areas include specialized services for children with disabilities and specialized preparation, support, and counseling services for careers and children before and after placement in foster care, adoption, or family reintegration.
45. **Service delivery:** The formal care system in Uganda is based on a residential care approach, primarily run by non-state actors<sup>xxx</sup>. Many Residential Care Facilities (RCFs) operate without being registered and enforcement mechanisms are weak because of limited resources and capacity to conduct and follow up on assessments and inspections. Standards of practice promote quality services for residential care, family reintegration



and reunification, and some prevention services. However, these standards are not comprehensive nor are they used regularly to guide service delivery by state or non-state actors. Monitoring mechanisms are limited that would ensure the delivery of high-quality services.

46. **Workforce:** With the exception of Probation and Social Welfare Officers (PSWOs), the qualification and profiles of relevant staff involved in provision of alternative care services are not clearly defined across all areas of care. Training mechanisms to build the capacity and skills of relevant professionals involved in provision and monitoring of alternative care services are limited and are not institutionalized.
47. **Financing:** Funding remains a critical issue for alternative care for children in Uganda. As noted, government has not prioritized funding for alternative care and there are no specific budget lines related to alternative care at the central or district government level<sup>xxxii</sup>. Development partners and non-government actors remain the major sources of funding for alternative care initiatives in the country thereby limiting the sustainability of alternative care in the country.

## **Recommendations:**

48. Revise the National Framework for Alternative Care to ensure it is consistent with the UN Guidelines on Alternative Care, and strengthen the capacity of the national Alternative Care Implementation Unit (ACIU) to better lead, plan, implement, and monitor alternative care for children in Uganda.
49. Develop minimum quality standards for all alternative care for children services, ensuring better monitoring of service providers and scaling up the provision of family strengthening and support services to at-risk families.
50. Set clear qualifications and job profiles for all relevant cadres to ensure all areas of alternative care are addressed.
51. Develop and implement institutionalized in-service training mechanisms for relevant professionals involved in providing alternative care services.
52. Conduct a cost estimation exercise for all areas of alternative care, allocate funding for alternative care, and improve mechanisms to track the financial contributions made by private and development partners.

## **A.7: Recommendation relating Children: protection against exploitation**

53. Recommendations were made and accepted in relation to children's protection against exploitation including the following;
  - a) 115.78 Strengthen programmes and plans to eradicate effectively child labour in the short term (Chile); **Source of position:** A/HRC/34/10 - Para. 115;



- b) 115.79 Strengthen efforts to ensure eradication of child labour by introducing penalties for violating the provisions on employing children and young persons (Maldives);  
**Source of position:** A/HRC/34/10 - Para. 115

### **Status of implementation:**

54. The government of Uganda has taken commendable steps including policy<sup>xxxii</sup> and legal reforms<sup>xxxiii</sup>, developed and implemented plans and programmes aimed at addressing child labour.
55. It is worth noting that Uganda became a Path finding country in September 2016, making a formal, public commitment to ending all forms of violence against children. Subsequently in 2019, the government through the Ministry of Gender, Labour and Social Development constituted a National Institutional Framework for Alliance in Uganda.
56. The government adopted a new National Action Plan for the Elimination of Child Labor 2020/2021- 2024/2025, National Action Plan for the Prevention of Trafficking in Persons in Uganda 2019-2024. The National Action Plan for Child Wellbeing (2016-2021) links to the five sustainable development goals of survival, development, protection, participation and implementation. In addition, the government approved funding to increase services to street children working in Kampala.
57. In the past four and half years, government has implemented programs funded by development agencies<sup>xxxiv</sup>

### **Substantive Concerns:**

58. Uganda is a signatory to ILO Convention 81 that requires labor inspection to be placed under the supervision and control of a central authority<sup>xxxv</sup>. However, coordination among the various agencies responsible for child labor law enforcement remains a challenge because Labor officers are under district government authority, rather than the Ministry of Gender Labour and Social Development<sup>xxxvi</sup><sup>xxxvii</sup>. The lack of a centralized supervisory authority over the Labour officers has affected the effective resourcing, systemic capacity building and supervision for the labour officers to do their work.
59. Inadequate staffing and budget allocation to district Labour officers. Although the Employment Act 2006, requires each district to appoint a substantive Labour officer, currently there are only 77 substantively appointed district labour officers out of 137 districts<sup>xxxviii</sup>. More all over, even the appointed labour officers do not have the capacity to effectively and efficiently exercise their mandate given that there are no specified qualifications for one to be appointed a labour officer despite the fact that the labour officers are also quasi judicial officers<sup>xxxix</sup>. They are under equipped with no or meager budget allocations at the local government levels to facilitate their work<sup>xl</sup> thereby resulting into weak enforcement of the laws.
60. The Covid-19 pandemic hit us at a time when Uganda had more than 2,048,000 children aged between five years and 17 years engaged in child labour<sup>xli</sup>. In light of this, the

Covid-19 pandemic and its immense impact on health, temporary school closures, rise in adult unemployment and loss of livelihoods has exacerbated child labour numbers<sup>xlii</sup> in Uganda and stolen the promise for a better future for Ugandan children. Education remains one of the most effective ways to combat child labour, but in the current situation, several children could be at risk of child labour in various sectors like agriculture where several activities like harvesting and planting are ongoing. The risk is further compounded by the limited access to virtual learning facilities and enabling home learning environments across the country.

### **Recommendations:**

61. Increase the number of labour officers per district and deliberately allocate resources to facilitate their mandate.
62. Develop clear qualifications for one to be appointed as a labour officer
63. Consider establishing a centralized supervisory authority over the labour officers.

### **A.8 Recommendations relating to Children: Juvenile justice**

64. Government received three recommendations in relation to Juvenile Justice including;
  - a) 115.84 Prioritize implementation of the Child Justice Strategy and the National Diversion Guidelines for children in the criminal justice system (South Africa);
  - b) 116.17 Strengthen the juvenile justice system, in particular by ensuring the designation of specialized courts and judges, which would apply procedures that take into account the specific needs of children (Belgium);
  - c) 115.85 Separate juveniles from adults in detention and rehabilitation centres (Zambia);

### **Status of Implementation:**

65. The government of Uganda took active steps in the implementation of these recommendations.
66. The government of Uganda adopted the Children (Amendment) Act 2016 which provides for children access to justice through the criminal and civil justice systems, whether as witnesses, victims or in conflict with the law.
67. The government of Uganda approved and rolled out the Children Diversion Guidelines for Police Officers, 2019<sup>xliii</sup>. The Justice Law and Order Sector (JLOS) during this period put emphasis on the use of non-custodial sentences and diversion of criminal cases involving child offenders. For instance, in 2019 a total of 6,332 divertible cases were received, of which 4,824 were diverted hence a national diversion rate of 76.2%<sup>xliv</sup> as compared to the 73.5% rate registered in 2017/18.
68. For the past four and half years, the government is commended for the increased proportion of JLOS service points offering child friendly services from 52% in 2016 to 72% in 2019<sup>xlv</sup>. For instance, a Children's room has been designated and was officially launched at the Office of the Directorate of Public Prosecutions ODPP headquarters.

### **Substantive concerns:**

69. **Absence of Juvenile cells at Police stations;** while the government has taken measures to ensure that juveniles in custodial sentencing are separated from adults, there are still challenges. Children in conflict with the law continue to be detained in the same police cells with adults due to lack of juvenile cells at police stations.
70. **Rehabilitation centers and remand homes are insufficient:** Uganda has one rehabilitation center at Kampiringisa and seven regional remand homes (Naguru, Fort Portal, Arua, Gulu, Mbale, Kabale and Masindi). Each remand home serves more than four districts with different courts of law within their territorial jurisdiction. This defies juveniles' right to be detained by Court in a remand home that is within the Court's jurisdiction. Masindi regional remand home, for example, caters for Courts in Masindi, Kiryandongo, Hoima, Bullisa, Buseruka, Kyangwali, Biiso, and Kagadi among others. Most of these courts are very far from the remand home, and these distances affect juvenile justice. It has been noted that the remand homes are poorly facilitated and overcrowded, children are subjected to corporal punishment, and that the care takers may not ably take care of their emotional needs thereby defying the primary objective of being in a remand home, namely rehabilitation<sup>xlvi</sup>.
71. **Underfunding and limited rehabilitation services.** The Kampiringisa National Rehabilitation Centre, where many children in contact with the law are committed to, is under resourced and has limited provisions for counseling and reintegration of children back to their communities<sup>xlvii</sup>. In addition, Refugee children in contact with the law face additional challenges, including lack of translation services or fear of discrimination in the justice system.

### **Recommendations:**

72. Government should develop a long-term financing strategy of setting up regional based rehabilitation centers
73. Review and Amend the Police Act to provide for mandatory designation of juvenile cells at police stations.

## **SECTION B: OTHER GENERAL IMPLEMENTATION ISSUES**

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### **B.1: Absence of implementation framework for the Children Act as Amended 2016**

74. While the government amended and adopted the Children Act 2016 which is a progressive legislation, to date, government has not developed regulations and implementation guidelines to assist and guide the implementing and enforcing agencies in the actualization of the provision of the Act. This absence of these implementation frameworks hinders the attainment of the aspirations of the Act.

#### **Recommendation:**

75. Develop and adopt regulations and guidelines for Children (Amendment) Act 2016

### **B.2: Child Trafficking**

76. Uganda remained a source, transit and destination country for children trafficked for various exploitive purposes, including labour and sexual exploitation<sup>xlviii</sup>. Internal child trafficking is estimated to be the most significant form of trafficking in the country; typically characterized by trafficking of children, especially girls, from poor rural areas to urban areas<sup>xlix</sup>. In 2017<sup>i</sup>, all the registered internal trafficking in persons reports involved children, in 2018<sup>ii</sup>, 79.3% cases of internal trafficking in person involved children, while in 2020 children still were the majority at 76% of internal trafficking in person<sup>lii</sup>.

## Substantive concerns

77. While the Government of Uganda is commended for the steps taken during this period<sup>liii</sup>, protection of victims as principle witnesses remain lacking. The Witness Protection Bill has since remained in parliament since 2015.
78. There are no government owned protection centers for child victims of trafficking in persons. All the existing protection centers are owned and operated by nongovernmental organizations. The government's indirect delegation of this responsibility questions the sustainability of the protection services which the Prevention of Trafficking in Persons Act clearly stipulates.
79. There is severe underfunding and understaffing of the Coordination Office for Prevention of Trafficking in Persons (COPTIP) which inhibits efforts to coordinate and combat trafficking nationally<sup>liv</sup>;
80. Limited budget allocation to the newly created Anti-Trafficking in Persons Department of the Uganda Police Force which inhibits expeditious comprehensive investigations of the registered cases of TIP. As a result, systematic procedures and efforts required for referral, assistance and protection of victims as well as prevention of the crime continue to be lacking.

## Recommendations:

81. Ratify and fully domesticate the Palermo Protocol to afford more localized protection mechanisms for victims of TIP.
82. Increase funding and staffing for the Coordination Office on trafficking in Person and the newly created Anti-Trafficking in Persons Department of the Uganda Police Force to effectively manage the crime.
83. Establish government owned and financed protective services for victims including temporary shelters.
84. Expedite the process of passing the Witness Protection Bill

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<sup>i</sup>, which provides that: "where no parents, legal guardians or close relatives can be found, the child [refugee or asylum seeker] shall be accorded the same protection as any other child permanently or temporarily deprived of his family environment for any reason."

<sup>ii</sup> Uganda Demographic Household Survey report 2011

<sup>iii</sup> Uganda Demographic Household Survey 2016/2017

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iv <https://www.unicef.org/uganda/stories/recording-births-ugandas-remote-villages>

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vi Convention on the Rights of the Child (CRC)

vii African Charter on the Rights and Welfare of the Child

viii Article 2.1, 3 and 2.1, respectively.

ix UNHCR (2019) Outcome document of the Ministerial Conference on the Eradication of Statelessness in the Great Lakes Region, available at <https://data2.unhcr.org/en/documents/details/69687>

x TIGRANNA ZAKARYAN: REPORT ON CITIZENSHIP LAW:UGANDA May 2019, available at [https://cadmus.eui.eu/bitstream/handle/1814/62485/RSCAS\\_GLOBALCIT\\_CR\\_2019\\_05.pdf?sequence=1&isAllowed=y](https://cadmus.eui.eu/bitstream/handle/1814/62485/RSCAS_GLOBALCIT_CR_2019_05.pdf?sequence=1&isAllowed=y) Accessed on 8th July 2021

xi UN General Assembly, *Convention Relating to the Status of Stateless Persons*, 28 September 1954, United Nations, Treaty Series, vol. 360, p. 117, available at: <https://www.refworld.org/docid/3ae6b3840.html>

xii UN General Assembly, Convention on the Reduction of Statelessness, 30 August 1961, United Nations, Treaty Series, vol. 989, p. 175, available at [https://www.unhcr.org/ibelong/wp-content/uploads/1961-Convention-on-the-reduction-of-Statelessness\\_ENG.pdf](https://www.unhcr.org/ibelong/wp-content/uploads/1961-Convention-on-the-reduction-of-Statelessness_ENG.pdf)

xiii UN General Assembly, Convention on the Reduction of Statelessness, 30 August 1961, United Nations, Treaty Series, vol. 989, p. 175, available at [https://www.unhcr.org/ibelong/wp-content/uploads/1961-Convention-on-the-reduction-of-Statelessness\\_ENG.pdf](https://www.unhcr.org/ibelong/wp-content/uploads/1961-Convention-on-the-reduction-of-Statelessness_ENG.pdf)

xiv Regional Treaties, Agreements, Declarations and Related, *Action Plan of the International Conference on the Great Lakes Region (ICGLR) On the Eradication of Statelessness 2017-2019*, October 2017, available at <https://data2.unhcr.org/en/documents/details/62888>

xv Initiative for Social and Economic Rights (ISER) 2019, “Status of Implementation of SDG 4 on Education: Is Uganda on Track?” p. 38 & 75. Available at [https://www.iser-uganda.org/images/downloads/Status\\_of\\_Implementation\\_of\\_SDG\\_4\\_on\\_Education\\_Is\\_Uganda\\_on\\_Track](https://www.iser-uganda.org/images/downloads/Status_of_Implementation_of_SDG_4_on_Education_Is_Uganda_on_Track)

xvi Ibid

xvii Ibid

xviii The National Household Survey 2016/17

xix Ministry of Education and Sports

xx The Education (Pre-primary, Primary and Post-Primary) Act of 2008; The Business, Technical, Vocational Education and Training (BTVET) Act 200

xxi Section 10(3) (c) of the Education Act concerns the education of school-leavers

xxii Ministry of Education and Sports Ministerial Policy Statement 2017

xxiii Ministry of Education and Sports, Concept note on Formulation of a National Policy on Private Provision of Education in Uganda, 2019

xxiv Ibid

xxv Ibid

xxvi Children Act as Amended 2016

xxvii Ministry of Gender, Labour and Social Development: Uganda Violence Against Children Survey August 2018

xxviii Ibid

xxix Issa, Hafitha. Cabinet Approves UGX 5.8 Billion for Removal, Rehabilitation of Street Kids. Uganda Radio Network. October 22, 2019. <https://ugandaradionetwork.net/story/cabinet-approves-ugx-5-4-billion-for-removal-rehabilitation-of-street-kids>

xxx MEASURE Evaluation team at the University of North Carolina at Chapel Hill -Assessing Alternative Care for Children in Uganda 2018

xxxi MEASURE Evaluation team at the University of North Carolina at Chapel Hill -Assessing Alternative Care for Children in Uganda 2018

xxxii The National Child policy 2020

xxxiii The Prevention of Trafficking in Persons Regulations Statutory Instruments supplement 2019.No. 11: Children Act as Amended 2016

xxxiv A combating Child Labour in Tobacco growing 2013-2021<sup>xxxiv</sup> funded by Eliminating Child Labor in Tobacco Growing Foundation (ECLT)- In 2019, the project had prevented and withdrawn 2,800 children from engaging in child labor and reached 3,400 households through livelihood and literacy programs<sup>xxxiv</sup>. Realizing Livelihood Improvement Through Savings and Education 2019–2021 program<sup>xxxiv</sup>

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xxxv LOCEACR.Observation81.2019.[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_I:3791190](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_I:3791190).

xxxvi U.S. Embassy- Kampala official. E-mail communication to USDOL official. March 1, 2017.

xxxvii U.S. Embassy- Kampala official. E-mail communication to USDOL official. February 1, 2018.

xxxviii Platform for Labour Acton –Cost Benefit from Compliance with the Labour and Employment standards 2018

xxxix *The Report of the Committee on Gender, Labour and Social Development on Ministerial Policy Statements and Budget Estimates for the Financial Year 2016/2017*, Parliament of Uganda, 2016 at page 18

xl Ibid

xli Uganda Bureau of Statistic: Uganda Nation Household Survey 2016/17

xliv <https://www.reuters.com/article/uganda-children-labour-idUSL8N2EE1TW>

xliii Justice Law and order Sector Annual Performance Report 2018/2019; UBOS National Governance Peace and Security survey 2017

xliiv Justice Law and order Sector Annual Performance Report 2018/2019

xlv Ibid

xlvi [https://www.refugeelawproject.org/index.php?option=com\\_content&view=article&id=220:challenges-faced-by-children-while-accessing-justice-and-enjoying-their-human-rights&catid=26&Itemid=101#\\_ftn4](https://www.refugeelawproject.org/index.php?option=com_content&view=article&id=220:challenges-faced-by-children-while-accessing-justice-and-enjoying-their-human-rights&catid=26&Itemid=101#_ftn4)

xlvii National Child Policy 2020

xlviii Ministry of Internal Affairs Uganda: Annual Reports on the Trends of Trafficking in Person 2017,2018.2019.2020

xliv Ibid

<sup>1</sup> Ministry of Internal Affairs Uganda: Annual Performance Report on Counter Trafficking in Persons Report 2017

<sup>ii</sup> Ministry of Internal Affairs Uganda: Annual Performance Report on Counter Trafficking in Persons Report 2018

<sup>iii</sup> Ministry of Internal Affairs Uganda: Annual Performance Report on Counter Trafficking in Persons Report 2020

<sup>liii</sup> Government has taken commendable actions including adoption of the Prevention of Trafficking in Persons Regulations<sup>liii</sup>, Kampala Child Protection Ordinance 2019<sup>liii</sup>, formation of the Anti-Trafficking in Persons Department of the Uganda Police Force (July 2019) with an expected 250 officers across the country working on anti-trafficking efforts<sup>liii</sup>, the continued existence of a trafficking-specific desk<sup>liii</sup> in the Office of the Director of Public Prosecution (ODPP), strategic partnerships<sup>liii</sup> for capacity building of police, the judiciary and prosecution through trainings<sup>liii</sup>, launched the second Uganda National Action Plan (NAP) 2019-2024 for the Prevention on Trafficking in Persons, and the National Referral Guidelines for Management of Victims of Trafficking to systematically provide support and protection to the victims of trafficking in persons

<sup>liv</sup> U.S Department of State Report 2020 on Trafficking in Person in Uganda