

# 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.<sup>2583</sup> In 1999, with funding from USDOL, 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.<sup>284</sup> The Ministry of Gender, Labour and Social Development (MGLSD) established a Child Labor Unit to develop policy on child labor and promote coordination and networking among the key stakeholders.<sup>2585</sup> In 2000, the Uganda Bureau of Statistics (UBOS), with funding from the USDOL and technical assistance from the ILO-IPEC's SIMPOC, conducted a national survey on child labor.<sup>2586</sup> 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.<sup>2587</sup>

The Universal Primary Education program was launched in 1997 to improve access to education, improve the quality of education, and ensure that it is affordable, particularly for children in nomadic areas.<sup>2588</sup> The Alternative Basic Education for Karamoja program brings literacy programs into the homes of children not attending formal school, and the Complementary Opportunities for Primary Education initiative is for children ages 10 to 16 years that never attended school or dropped out before acquiring basic literacy and numerical skills.<sup>2589</sup>

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<sup>2583</sup> ILO-IPEC, "Programme Countries," at [http://www.ilo.org/public/english/standards/ipec/about/countries/t\\_country.htm](http://www.ilo.org/public/english/standards/ipec/about/countries/t_country.htm).

<sup>2584</sup> 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 (Geneva, October 1998), rev. 1999 [hereinafter *Elimination of Child Labor in Uganda*], 3 [document on file].

<sup>2585</sup> *Children in Domestic Service: A Survey in Kampala District* (Kampala, Uganda: FIDA, 2000), 14.

<sup>2586</sup> The Uganda Bureau of Statistics was preparing a child labor report that was expected to be completed by the end of 2001. *See SIMPOC* (Geneva, September 1999) [document on file].

<sup>2587</sup> 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 Norway, 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) [document on file].

<sup>2588</sup> Government of Uganda, Ministry of Education and Sports, *The Ugandan Experience of Universal Primary Education (UPE)* (Kampala, July 1999) [hereinafter *The Ugandan Experience of Universal Primary Education*] at 10.

<sup>2589</sup> These are two examples of how the Government of Uganda works with international and multinational agencies to provide education to the country's children. *See* UNESCO, *The Education for All (EFA) 2000 Assessment: Country Reports—Uganda*, at <http://www2.unesco.org/wef/countryreports/uganda/contents.html>.

## Incidence and Nature of Child Labor

In 1999, the ILO estimated that 44.1 percent of children between the ages of 10 and 14 were working in Uganda.<sup>2590</sup> In urban areas, children are employed in garages and metal workshops.<sup>2591</sup> Children also sell small items on the streets, beg, wash cars, and scavenge.<sup>2592</sup> Children work on commercial farms, including tea, coffee, and tobacco.<sup>2593</sup> 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, smuggling of merchandise across borders, and involvement in military operations, and the work of children living on the streets.<sup>2594</sup> Children have reportedly been abducted by rebel groups from northern Uganda and forced into armed conflict in Uganda and the Sudan.<sup>2595</sup> They are used as human shields or hostages and are sometimes coerced into sexual activity.<sup>2596</sup>

The Constitution states that a child is entitled to basic education, which is the responsibility of the State and the child's parents.<sup>2597</sup> However, education is not compulsory.<sup>2598</sup> The Government of Uganda waives the school fees for four children per family and provides free textbooks.<sup>2599</sup>

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<sup>2590</sup> *World Development Indicators 2001* (Washington, D.C.: World Bank, 2001) [CD-ROM].

<sup>2591</sup> *Elimination of Child Labor in Uganda* at 3.

<sup>2592</sup> Sopia Kyagulanyi, legal assistant for the Foundation for Human Rights Initiative, Kampala, Uganda, electronic correspondence to USDOL official, September 29, 2000 [hereinafter Kyagulanyi correspondence].

<sup>2593</sup> Kyagulanyi correspondence. According to a survey conducted by the Federation of Uganda Employers, of 115 enterprises involved in tea, coffee, sugar, 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). See also *The Employers' Effort in Eliminating Child Labour within the Formal Agricultural Sector in Uganda: A Study Conducted by the Federation of Uganda Employers*, April 1999, 22.

<sup>2594</sup> Government of Uganda, Ministry of Labour and Social Welfare, *Uganda's Report and Position on Child Labour*, prepared for the OUA/ILO African Regional Tripartite Conference on Child Labour (Kampala, January 1998), 6.

<sup>2595</sup> Tom Barton, Alfred Mutiti, and the Assessment Team for Psycho-Social Programmes in Northern Uganda, *Northern Uganda Psycho-Social Needs Assessment* (Kisubi, Uganda: Marianum Press, 1998) [hereinafter *Northern Uganda Psycho-Social Needs Assessment*], 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 are no recent reports of such activity. See Coalition to Stop the Use of Child Soldiers, *Global Report 2001: Uganda* [hereinafter *Global Report 2001*], at <http://www.child-soldier.org/report2001/countries/uganda/html>.

<sup>2596</sup> *Northern Uganda Psycho-Social Needs Assessment* at vii-viii. See also U.S. Department of State, *Trafficking in Persons Report*, July 2001, Uganda.

<sup>2597</sup> Constitution of the Republic of Uganda, Article 34 (2) [hereinafter Constitution of the Republic of Uganda], at <http://www.government.go.ug/constitution/chapt4.htm> on 8/14/01.

<sup>2598</sup> U.S. Embassy-Luanda, unclassified telegram 2989, September 2001 [hereinafter unclassified telegram 2989].

<sup>2599</sup> *The Ugandan Experience of Universal Primary Education* at 10.

In 1995, the gross primary attendance rate was 95.8 percent, and the net primary attendance rate was 68.4 percent.<sup>2600</sup> An estimated 94 percent of children reached grade five.<sup>2601</sup> 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.<sup>2602</sup>

## Child Labor Laws and Enforcement

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.<sup>2603</sup> The decree prohibits young persons from employment in dangerous and hazardous jobs and bans children under age 16 from work at night or underground.<sup>2604</sup> The Constitution of Uganda states that children under 16 years have the right to be protected from social and economic exploitation and that they 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.<sup>2605</sup> 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.<sup>2606</sup>

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.<sup>2607</sup> 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.<sup>2608</sup> Under Article 123 of the Penal Code, rape of a girl under the age of 18 is an offense punishable by imprisonment with or without corporal punishment.<sup>2609</sup> The minimum

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<sup>2600</sup> UNESCO, *Education for All (EFA) 2000 Assessment* (Paris: 2000) [CD-ROM].

<sup>2601</sup> *Ibid.*

<sup>2602</sup> For a more detailed discussion on the relationship between education statistics and work, see *Introduction* to this report.

<sup>2603</sup> Government of Uganda, Ministry of Labour and Social Welfare, *Uganda's Report and Position on Child Labour*, prepared for the OUA/ILO African Regional Tripartite Conference on Child Labour (Kampala, January 1998) [hereinafter *Uganda's Report and Position on Child Labour*], 25.

<sup>2604</sup> *Ibid.* at 25, 26.

<sup>2605</sup> Constitution of the Republic of Uganda, Articles 34 (4) (5).

<sup>2606</sup> *Uganda's Report and Position on Child Labour* at 25.

<sup>2607</sup> Penal Code of Uganda, Article 125, as cited in the Protection Project Database, Country Report, Uganda, January 2001, at <http://www.protectionproject.org>.

<sup>2608</sup> *Ibid.*

<sup>2609</sup> Deborah Serwada, Program Director, Hope after Rape, "Defilement," paper presented at Report of the Policy-Makers' Seminar on Child Abuse, Uganda, June 7, 2000, 6.

age for military service is set at 18 years per the Armed Forces (Conditions of Service) Regulations, although children age 13 and older may enroll with the permission of a parent or guardian.<sup>2610</sup> The Ministry of Gender, Labor and Social Development is the primary institution responsible for investigating and addressing complaints related to child labor.<sup>2611</sup> Uganda has not ratified ILO Convention 138 but did ratify ILO Convention 182 on June 21, 2001.<sup>2612</sup>

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<sup>2610</sup> *Global Report 2001..*

<sup>2611</sup> Unclassified telegram 2989.

<sup>2612</sup> ILO, ILOLEX database, International Labour Standards and Human Rights Department, at <http://ilolex.ilo.ch:1567>.

*NOTE: Hard copies of all Web citations are on file.*