



Uganda Child Rights NGO Network Presentation to the
Committee on the Rights of the Child

7th June 2005



Geneva.

Key highlights on the implementation of the UNCRC



The Chairperson Committee of Experts on the Rights of the Child
Distinguished Members of the Committee
Ladies and Gentlemen:

On behalf of Uganda Child Rights NGO Network and on my own behalf, I would like to extend our heartfelt gratitude to you for availing us yet another opportunity to discuss progress on the implementation of the United Nations Convention on the Rights of the Child. UCRNN recognizes the considerable progress that Uganda has made in the implementation of the recommendations of the committee. A detailed analysis of this is contained in the NGO complementary report and its Addendum that you already have. We commend efforts by Government in establishing policy frameworks and guidelines that have facilitated the implementation of the Convention. Policies that have been initiated since the presentation of the initial report are detailed in the government report 2000. We would however like to note that the national level successes in policy development have not had the desired trickle down effect and benefits for children. While the development of national legislation is positive, there is need for government to commit time and resources towards the implementation of the policies and legislation starting with the Children's Act, CAP 59, of 2000. The national level successes notwithstanding, children in Uganda still face key challenges that have impinged on the realization of their rights. This has subsequently laid back progress on the implementation of the UNCRC. The challenges are highlighted in the following prioritized issues:

1. Children affected by armed Conflict

The 19 year civil war in Northern Uganda and other areas in North East and West has caused enormous suffering for the civilian population with children bearing the heaviest toll of the conflict. The implications of this prolonged conflict on the rights of children are enormous; continuous abduction of civilians especially children, involvement of children in armed forces, orphan hood, missed opportunities of education and socialization because of displacement and limited access to basic services especially health and education that are crucial at their development stage. Several attempts to finding a peaceful resolution to this 19 year conflict including one late in December 2004 have been futile.

Civil society organizations are extremely concerned about the continuing conflict in Northern Uganda especially and also other areas. UCRNN condemns the actions of the Lords' Resistance Army unreservedly and in the strongest terms and appeals for action at national and international level to address the problem. We call for serious commitment on the part of government to pursuing a peaceful resolution to the conflict. Non-military responses to the crisis are central to its lasting and just resolution.

Recommendations

- UCRNN urges government to take a lead role in providing humanitarian assistance along side the humanitarian agencies that are already providing the service.
- Budget support to the Poverty Eradication Action Plan Pillar on conflict and disaster management and towards the implementation of the IDP policy would go a long way in meeting the needs of the affected population.
- In the face of continuing conflict, government to put in place special protection measures to meet the needs of the affected population especially, children, and protect those in camps.

2. Sexual Abuse and exploitation of children

2.1 Defilement

The little data available reveals that the problem of defilement is wide spread. An *analysis* of local print media reports for the year 2003, indicates that defilement is the highest form of abuse with 45%. Another study conducted in 2003, by the African Network for Prevention and Protection against Child Abuse and Neglect (ANPPCAN) Uganda Chapter, indicates that a total number of 11,165 cases of child abuse were reported to various sources including Police. And of these, sexual abuse accounted for 65%.

2.2 Pornography

Exposure of children to pornographic materials through various media is on the increase. The avenues include video halls, Internet cafes and the print media.

2.3 Sexual abuse within schools

There is also an apparent increase in sexual abuse of children especially the girl child within the school system, a large number of the perpetrators are usually teachers, head teachers and at times, fellow students, yet very few cases get reported. In unfortunate cases, the victims, usually girls, become pregnant, and drop out of school, while the perpetrators are especially protected and merely transferred.

Recommendations

- Government should make and establish mechanisms for collecting statistics on sexual abuse, teenage pregnancies, early marriages and defilement to inform planning and programming.
- Government and her arm, the Media Council, should strengthen and enforce laws related to publication of pornographic materials by making the punishment more deterrent. Broadcasting of radio and TV programmes showing of films in film halls,

should also be strictly regulated so that there is reduction in access of children to pornographic materials. (*Other rec will be by UNICEF*)

3. Education

3.1 Corporal Punishment

Although government issued guidelines banning corporal punishments in schools, they have not been sufficiently disseminated and implemented. There are no clear guidelines on management of discipline in schools. As a result teachers do not know how to deal with issues of discipline other than corporal punishment.

Recommendation:

- Government should put in place a programme for the management of discipline in schools and encourage school administration to adopt it.

3.2 Commercialization of education service provision

The value attached to education by the government of Uganda is demonstrated in opening up of education service provision to private investors. While this positive development resulted in increase in the number of private education service providers, mechanisms for monitoring and ensuring adherence to established standards are not being utilized. The privately owned schools that have lately increased in numbers, have profit making as the driving force. This has been compounded by the primary school curriculum and assessment system that is bent on passing of examinations. Parents make decisions on which schools to take their children to based on the past performance of that school in the national examination. Increasingly teaching in most of the schools is aimed at passing examinations as opposed to learning and enhancing abilities and potential in children. Classes for the primary section, especially those in the candidate classes, the day runs from 7.00 am to 7.00 pm, sometimes even over weekends, and the supposed to be holidays, leaving the children no rest at all.

Recommendations

- UCRNN urges the government to put in place and ensure the implementation of teachers' ethical code of conduct. This should include punitive measures for teachers who sexually abuse pupils.
- We recommend the strengthening of school inspection and monitoring to ensure adherence to set standards.

4. Orphans and other children made vulnerable by HIV/AIDS (OVC)

HIV/AIDS is the single largest cause of orphan hood in Uganda where 13% of all children in Uganda are orphans. The recent sero-survey found that of all people living with HIV/AIDS in Uganda, 10% are children. Among the many challenges they face are:

- Child, female and elderly headed households (usually as a result of HIV/AIDS) are the poorest in the country.
- The development strategies (private sector led development, social security policies and basket funding for example) do not readily enable resources and services to reach OVC.
- Through government related funding mechanisms like the global fund, bilateral support like PEPFAR, NGO and community-based initiatives, support being provided to orphans is poorly coordinated and unevenly distributed.
- National resources are hardly used to provide much-needed psychosocial support, income generation activities, food security and other forms of care and support that OVC need.
- OVCs cannot easily access basic services like education and health because of financial, physical and social factors.
- need to build the capacity of CBOs, NGOs and FBOs if government is to continue relying on them to play the role of reaching the OVCs at household level.

Recommendations:

- Ensure a well-planned, equitable and holistic support to OVC by establishing a viable coordination, monitoring and tracking mechanisms
- Government should show political commitment to supporting OVC and back this up with the necessary resources to enable monitoring and tracking.
- Develop accurate **age sensitive and specific** messages on HIV/AIDS/AIDS prevention and treatment targeting women girls and boys.
- The much-acclaimed ABC strategy should be expanded to empower these vulnerable groups to better protect themselves from HIV/AIDS. Taking into consideration the best interests of the child.
- develop and support programmes that promote IGAs as one of the most helpful interventions for affected households,
- In addition to all other gains in the HIV/AIDS battle, Government should pay particular attention to the following:
 - Play a lead role in provision of psychosocial support to affected and infected children.
 - Develop a policy on testing of children with a programme for post-test psychosocial support
 - Education and awareness for parents to desist from proxy testing

5. Meeting the needs of Children with disability

Children with disabilities are amongst the vulnerable category of children that face great challenges such as:

- accessing education and health services.

- lack of disability-friendly physical infrastructure and Instructional materials.
- limited number of Special Needs Education teachers
- shortage of rehabilitation centres and high cost of medical care
- community attitude and lack of understanding towards disabled children making them more stigmatized and discriminated against at home, in schools and with the communities in which they live
- vulnerable to sexual abuse because of their inability to report the abuse.

Recommendations:

- government to ensure access to education by CWD's by establishing specialized schools to cater for children with multiple disabilities,
- Avail budgetary support to the Special Needs Education department in the Ministry of Education
- revise the Universal Primary Education policy to mainstream special needs education (mobility, teaching and learning materials become part and parcel of provision of UPE financing e.g. Braille, white cane, hearing aids and wheel chairs,)
- make specific provisions within the health sector to meet the needs of children with disabilities including; establishment of rehabilitation and care center for children with severe disabilities.
- Develop a deliberate programme of conscientisation of communities on prevention of bias and discrimination against CWD, and develop special protection measures for children with disabilities affected by armed conflict.

Conclusion:

While the Government report provides a fairly good analysis of the policy provisions available for the protection of the children, more needs to be done as far implementation and enforcement of those provisions is concerned. This would be reflected in the budgetary allocations to the relevant programmes especially of the ministries and sectors concerned, those dealing with child protection issues. Thank You.