



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
31 August 2010

Original: English

ADVANCE UNEDITED VERSION

**Committee on the Elimination of Discrimination
against Women**

Pre-session working group

Forty-seventh session

4 – 22 October 2010

**Responses to the list of issues and questions with regard to
the consideration of the combined fourth to seventh periodic
report**

Uganda**

** Late submission from State party.

THE REPUBLIC OF UGANDA

**RESPONSES TO ISSUES RAISED BY THE UN
COMMITTEE ON THE CONVENTION ON THE
ELIMINATION OF ALL FORMS OF DISCRIMINATION
AGAINST WOMEN (CEDAW)**

AUGUST 2010

**THE MINISTRY OF GENDER, LABOUR AND SOCIAL
DEVELOPMENT**

P.O BOX 7136, KAMPALA

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ACRONYMS AND ABBREVIATIONS

ANC	Ante Natal Care
ARVs	Anti- Retro Virals
BTVET	Business Technical & Vocational Education training
CEDAW	Convention on the Elimination of Discrimination Against Women
CSOs	Civil Society Organizations
CSW	Commercial Sex Worker
CWLA	Common Women's Legislative Agenda
DRB	Domestic Relations Bill
EMIS	Education Management Information Systems
EOC	Equal Opportunities Commission
ESSP	Education Strategic Sector Plan
FAL	Functional Adult Literacy
FGM	Female Genital Mutilation
FHH	Female Headed Household
FP	Family Planning
FUE	Federation of Uganda Employers
FY	Financial Year
GBV	Gender Based Violence
GEM	Girls Education Movement
GEP	Gender in Education Sector Policy
HC	Health Centre
HIV/AIDS	Human Immune Virus/Acquired Immune Deficiency Syndrome
ICC	International Criminal Court
ILO	International Labour Organization
LCs	Local Councils
MDAs	Ministries Departments and Agencies
MFPEd	Ministry of Finance Planning and Economic Development
MGLSD	Ministry of Gender, Labour and Social Development
MHH	Male Headed Household
MJCA	Ministry of Justice and Constitutional Affairs
MOES	Ministry of Education and Sports
MOH	Ministry of Health
MSC	Micro- finance Support Centre Ltd
NDP	National Development Plan
NGOs	Non Government al Organizations
NOTU	National Organization of Trade Union
NSGE	National Strategy for Girls Education
PEP	Post Exposure Prophylaxis
PLE	Primary Leaving Examination
PMTCT	Prevention of Mother to Child Transmission
PNFP	Post Natal Family Planning
PPP	Private Partnership
PRDP	Peace, Recovery and Development Plan
PWDs	Persons with Disabilities
SACCOS	Savings and Credit Cooperative Organisations
UDHS	Uganda Demographic and Health Survey
UN	United Nations
UNFPA	United Nations Population Fund
UNGEI	United Nations Girls Education Initiative
UNICEF	United Nation's Children's Education Fund
UPE	Universal Primary Education

UPPET	Universal Post Primary Education and Training
USE	Universal Secondary Education
UWOPA	Uganda Women's Parliamentarian Association
UYDEL	Uganda Youth Development Link
WHH	Women Headed Household

PREAMBLE

1.0 INTRODUCTION

The Government of Uganda submitted a combined 4th, 5th, 6th and 7th Report on the implementation of CEDAW to the Committee on the Elimination of All Forms of Discrimination Against Women in 2009.

This omnibus Report was considered by the pre - session Working Group which came up with issues and questions for clarifications on the sectors of Health, Education, Access to Productive Resources, Employment and other related issues.

METHODOLOGY

The Information provided in this report is a result of extensive consultations on the issues raised by the pre-session working group on the combined fourth, fifth, sixth and seventh periodic report of the Republic of Uganda (CEDAW/C/UGA/Q/7). The Consultations were made with relevant Ministries, Departments and Agencies (MDAs). Civil Society Organisations (CSOs) including women NGOs were also consulted. In these consultations literature review of documents published by the line Ministries and NGOs on the CEDAW implementation were undertaken. In addition, oral interviews with the officers directly involved in CEDAW implementation were conducted.

The Report layout follows the sequence of the issues raised by the Working Group of CEDAW.

RESPONSES TO ISSUES RAISED BY THE UN COMMITTEE ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW).

2.0 . General

Issue 1

Please provide further information on the process of preparing the report, including the Government Ministries and institutions were involved and whether the report was adopted by the Government and presented to Parliament. Please provide information on the nature and extent of the involvement of non-Governmental organizations, particularly women's organizations, in the process. Please also indicate whether the concluding observation adopted by the Committee upon the consideration of the third periodic report of Uganda were translated into the main local languages and how and to whom they were disseminated in order to make the people of Uganda, in particular Government officials and politicians, aware of the steps required to ensure de jure and de facto equality of women and men.

The Ministry of Gender, Labour and Social Development (MGLSD) as a coordinating agency of all the stakeholders engaged in the implementation of CEDAW, on receipt of the Committee's comments arising from the Third Periodic Report initiated a consultative process to respond to the comments and preparation for the Fourth Country Status Report.

The consultation process had four main objectives:

- i. To disseminate the recommendations of the CEDAW Committee arising out of the Third Country Status Report to stakeholders;
- ii. To review progress made since the submission of the Third Country Status Report and come up with information for the Fourth Country Status Report;

- iii. To finalize the draft National Action Plan for the implementation and monitoring of CEDAW in Uganda; and
- iv. Share experiences on the implementation of CEDAW.

The consultations achieved the following:

- i. Adopted recommendations and strategies for enhanced implementation and monitoring of CEDAW in Uganda;
- ii. Formulated and adopted the first National Action Plan for Implementation and Monitoring of CEDAW in Uganda; and
- iii. Obtained information for the Fourth Country Status Report.

The participatory consultations included presentation of the provisions of CEDAW, and dissemination of the Third Periodic Report of Uganda (CEDAW/C/UGA/3).

Dissemination and consultations were held in Kampala in November 2006 which targeted Government Officials, academia, development partners and national CSOs including women organizations.

The participants in the national consultative process were drawn from line Ministries implementing CEDAW provisions namely, Ministries of Justice & Constitutional Affairs (MJCA); Health (MOH); Education and Sports (MOES); Finance, Planning and Economic Development (MFPED); and MGLSD. Political leaders and technical staff at all levels also attended.

Further in September 2008, a National Consultative Workshop was organized for Members of Parliament representing the different Sessional Committees of Parliament including the Gender and Labour & Social Development Committee. Consultations with the Members of parliament provided political input. The Ministry of Gender labour & Social Development also worked closely with Uganda Women Parliamentary Association (UWOPA) and organized three workshops with a cross section of Members of Parliament. These workshops assessed whether the minimum standards of gender equality provided by the Convention have been attained.

In additional regional consultations were held in December 2007 both in Northern and Eastern Regions involving stakeholders from 24 Districts which made further provided input from other district.

UNICEF facilitated the three regional consultations and development of the National Plan of Action for Implementation and Monitoring of CEDAW.

The Concluding Observations adopted by the CEDAW Committee upon consideration of the 3rd Country Status Report have not been translated into the main local languages because of inadequate resources. There are 65 local languages based on the 65 ethnic groups in Uganda. It requires huge amounts of resources to translate the information into each of these languages. However, the above consultations with different stakeholders in particular Government Officials and Politicians created awareness among them on the steps required to ensure de jure and de facto equality of women and men.

Issue 2:

Please provide updated information on the statistical data disaggregated by sex pertaining to the main areas and provisions of the Convention. Please indicate what steps have been taken to establish regular collection and analysis of data to capture the real situation of women, including those belonging to disadvantages groups, especially rural women, older women, women with disabilities and refugee women.

Generation of Sex Disaggregated Data in Health, Education, and Access to Productive Resources, Employment and other sectors is done by Planning Units of relevant ministries. Among the functions of the Planning Units is to coordinate the collection of the sex disaggregated data within the sector and reconcile it with what is available in the Uganda Bureau of Statistics, to inform sector performance evaluations, planning and policy formulation.

Some of the updated information on the statistical data disaggregated by sex pertaining to the main areas of the provisions of the Convention are attached in Appendix 1.

The State Party has put in place steps to establish regular collection and analysis of data to generate sex disaggregated data. Uganda Bureau of Statistics (UBOS), a semi - autonomous agency of the Government, was created by an Act of Parliament in 1998; with a mandate to ensure production of quality and timely official statistics and coordinate, monitor and supervise the National Statistical System (NSS)¹. In 2010, UBOS hired a gender statistician / analyst to enhance the agency's capacity in gender data collection and analysis. The State Party generates sex disaggregated data on the disadvantaged groups, especially rural women, older women, women with disabilities and refugee women through the National Surveys such as the Uganda Demographic and Health Surveys (UDHS), the Uganda National Housing Survey (UNHS) and the Uganda Population and Housing Census.

For example, An Analytical report on Gender and Special Interest Groups October 2006, was produced out of the 2002 Uganda Population and Housing Census ².

3.0. Legal Status of the Convention, legislative and Institution Framework

Issue 3

Please indicate what steps have been taken to incorporate the Convention into domestic law and to make it applicable in national courts. Please also indicate whether the definition of discrimination in the State party's constitution encompasses both direct and indirect discrimination, in line with article 1, and extends to acts of discrimination by public and private actors in accordance with article 2, and whether it includes gender-based violence against women.

The State Party has progressively domesticated the Convention provisions into enabling laws that are now applicable in national courts. This has been achieved through the concerted efforts of many stakeholders participating in advocacy consultations, debates and sensitizations on gender equality. Participating line Ministries include: Ministry of Gender, Labour and Social Development (MGLSD); Ministry of Justice and Constitutional Affairs (MJCA); Ministry of Health (MoH); Ministry of Education and Sports (MOES); Parliamentary Sessional Committees, Uganda Women Parliamentary Association (UWOPA), District Leaders; Religious and Cultural leaders; Women NGOs & CSOs; Private Sector associations; Academia; and the Media.

Since the promulgation of the Constitution in 1995 to date, the following gender responsive laws have been enacted;

- i. The Land Act and its amendments guaranteeing right to occupancy where spousal consent is a requirement prior to any transaction on matrimonial land;
- ii. The Labour Laws e.g. Employment Act (2006) provide for women's maternal rights. For example it provides for the maternity leave of 60 working days and Paternity leave of 3 working days. The Law also prohibits sexual harassment.

¹Facts & Figures on Gender (2008 : 5) Uganda Bureau of Statistics

² Uganda Bureau of Statistics (October 2006) Analytical Report – 2002 Uganda Population and Housing Census

- iii. The Penal Code (Amendment) prohibits defilement of girls and boys,
- iv. The Domestic Violence Act 3 (2010) criminalizes domestic violence in a domestic setting;
- v. The Prohibition of Female Genital Mutilation (FGM) Act 5 (2010) criminalizes the act of female genital mutilation;
- vi. The Prevention of Trafficking in Persons Act (2010) prohibits trafficking persons for gain and exploitation which persons include children; and
- vii. International Criminal Court (ICC) Act, (2010) criminalizes sexual exploitation of women during conflict situations.

The State Party is in the process of enacting the Marriage and Divorce Law and the HIV/AIDS (Prevention and Control) Law. The two Bills have been read in Parliament and are now before the Legal and Parliamentary Affairs and HIV/AIDS Parliamentary Committees for further consultations.

Article 21 (3) of the Constitution (1995) prohibits discrimination, which is defined as “According different treatment to different persons attributable only or mainly to their respective descriptions by sex, race, colour, ethnic origin, tribe, birth, creed or religion, or socio or economic standing, political opinion or disability”.

The definition is generally broad and it does not cover the different specific and unique forms of discrimination that women face in society vis-à-vis their male counterparts. This gap is rectified by the enabling legislations passed covering specific forms of discrimination against women and girls.

De facto equality in front of the law is constrained by multiple factors arising from enforcement of a dual legal system of statutory and customary laws concurrently. Cultural practices and patriarchy disadvantage women especially in allocation of productive resources which are essential for accessing justice.

Issue 4:

Please provide information on the steps taken to enact this bill into law and reasons for the delay. Further, please provide information on the steps taken to enact the Sexual Offences Bill into Law.

Domestic Relations Bill was tabled in Parliament in December 2003 and withdrawn in 2005 for further consultations in order to build consensus on “contentious” issues (*e.g. polygamy, rights of consortium, cohabitation, matrimonial property, age of marriage and bride price*) After consultations, DRB was split into two: Marriage and Divorce Bill and Administration of Muslim Personal Law Bill/ Qadhis Courts Bill. Therefore the Domestic Relations Bill no longer exists.

The Marriage and Divorce Bill aims at consolidating the law relating to Civil, Christian, Hindu, Baha’i, and Customary Marriages; to provide for the types of recognized marriages, marital rights and duties; recognition of cohabitation in relation to property rights; separation and divorce; and the consequences of separation and divorce; and other related matters.

The Marriage and Divorce Bill has been read for the first time in the 8th Parliament. It is before the Legal and Parliamentary Affairs Sessional Committee for further consultation with stakeholders.

The Marriage and Divorce Bill proposes adultery as one of the grounds for irretrievable breakdown of marriage, applicable to both the husband and wife.

The Sexual Offences (Miscellaneous Provisions) Bill is a working document. It is still undergoing consultations and is therefore not yet in Parliament. Some of the articles in the Sexual offences Bill were incorporated into the Penal Code (Amendment) Act and Domestic Violence Act. These cover prohibition of defilement and violence in domestic setting respectively. It is mostly the procedural aspects relating to trials of sexual offences that are remaining in the Sexual Offences Bill.

Issue 5:

Please provide information and disaggregated data on this group of extremely challenges women and outline the measures in place to try and reach them in order to create awareness and help them to access and enforce their rights.

i. Poverty

The severe challenges faced by some women in attaining and enforcing their rights are high poverty levels, low literacy rates, negative cultural practices and institutional weaknesses in law enforcement.

Gender Analysis of Uganda Households Survey data 1999- 2003 (MFPED 2003), shows that female - headed households (FHH) were more disproportionately represented among the chronically poor and households moving into poverty³. The analysis further shows that divorced / widowed and married female - headed household are particularly prone to being poor at any one time.

Disaggregated by Marital Status and gender of household head

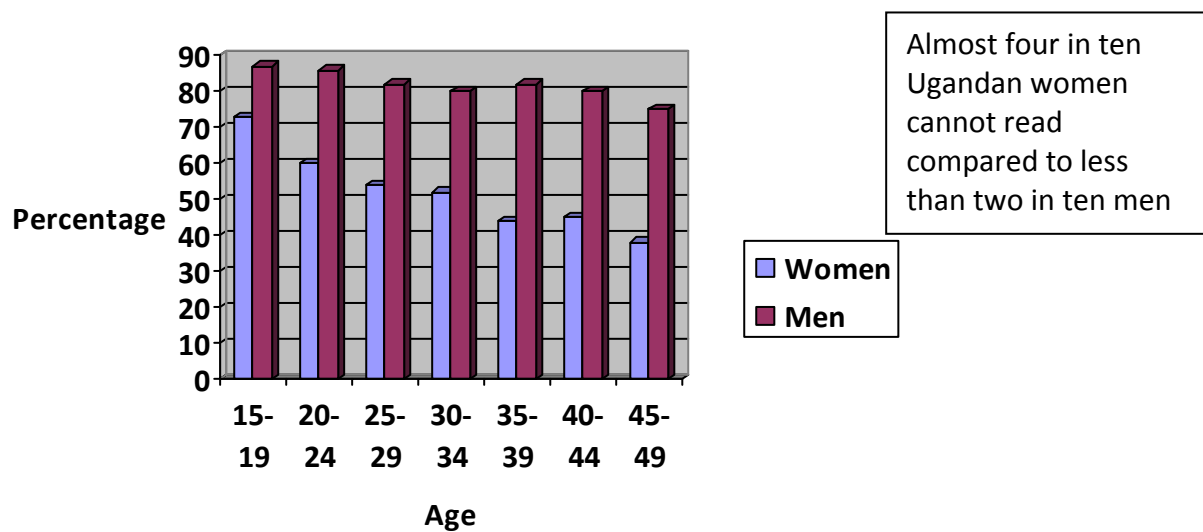
	MHH					FHH					
	Un	Married	Divorced	Widowed	All	Un	Married	Divorced	Widowed	All	All
1992	44.6%	57.2%	48.0%	49.2%	56.5%	30.6%	53.3%	54/6%	62/6%	562%	56/4%
1999	17.4%	33.1%	19.9%	26.6%	32.5%	17.9%	43.6%	27.7%	0.4%	38.5%	36/1%
2003			34.95								
Total	18.4%	38/0%	%	38.7%	7.6%	12.4%	41.1%	32.1%	48.0%	44.6%	38/8%
2003											
Rural	25/5%	41.2%	37.9%	44.3%	41.0%	19.1%	46.2%	38.7%	48.0%	44.6%	
2003											
Urban	5.3%	12.2 %	11.85	7.3%	11.6%	4.5%	11.1%	16.4%	15.2%	13.3%	

More WHH (38.9%) are below the poverty line compared to 32.8% of MHH. The above table points to the fact that women - headed households are a poor and potentially vulnerable group.

Literacy Gap - Literacy Levels by Age⁴

³ MFPED (August 2006; 23- 24) Gender Inequality in Uganda' the Status, Causes and Effects,

⁴ Key Findings from the 2006 ; UDHS – Gender Perspective (5)



Access to justice

The National Development Plan (NDP) points out the severe challenges faced by women in their quest to access justice. “Women experience more barriers in accessing justice than men. This is because of their higher illiteracy levels and lack of information about their rights. Their restricted mobility and poverty means that it is not easy for them to access legal institutions and services”. (NDP 2010/11 - 2014/15; 291).

A desk review of Gender and Access to Justice in Uganda (March 2002; 26-27)⁵⁵, lists the balance sheet on barriers to justice by men and women. The barriers include gender neutral and gender biased laws, gender insensitive operations of court and judicial systems, and societal perceptions which condone gender based violence. Gender based violence is estimated at 68% for females against 20% for males. (UDHS 2009). Appendix 2 shows levels gender based violence in marriage.

Some of the strategies the State Party has in place to overcome these challenges include;

1. Poverty eradication programmes such as the Rural Financial Services Programme have been in place since 2001. The Micro-finance Support Centre (MSC) Ltd, facilitates access to affordable, sustainable and convenient financial and business development services to active and productive Ugandans. MSC provides services to Savings and Credit Cooperative Organizations, and Area Cooperative Enterprises who in turn access services to their members. MSC provides a special financial product for the special interest groups who include women, youth and persons with disability as well as older persons.
2. Universal Primary Education and the Universal Secondary Education, BTVET, Functional Adult Literacy (FAL) programmes are in place to address the high illiteracy levels. BTVET is a post primary programme to increase business options available for girls and boys who go for vocational training. Gender responsive laws such as the Domestic Violence Act (2010) and the Prohibition of Female Genital Mutilation Act (2010) are in place to protect women and girls rights and to increase their to access justice.

⁵⁵ Justice Law & Order Sector – Desk Review of Gender and Access to Justice In Uganda March 2002

Administrative institutions like Family and Child Protection Units at all Police Stations are available to women and girls to address family and children issues.

CSOs with support from development partners compliment Government efforts to create awareness among communities on their legal rights, obligations and how to demand and access justice. Some CSOs also provide free legal aid services aimed at minimizing financial bottlenecks that hamper access to justice.

The NDP has recognized the importance of access to justice and has planned programmes for legal aid and Para-legal services.

Issue 6:

Please provide updated information on the steps taken to operationalise this Commission, and if operational, any data or statistics or cases that it has handled.

The Equal Opportunities Commission (EOC) became operational starting with this financial year (FY) 2009/2010. The five members Commission of who three are females and two males have been appointed a term of five years, eligible for reappointment for another term. The Chairperson is a woman.

The processes to establish a fully fledged EOC Secretariat are ongoing. The Commission has gone through induction process and strategic planning and development of a five - year work plan, 2009/ 2012. The Commission has started receiving complaints although they will be handled after awareness has been created and regulations to guide the operations of the Commission have been developed. The Standing Committee on Equal Opportunities of Parliament complements the work on elimination of discrimination in society.

4.0. National Machinery for Advancement of Women.

Issue 7

Please provide updated information on the Ministry of Gender, Labour and Social Development including its resources and its authority to advise on the impact on women of all Government Policies, monitor the situation of women comprehensively, help formulate new policies and effectively carry out strategies and measures to eliminate discrimination.

MGLSD is the national machinery for Gender Equality and Women's Empowerment. It coordinates all mechanisms for promotion of gender equality. The Directorate for Gender and Community Development has the primary responsibility for spearheading promotion of gender equality and advancement of women. The Ministry participates in public policy formulation through various bodies and institutions. It is charged with the responsibility to mainstream gender in national development plans, Sector Ministries, Local Government, Investment Plans as well as UN Agencies Country Cooperation Framework.

The Ministry is directed at a Cabinet level with a Minister and a Minister of State. Through this arrangement, the National Machinery is represented in Cabinet which the highest decision is making body in Government.

The Ministry was restructured in 2008; the division of gender was upgraded to a fully fledged Department of Gender and Women Affairs. The staffing position of Gender Experts in the Department increased from 7 in 2004 to 13 to 2009 which constitutes 76% of its optimal staffing level. The Ministry has a technical link to the local Government level and has a responsibility for overall technical and policy guidance for District Departments of Social Services / Social Development. The table below provides summary budget estimates for the Ministry.

**Figure 8 Sector Summary Budget Frameworks for the MGLSD⁶
Estimates in Uganda Shillings- Billions)**

<i>Vote Function</i>	<i>2008/09</i>	<i>2009/10</i>	<i>2010/11</i>	<i>2011/12</i>	<i>2012/13</i>
Mainstreaming Gender and Rights	N/A	2.970	3.425	2.213	3.748
Promotion of Labour Productivity and Employment	0.777	2.355	1.923	2.342	3.474
Social Protection for Vulnerable Groups	N/A	5.214	8.235	10.033	11.284
Policy, Planning and Support Services	N/A	27.303	26.246	32.100	39.735
Community Mobilization and Empowerment	4.434	5.168	8.168	10.405	13.608

Issue 8:

Please provide information on the assessment of these action plans, as well as their impact with regard to the practical realization of equality between men and women in all areas covered by the Convention

The National Action Plan for Implementation of CEDAW for 2007 - 2010 is the first National Action Plan since Uganda ratified CEDAW in 1985. The Plan reflects Uganda's commitment to the promotion of equality of women and men as stipulated in the 16 Articles of CEDAW.

The National Action Plan for Women which is based on Beijing Platform for Action on Women focuses on five strategic objectives which are:

- i) legal policy framework and leadership;
- ii) Social economic empowerment;
- iii) Reproductive health rights and responsibilities;
- iv) The girl child's education; and
- v) Peace building, conflict resolution and freedom from violence. These are in line with CEDAW provisions.

While no reviews have been conducted on these Action Plans during the reporting period, the present CEDAW Country Status Report monitors and documents the progress made in their implementation.

5.0. Stereotypes and Cultural Practices

Issue 9:

Please elaborate on the measures taken to change social and cultural patterns that lead to stereotyping or reinforcing the idea of the inferiority of women including in respect of the portrayal of women in the media. Please also indicate the impact of these measures.

⁶ MGLSD April 2010- Social Development Sector Budget Framework FYs 2010/11- 2012/13' xi

The Ministry has promoted activities at all levels to create awareness and conscientise the mindset to cause change in societal attitudes and cultural patterns that perpetuate stereotyping and reinforce women's inferiority.

The Support of Universal Primary Education Reform (SUPER) project has facilitated development of gender sensitive pictures and illustrations in the education materials. These portray positive images of women and girls.

The development of a Hand book for Mainstreaming Gender in education has created a gender responsive learning environment where the girls pupils are portrayed positively and accorded equal opportunities with boy's pupils.

There are institutional mechanisms in place to support women in the media. For instance, there are enabling laws and policies that support freedom of the press irrespective of gender. The country has an effective policy development system to support gender equality in the media, although it lacks strict implementation measures. Akin to lack of strict implementation measures, the system does not have clear monitoring and evaluation tools and mechanisms in place. However, the Government recognizes and promotes women media networks such as Uganda Media Women Associations which runs a community radio station that mainly transmits information on women's and children's welfare. The Women of Uganda Network transmits electronic information on women and the Uganda Journalist Association (UJA) is yet another organization where women participate and are portrayed positively.

However, the media is driven by profits and as such a less priority is given by media houses to development issues including gender development concerns. Priority issues that "sell" are politics, crime and conflict and popular culture including sports and music among others. There is an increase in negative portrayal of women in the media. This is a form of sexual exploitation of women and promotes negative perceptions of women.

The increased access to the internet despite the numerous advantages has had a negative impact on widening access to pornography especially among the urban youth. Although Uganda's media laws provides for prohibition of such publications, enforcement is still a challenge.

Issue 10:

Please elaborate on the draft Bill, including on the prosecution of offenders and protection of victims, and the time frame for its entry into force. Please also provide information on any vocational training provided to women who practice FGM in order for them to find alternative income-generating activities.

The Bill was enacted into law as The Prohibition of Female Genital Mutilation Act 5 (2010) in March 2010. The Act prohibits and criminalizes female genital mutilation and also provides for offences, prosecution and punishment of offenders; and the protection of victims as well as girls and women under threat of female genital mutilation.

A person who carries out FGM is liable to ten years of imprisonment if found guilty. Those who participate or aid the process shall be jailed for a period not exceeding five years. A person who commits the offence of aggravated FGM (that is when the victim dies or the offender is a parent, guardian, health worker, doctor or a person in authority, or the victim suffers disability or the victim is infected with HIV/AIDS), the offender shall face life imprisonment.

The Act provides for compensation to the victim, to cover the extent of injuries sustained, the medical, legal expenses and loss of dignity, stigma and humiliation suffered.

The Ministry of Education is in the process of establishing a model girls' school within communities that practice FGM as a motivation against the practice. In addition, MGLSD

has initiated consultations with FGM practising communities and the women “surgeons” who practice FGM on alternative livelihood programme.

Issue 11:

Please provide information on the practice of ritual sacrifice of children, in particular girls, as well as on any legislation criminalizing this practice. Please elaborate on the persistence of other harmful traditional practices, including early marriage, and on the impact of the initiatives and programmes in place aimed eliminating such harmful practices.

Child sacrifice in Uganda has been identified as a major child protection gap that needs action. Rapid Assessment on Child Sacrifice in Uganda conducted by MGLSD 2009 indicated that children are major victims because of their vulnerability and the perception that they are pure and therefore fit for sacrifice. The box below provides data on the practice

Data from Police records and media reports of cases of child sacrifice linked to ritual murders have been on the increase since 1999 to date. 15 cases of child sacrifice were reported in 1999. In 2006, there were 25 cases of child sacrifice linked to murders. In the same year, there were 230 cases of child abduction reported. Police records further show that in 2007, three homicide cases of suspected human sacrifice were reported. In 2008, 25 cases of suspected ritual killings were reported, 18 of which were children (of these 15 cases have been conclusively investigated and suspects arrested and taken to Court) Between January and October 2009, 13 children died under circumstances suspected to be linked to human sacrifice (Anti Human Sacrifice & Trafficking Uganda Police Task Force 2009): Binoga 7

Other harm practices include early marriage, child abuse and female genital mutilation.

Child sacrifice is interpreted as murder in the Penal Code. It is also addressed in the Prevention of Trafficking in Persons Act 2009 This Act protects all persons, inclusive of girls. Those who traffic in children commit aggravated trafficking in persons and may be liable to suffer death.

Early Marriage of girls is prohibited by the Constitution, the Penal Code (Amendment) Act 8/ 2007 and the Children’s Act. The Marriage and Divorce Bill also prohibits early marriages.

Other harmful practices are addressed by the Children’s Act (cap 59) and The Prohibition of Female Genital Mutilation Act 2010.

A draft National Action Plan against Child Sacrifice has been developed by MGLSD based on the findings of the Rapid Assessment on Child Sacrifice in Uganda. The Plan include: prevention of occurrence of child sacrifice; to improve investigation and prosecution and respond to the physical, psychological and medical needs of survivors and their families.

An Anti - Human Sacrifice and Trafficking Task Force has been set up in the Uganda Police Force to handle all investigation, prosecution and sensitize the public on human trafficking and child sacrifice among others.

⁷ MGLSD (2009) Rapid Assessment on Child Sacrifice in Uganda – Informing Action – Assessment Report and Draft National Action Plan Against Child Sacrifice.

6.0. Violence against Women

Issue 12:

Please elaborate on this Bill, including which forms of violence it will cover and the corresponding sanctions, and the time frame for its enactment into law. Further, bearing in mind the Committee's general recommendation No. 19, please describe steps taken to develop a comprehensive strategy to combat all forms of violence against women, including prosecution of perpetrators, provision of assistance to victims and implementation of capacity-building and awareness-raising programmes for various groups (such as the police, lawyers, health and social workers, and the judiciary) as well as the public at large.

The Bill was enacted into law as The Domestic Violence Act, 3 (2010). The Act provides for: the protection and relief of victims of domestic violence; the punishment of perpetrators of domestic violence; the procedures and regulations to be followed by court in relation to the protection and compensation of the victims of domestic violence; the jurisdiction of court; the enforcement of orders made by court and empowers the Family and Children Court . The Local Council (LC) courts have jurisdiction to try minor cases of domestic violence of reconciliatory nature.⁸

The Act provides for four broad forms of domestic violence namely;

- Physical violence – any act or conduct which causes bodily pain, harm or danger to life, or which impairs the health or development of the victim.
- Emotional, verbal and psychological abuse - a pattern of degrading or humiliating conduct toward a victim in form of repeated insults, ridicule or name –calling, repeated threats.
- Sexual abuse includes any conduct of a sexual nature that abuses, humiliates, degrades or otherwise violates the dignity of another person.
- Economic violence is deprivation of all or any economical or financial resources the victim is entitled to, or household necessities for the victim and his or her children, or property jointly or separately owned by the victim or payment of rent related to the shared household or maintenance.

A person convicted for domestic violence is liable to a fine or two years imprisonment or both. The Court may, in addition order the offenders to pay compensation to the victim for the injuries and trauma sustained.

MGLSD coordinates a Gender Based Violence (GBV) Reference Group, composed of technical stakeholders working on issues domestic violence. Among the activities the GBV Reference Group has embarked on is development of a comprehensive multi sectoral strategy to combat domestic violence. The process has started with national baseline survey on gender based violence which will bring out magnitude of the violence, situational analysis of systems and operation aimed at building capacity of duty bearers, development of a code of conduct for the prosecution legal awareness to the public; and access to justice. The capacity building targets duty bearers involved in the prevention of domestic violence including the police and Prisons, (Law enforcement officers) Magistrates, Lawyers, Line Ministry officials, Local Government and District Leaders, Members of Parliament and Judges.

⁸ The Local Councils were established by the Local Council Act 13 of 2006

Issue 13:

The report indicates (para 20) that the Sexual Offences Bill 2004 recognizes the criminal offences of marital sexual assault and also compensation and protection for victims of sexual assaults. In its previous concluding observations adopted in 2002, the Committee recommended the speedy enactment of this Sexual Offences Bill, including which forms of violence it will cover in particular if it includes rape of prostitute women. Please also indicate any measures taken to improve the access to justice for women victims of sexual violence even before this bill is enacted into law.

The status of the Sexual Offences (Miscellaneous Provisions) Bill of 2004 has changed because of many of the articles of the Bill have been incorporated in other laws. For example the provision on defilement in the Bill was incorporated in the Penal Code (Amendment) Act 8 of 2007 (Section 129). This introduced simple and aggravated defilement for both girls and boys and the concept of compensation for the victims.

Prostitutes are protected from rape by Section 117 of the Penal Code. A person convicted of rape shall be liable to suffer death.

The issue of marital rape is incorporated in the proposed Marriage and Divorce Bill. Marital rape attracts both civil and criminal responsibility. The punishment for the criminal offence is either a fine or imprisonment not exceeding five years. Civil remedies include restriction order, judicial separation, and suspension of conjugal rights and compensation.

Women victims of sexual violence access justice by invoking the enabling laws on defilement, rape and domestic violence with assistance of Police and Courts of law.

The remaining contents of the Sexual Offences Bill cover the procedural aspects of how sexual violence cases are prosecuted. The Bill is now a working document and consultations are on going for a way forward.

Issue 14:

Please elaborate on the current situation and the efforts undertaken to protect women and girls in conflict from all forms of violence.

The situation in the conflict-affected areas of Northern Uganda has relatively improved after the unofficial cessation of hostilities in 2007. 85% of internally displaced people (IDPs) have left the camps and have returned to their communities of origin or resettled in different communities. The remaining 15% is mostly constituted by extremely vulnerable people who are unable to return to their communities of origin due to poor health, lack of economic means or lack of support by the home community.

Government in partnership with United Nations and other International organizations as well as local humanitarian agencies have since 2006 carried out gender violence prevention and responsive interventions in Northern Uganda districts, under the umbrella of Inter Agency Standing Committee (ASC) to address the unique conditions and plight of the people in Northern Uganda.

In addition, the Government has developed a Uganda Action Plan on UN Security Council Resolutions 1325 & 1820 and the Goma Declaration on Violence against Women and Children (ICGLR) The Action Plan defines a systematic framework for national actions and monitoring systems to assess progress and the impact of interventions at all levels.

The International Conference of Great Lakes Region (ICGLR) member countries (which include the State Party) made a commitment under the Goma Declaration to eradicate all forms of Sexual Violence against Women and Children caused during Armed Conflict and post-Conflict Situations by putting in place appropriate legal and policy frameworks.

The International Criminal Court Act (2010) categorizes rape, forced marriage and sexual slavery as war crimes chargeable in Uganda Legal system. The law provides for a Trust Fund for Victims to service the compensation issues, among other things.

The High Court of Uganda has established a War Crimes Division to try cases committed during conflict situations.

7.0. Trafficking and exploitation

Issue 15:

Please provide updated information on the status of the Bill, and a time frame for its enactment into law. Please also indicate whether a coordinating agency to deal with trafficking-related issues has been established or its envisaged. Please provide statistics, if available, on the number of women and girls who are victims of trafficking for purposes of sexual and economic exploitation.

The Bill was enacted into law as the Prevention of Trafficking in Persons Act 7 (2009). The Act prohibits trafficking of persons into prostitution, pornography, sexual exploitation. A person who commits the offence is liable to imprisonment for fifteen years.

A person who commits offence of aggravated trafficking of persons, where the victim is a child; offence is committed by a syndicate or on a large scale; the offence is committed by a parent or close relative or under guardianship, public officer; the victim dies, gets infected with HIV/AIDS among others is liable to life imprisonment.

The Ministry of Internal Affairs is charged with coordinating implementation of the Act. The regulations for implementation of the Act are yet to be developed.

Statistics on number of women and girls who are victims of tracking for sexual and economic exploitation is not readily available in light of the fact that prostitution is illegal.

Issue 16:

Please provide statistics, if available, on the number of women and girls engaged in prostitution and elaborate on measures adopted to prevent and punish the exploitation of prostitution, as well as measures taken to provide rehabilitation and support for social integration of women who wish to leave prostitution.

UNFPA (2009) estimated that there are 7,423 Commercial Sex Workers (CSWs) operating in Kampala; while ILO / IPEC estimated that between 7,000 to 12,000 children are affected by commercial sexual exploitation in Uganda.⁹ Among the commercial sex workers are very young girls and boys brought from rural areas for domestic work and promises for education and later abandoned. Such children end up living on the street and are consequently sexually abused and exploited.

Some of measures adopted to prevent and punish the exploitation of prostitution are contained in the Prevention of Trafficking in Persons Act. The Act provides for prohibition of trafficking for prostitution and trafficking in Children. In addition it provides for protection, assistance and support for victims of trafficking in persons. The law also provides for reparation of victims of trafficking in persons to and from Uganda.

Measures to provide rehabilitation and support for social integration of women who wish to leave prostitution are mainly undertaken by CSOs with support from development partners. Such measures include raising awareness on HIV transmission, trained in practical skills as

⁹ UYDEL Annual Report 2009

to enable them engage in lawful economic enterprises of their choice and strengthening the community social protection networks to support integration.

8.0. Political Participation in Public Life

Issue 17

Please indicate if the effectiveness of the measures taken to increase women's participation in public and political life has been evaluated. Please also provide information on any specific measures taken or envisaged to increase the very low participation of women at local level, such as the establishment of a quota system.

A comprehensive evaluation on the effectiveness of measures taken to increase women's participation in public and political life has not yet been undertaken. However, anecdotal evidence from the study commissioned by British Council/ DFID "Affirmative Action in Uganda Politics", in Women's Political Space,¹⁰ points out that at the policy level, Uganda has made extraordinary progress in affirmatively enabling women to have a voice in public affairs. The study showed that, the increased decision making has indeed sharpened and met women's gender needs. Gender has been increasingly and more systematically recognized as central to poverty eradication

There has been advocacy call to review the affirmative action for equal representation of 50- 50 across political, economic and social cultural spheres.

To increase the low participation of women, there are capacity building programmes for women candidates for national and local level positions. Capacity building for women candidates for the forthcoming elections is ongoing,

The positive policies in Education Sector continue to enhance women's participation in politics

9.0. Education

Issue 18:

Please indicate if the Strategy addresses all the above-mentioned reasons for girls dropping out of school, and please indicate if the effectiveness of the Strategy has been evaluated. Further, please provide information on steps undertaken or envisaged to increase the number of female students in secondary and higher education, in particular in rural areas. Please also provide information on the availability of career and vocational guidance for girls

The National Strategy for Girls Education (NSGE) addresses the gender issues identified as major reasons for girls dropping out of school. It addresses the issues of access, quality improvement and gender equity. The strategy focuses on the specific major constraints of girl's education and recommends appropriate action to address them. This strategy is complemented by the Early Childhood Education and the Infrastructure and Sanitation Policies. The Early Childhood Education Policy addresses early enrollment into schools at 6 and 13 years respectively. This enables girls to complete primary school while still young.

The Infrastructure and Sanitation Policy builds on issues of gender sensitive sanitation facilities to cater for needs of girls as well as children with special needs. In addition, it ensures availability of water supply to schools. Further, the policy guides construction of Secondary Schools. In every Sub County a Government Secondary School equipped with a

¹⁰ MFED (2006 14) Gender Inequality in Uganda: The Status, Causes and Effects. Tanzarn Nite: Affirmative Action in Uganda)

Science Laboratory is built. This increases opportunities for rural girls to enroll and complete secondary education.

To address the issue of girls drop out because of pregnancy, expecting child mothers are allowed to sit for examinations and continue with education after delivery. However, this is still a practice not yet adopted as Policy.

Career and vocational guidance for girls has been identified as issues that affect girl's education. Compendium books on Career Pathways - A Guide to a Career Entry and Development together with relevant posters on guidance and counseling have been developed by the Ministry of Education. These materials are distributed to schools for use by teachers, students and parents. Teachers are being trained as counselors to provide counseling to the girls.

Although National Strategy on Girls Education (NSGE) has not been evaluated other supplementing programmes Girls Education Movement (GEM) and United Nations Girls Education Initiative (UNGEI) that address barriers of girls' education have been reviewed and the findings informed the planning for gender mainstreaming in the Education Strategic Sector Plan (ESSP).

Issue 19

Please provide information on the impact of the measures taken by the State party with respect to the elimination of stereotypical attitudes about the roles and responsibilities of women and men in textbooks, curricula and teacher training.

The Handbook Guide for mainstreaming gender in education "***Creating A Gender Responsive Learning Environment***" is designed to contribute towards the support of the teacher's capacity to develop initiatives that focus on a change of attitudes and stereotypes in education. This has created a gender responsive learning environment where the girl's pupils are portrayed positively and accorded equal opportunities with boy's pupils. The Handbook is a foundation for sustained gender responsiveness in school curricula and teacher training.

Human Rights Readers series for Primary One to Seven developed by the Uganda Human Rights Commission provide information to children on their rights and responsibilities. . This is expected to create a culture of respect and promotion of human rights among the children. It may take some time to realize the impact of these measures.

10.0. Employment

Issue 20

Please elaborate on this policy including its scope and time frame for its adoption and implementation. Please provide updated information on the efforts to provide social security to women who work in the informal sector. Please also provide information on efforts made to close the wage gap between men and women.

The National Employment Policy aims at promoting full productive and decent employment for all men and women in conditions of freedom, equity and human dignity. The Policy awaits Parliamentary and Cabinet approvals.

Efforts include addressing the issue of social security for women and men who work in the informal sector. Advocacy by stakeholders is on-going for Government to initiate and support insurance cover schemes for the non formal sector.

In Uganda, the principle of equal pay for work of equal value applies. Government Policies on formal and vocational education discussed under issues 2, 9 and 18 above, are some of the ways to address the gender wage gap between men and women.

Issue 21

Please explain how the compliance with the Employment Act is monitored, particularly its prohibition of discrimination based on sex, the prohibition of sexual harassment in employment, and the right to return to the same job after maternity leave. Please also provide information on any plans to extend its application to the informal sector and on extending the scope of sexual harassment in order to cover sexual harassment committed by an employee of equal or inferior rank.

The compliance with the Employment Act is monitored through the framework provided by the labour related laws including; the Labour Unions Act; the Labour Disputes (Arbitration and Settlement) Act, 8/2006; the Occupational Safety and Health Act, 9/2006. The Penal Code Act is another legal framework used in the enforcement and monitoring women's employment rights. Within the framework provided by the legislations, the aggrieved employees are able to demand and enforce their rights. An employee who is not returned to her former job after maternity can lodge a complaint with the Labour Officer; as provided under the Employment Act.

Further, the women's employment rights both in the formal and informal sector will be monitored by the Equal Opportunities Commission through its own programmes and complaints lodged by the aggrieved women.

The advocacy and sensitization programmes by Government, employer's organizations (Federation of Uganda Employers) and workers organizations (National Organization of Trade Unions) are geared towards increasing awareness of each party's rights and responsibility. This promotes demand for compliance of the labour laws by the employers and employees.

11.0. Health Sector

Issue 22:

Please provide information on the access of women to Health services in the State party during all their life-cycle, including in rural areas.

Please indicate what measures have been taken to ensure that maternal health is prioritized, including by addressing the main causes of high maternal mortality, such as clandestine abortions.

Please also describe the extent of girls awareness of sexual and reproductive health issues, including their knowledge of how to protect themselves from Sexual Transmitted Infections (STIs).

Women as well as men have access to free health services at Public Health Centres in the country. These health centers offer a range of services towards reduction of maternal mortality and morbidity. The Government over the past decade has focused on expanding the health infrastructure by constructing more health centres in an effort to bring services nearer to the people. Efforts are ongoing to upgrade and equip health centres with drugs and attendant equipment to manage emergency obstetric care, blood transfusion and post abortion care. National minimum health care packages and operating theater facilities are available at health Centre IV. The idea is to build an efficient functioning referral system. Appendix 3 shows the distribution of health Centres in the Country.

Government has prioritized maternal health in the Health Sector Strategic Plan. The Ministry of health has developed a Road-map to Reduction of Maternal and New-born Mortality and Morbidity. The Road map contains action points for prevention, treatment and monitoring maternal health issues in the country.

The MOH has developed a strategy to enhance awareness of reproductive health rights for adolescent girls. The strategy sets minimum standards, expected from service providers such as confidentiality and friendly communication to adolescents.

Issue 23

Please elaborate on measures and programmes introduced to increase public awareness of the risk and effects of HIV/AIDS and indicate whether any of these measures are aimed specifically at women and girls. Please indicate any measures taken to ensure that the HIV/AIDS prevention and Control Bill does not impact negatively on women. Please also indicate whether the planned mandatory HIV-testing will only apply to women (para158).

Some of the measures and programmes to increase public awareness of the risk and effects of HIV/AIDS include campaign against sexual network which targets married couples and the promotion of the use of female condom which specifically targets women and girls.

There is continuous awareness of Post Exposure Prophylaxis (PEP) availability at health Centres and the need for the victim to take it within 72 hours after sexual attack, for it to prevent the infection of HIV/AIDS.

Nation-wide sensitization campaigns on HIV/AIDS and Sexually Transmitted Infections (STIs) is ongoing. The campaign is conducted through various forms including, Information education and Communication Materials, Radio Programmes, print media and theatre for development within communities. The campaign involves various partners coordinated by Ministry Health and Uganda Aids Commission under the multi-sector HIV/AIDS prevention strategy.

The HIV and Aids Prevention and Control Bill (2008), is being debated upon and consensus is yet to be attained. It provides for the Prevention and Control of HIV/AIDS; protection, counseling, testing, care of persons infected with and affected by HIV/AIDS; rights and obligations of persons affected; and for other related matters.

The concern of the persons living with HIV/AIDS is that the Bill sets to protect people who are negative. For example the Bill proposes a third party to disclose the HIV status to a spouse of infected person without his or her consent.

Mandatory testing is for both men and women. The Bill proposes mandatory testing in situations where the person is incapable of giving informed consent to HIV testing; when a person is under criminal investigation and upon order of court.

Issue 24:

Please elaborate on the efforts undertaken to increase awareness for the need for regular pap smears and to provide cervical cancer screenings for women, including women in rural areas.

Awareness efforts to sensitize women on cervical cancer by different health workers are ongoing. Women are encouraged to seek services at STI clinics to detect early symptoms of cervical cancer.

As much as cervical cancer screening is not widely available, there are a few centres within the city that offer free screening services. A few more centers offer the screening at a cost to the women who can afford.

There is a pilot project on cervical cancer vaccination covering seven districts. Vaccinations have so far been conducted in two districts of Nakasongola and Ibanda. With additional funding, vaccinations shall be extended to all Regional Referral Hospitals.

Health Providers are being trained on how to conduct pap smears and continuous sensitisation to women for regular checkups.

12.0. Economic Empowerment

Issue 25:

Please elaborate on what measures have been taken to support women's entrepreneurship, including their access to land and capital, and more generally to enhance the situation of women in the informal sector, and the impact of these measures.

One of the measures put in place to support women entrepreneurs is Prosperity - for - All Programme ("**Bonna bagaggawale**"). A Micro-finance Support Centre Limited (MSC) has been established to facilitate access to affordable, sustainable and convenient financial and business development services to active and productive Ugandans including women. At every Sub County level, women are organized in Savings and Credit Cooperative Organizations ("SACCOs") through which MSC provides them the services. Members in the circles provide guarantees for the credit instead collateral.

Public Private Partnership (PPP) initiatives are other measures that support women entrepreneurs. For example DFCU Banks has a specific loan facility to women entrepreneurs in their diverse businesses.

Other Public Private Partnership initiatives include entrepreneurs' skills development for women. Skills are provided in enterprise selection; records and books of accounts; information technology; accessing financial services; marketing and business registration, among others.

The issue of access, control and ownership of land by women, is being addressed by proposal of joint ownership of family land for married couples in the Marriage and Divorce Bill. The draft National Land Policy also has a clause on co-ownership of land.

The Mortgage Act, 8 (2009), requires a written consent of the other spouse who is not registered of title before a mortgage is given on matrimonial home. This goes a step further to imply assumed co-ownership of matrimonial land for married couples.

13.0 Rural Women, Vulnerable Groups

Issue 26

Please elaborate on the measures undertaken or envisaged by the State party to improve the situation of rural women, including their access to justice, standard of living, education, health and their participation in decision making process at all levels. Please also provide information on the availability of the Village Saving and Loans Association described in the report (para 200).

Access to Justice

Women can access justice because the judicial system is decentralized to the village level. There are Local Council Courts at village level which handle customary related conflicts and minor domestic violence cases.¹¹ The Probation and Gender Officers from the Community Services Department in the Districts provide legal counseling and referral services for family disputes and children issues. In addition, the Uganda Police have established Family Protection Units at every Police Station to handle children and family related matters. The women can also access the magistrates Courts at the district and Sub county level.

¹¹ Established by the local Council Act 13 / 2006

The law enforcement officers also trained on women's rights, including sexual based violence to positively respond to gender-related issues positively. In Northern Uganda communities, Paralegals have been trained to enhance promotion and enforcement in, of women's rights in their localities.

Standard of Living

Productive resources such as land, capital are particularly important for income generation activities. Data shows that female - headed households have less land than male - headed households. Gender inequality in ownership of land is a fundamental determinant of women's poverty and social disadvantage.

A number of women do secure capital by forming groups to pool resources. This practice is common in rural areas where women have formed collective self-help initiatives or saving and credit societies (SACCOs). These are initiated, constituted and run by women themselves. Members are lent up to 80% of their deposits, interest free¹². Funds borrowed are used to generate income for improved standard of living both at the household and individual levels.

The Village Savings and Loans Association are savings and credit microfinance institutions at village level which are initiated within districts where CARE International operates in Uganda. The Village Savings and Loans Association (VSLA) aim at providing access to financial services (Savings, insurance and credit) to the poor and marginalized households to improve their livelihoods.

Women and Education

Uplifting the education levels of rural girls and women is supported by the Universal Primary Education and Universal Secondary School Policies. Functional Adult Literacy programmes (FAL) supplements these policies. FAL targets adult girls, boys, women and men to increase their literacy levels.

Health

Women in rural areas have access to free health services at Public Health Centres. A range of health services are provided at these centres. These include; treatment for epidemic prone diseases, maternal and perinatal diseases, infectious, non communicable diseases and family planning services¹³.

Participation in decision - making

The participation of rural women in decision making is promoted by the Affirmative action. A third of all Local Council (LC) seats from the village to district levels are reserved for women.

Issue 27

Please provide such information, in particular the economic and social situation and measures in place to support these groups of women. Please also provide information on the human rights situation of internally displaced women and girls in relation to access to education, employment, safe water and health services as well as protection from violence.

¹² MFPED (July 2009) BMAU Brief 3 - Women in Entrepreneurship

¹³ MOH Monthly Report Form

Older Women

The State Party recognizes the valuable contributions older persons make to society in the creation of wealth, support and care for children, including HIV/AIDS orphans. Older persons promote social cohesion, conflict resolution, and are custodians of traditions and cultural values. A National Policy for Older Persons has been developed and spells out priority action areas to support, mobilize and empower older persons including older women.

According to a study on Equal Opportunity and Diversity in Uganda (2006), 75% of women aged 60 years and above are widowed, compared to 23% of men in the same category. As a result of unequal household power relations, widows tend to be marginalized in terms of access, ownership and control over household resources¹⁴.

Formal social security is accessed by persons who were in formal employment. This system excludes many older women formerly employed in informal sector, which is mainly agriculture. Data shows that only 7.1 % of older persons have access to pension, of which 60% are male. The Government is piloting social assistance grants for empowerment of older women in eight Districts

Women with Disability

The State Party has domesticated the 22 Standard Rules for Equalization of Opportunities for PWDs. Article 32 of the Constitution reaffirms affirmative action for marginalized groups, including women with disability. The Local Government Act, 1997, provides for two PWDs (male and female) at each level of governance from the village to District level. At national level, PWDs are represented by five Members in Parliament. There is a Minister responsible for PWDs and the Elderly.

There are programmes to create awareness on the special needs for PWDs including women with disabilities. Their issues have been mainstreamed in other Government programmes albeit with limited success. For example Universal Primary Education provides for children with disabilities; although with many challenges. Employment Act provides the framework for employment opportunities. Since 2009/2010 financial year, Government provides funds to persons with disability groups in form of special grant to assist them start income generating activities for self empowerment.

A National Policy on Disability was formulated in 2008. It promotes equal opportunities for empowerment, participation and protection of the rights of PWDs irrespective of gender, age and type of disability. It also guides and informs the planning process, resource allocation, implementation, monitoring and evaluation of activities with respect to PWDs at all levels¹⁵.

Refugees and Migrant Women

Measures in place to support refugee migrant women and girls are provided by the International Humanitarian Agencies under the coordination of the office of prime Minister which provides the policy guidelines. The Humanitarian agencies include the United Nations High Commissioner Refugees (UNCHR), International rescue committee American Refugee Committee International Committee of the Red Cross among others. The services provided include, food and welfare, health, education, water and sanitation.

¹⁴ National Policy for Older Persons, April 2009; 161.

¹⁵ 2002 Population and Housing Census (October 2006; 45) Gender and Special Interest Groups

Internally - Displaced Women and Girls

Internally displaced women face double jeopardy because of the conflict situation and the patriarchal practices in society. Northern Uganda has had most internally displaced persons because of armed conflict in the area for more than two decades. The situation has relatively improved since the majority of IDPs are returning to their homes after cessation of hostilities.

A, Peace, Recovery and Development Plan (PRDP) for Northern Uganda is being implemented to reconstruct the conflict affected districts and resettle people from IDPs into their communities. Constitutional provisions and the principles in the National Gender Policy have been mandatorily mainstreamed into the PRDP; and are invoked for the benefit of internally - displaced women and girls in accessing education, health, water and sanitation, economic livelihood activities and access to justice.

MGLSD and other State actors are implementing prevention, protection, and access to justice to address Gender based Violence in Northern Uganda.

14.0. Marriage and Family Life

Issue 28

Please elaborate on the contents of this Bill relating to all the above concerns, and provide updated information on the Muslim Personal Law Bill, and how this will affect women's rights concerning, inter alia, marriage, divorce, custody of children and inheritance. Please also provide information on the age of consent to marry for women in customary marriages.

The Marriage and Divorce Bill was tabled in the 8th Parliament for the first reading. It is now before the Legal and Parliamentary Affairs Sessional Committee for further consultation with stakeholders. The Bill seeks to consolidate the law relating to Civil, Christian, Hindu, Baha'i, and Customary Marriages; to provide for the types of recognized marriages, marital rights and duties; recognition of cohabitation in relation to property rights; separation and divorce; and the consequences of separation and divorce; and for related matters.

For any type of marriage, the Bill proposes 18 years as age of consent which is in line with provisions of the Constitution, the Children's Act and Penal Code (Amendment) Act.

The Bill further proposes to designate bride price as marriage gifts, which should not be demanded to be returned later at divorce. Demand to return marriage gifts are proposed as an offence.

Further, widow inheritance is prohibited. A person who commits this offence is liable to imprisonment or fine or both. However, marriage of a widow to her late husband's relative is allowed, if both freely consent.

It retains the potentiality of polygamy in a customary marriage. A husband can jointly own property each wife in the customary marriage.

Qadhi's Courts

The Muslim Personal Law Bill is a working document. Consultations are still on-going with stakeholders on the contents of the Bill. The Bill proposes establishment of Qadhi's Court which are provided for under the article 129 (d) of the Constitution. The Qadhi's Courts will handle marriage, divorce, inheritance of property and guardianship issues. Appeals will lie from this court to the High Court of Uganda.

15.0. Ratification of Optional Protocol to CEDAW.**Issue 29**

Please indicate any progress made with regard to the ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. Please also indicate what progress has been made towards acceptance of the amendment to article 20, paragraph 1, of the Convention pertaining to the Committee's meeting time.

The State Party ratified the Convention in 1985 without reservations. It endeavours to adhere to its provisions and the reporting requirements incumbent upon it.

The processes of consultation for ratification of Optional Protocol are on going. The delay is partly due to the fact that advocacy efforts were directed towards the ratification of the Protocol to the African Charter on Human and Peoples Rights and on the Rights of Women in Africa (Maputo Protocol). Government ratified Maputo Protocol in July 2010. This paves way for advocacy on ratification of the Optional Protocol and Amendment to Article 20 of the Convention.

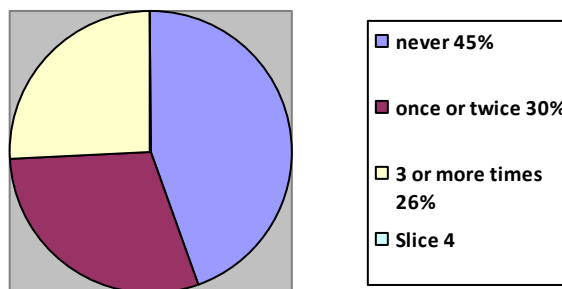
APPENDIX 1

1. Women and Health

Women and health

Family Planning Discussions among couples ¹⁶

Figure 1



– 41% of currently married women have unmet need for family planning. This is a sign of substantial unplanned and unwanted pregnancies

3.2.1 Care during child birth

The UDHS data show that most Ugandan women are giving birth under unsafe conditions¹⁷.

- Only 42% of births in Uganda are by a skilled provider. One possible explanation for this low percentage is that many more births occur at home (58%) than in a health centre (41%)
- 63% of women in rural areas gave birth at home, compared to only 20% of women in urban areas.
- 10% of all births are completely unassisted
- Women who have attained secondary or higher levels of education are three times more likely, than women with no education, to give birth in a health facility.¹⁸

A Gender Analysis of the Health Sector Strategic Plan (HSSP 11), underpins the health concerns of women which go beyond the often - discussed sexual and reproductive health issues. This analysis highlights the following:

- women specific needs arising out of their biological reproduction;
- women who seek treatment for others instead of seeking treatment for themselves;
- health sector's inherent gender and norms that discriminate against women and consumers of health care;

¹⁶ Uganda Bureau of statistics (2008 ; 12) Facts and Figures on Gender

¹⁷Uganda Key Findings from the 2006 UDHS A Gender perspective (14)

¹⁸ Uganda key Findings from the 2006 A Gender Perspective; 14

- preference for boys which forces mothers of girls to continue child - bearing in the hope of ‘chancing’ on a male child;
- female adolescents’ requirements for appropriate information to deal with their sexuality, socialized heavy domestic roles for girls which predisposes them to more morbidity than their male counterparts;
- limited resources (time and money) to seek health care;
- high levels of teenage pregnancy as girls are pressurized to engage in early sex than their counterparts; and
- Pressure for early marriage.

There are also gender disparities with regard to HIV/AIDS. Young women in steady unions are up to 2 to 4 times more vulnerable to HIV/AIDS. Lack of gender disaggregated data in illnesses is a key gender concern, Apart from reproductive health concerns, most health statistics are presented in a non - disaggregated manner as though gender differences do not exist¹⁹.

Education Sector: Enrolment by Gender and Grade 20

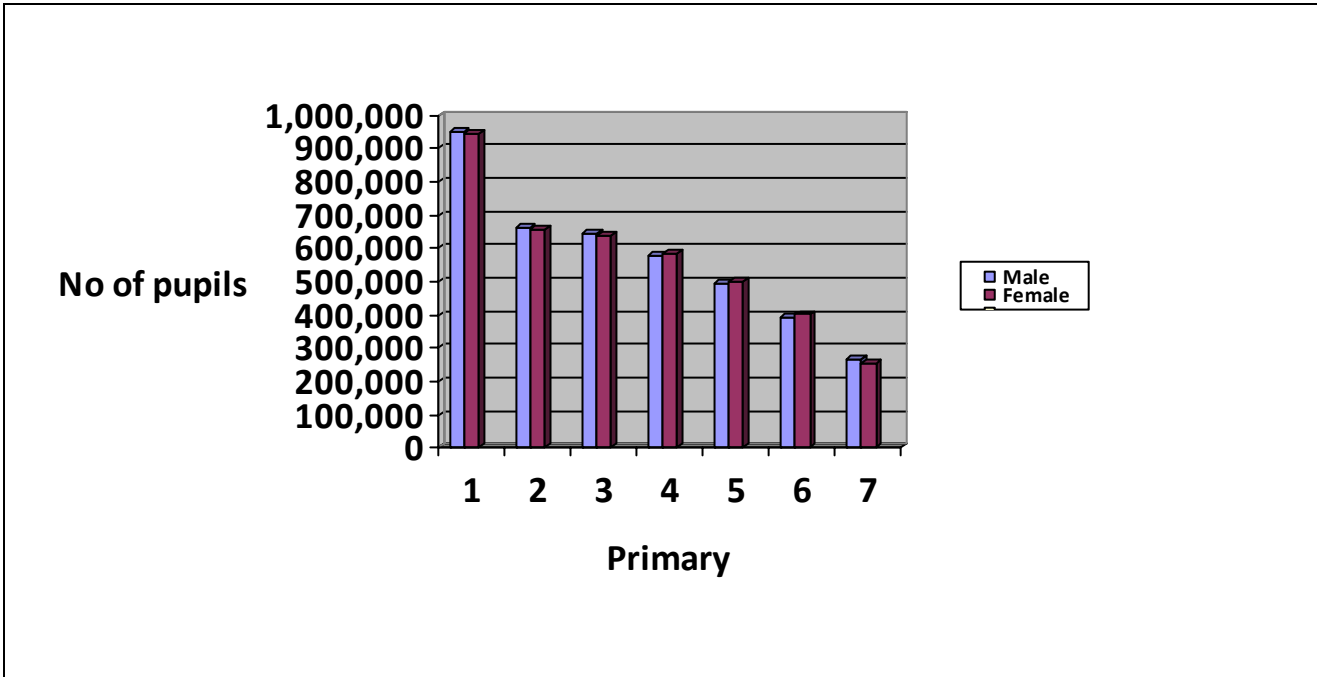
The Education Sector carries out an education census annually, which captures among other issues, enrollment by gender; retention ratios; transition ratios; drop out ratios and promotion rates; among others. This information is collected and developed into the “Uganda Annual Educational Statistics Abstract”, a valuable source of sex disaggregated data.

Total enrolment in all Primary Schools shows that 50.1 % were boys and 49.9% girls. The majority of pupils were in lower classes as seen in the figure 1 below.

Figure 1: Enrolment by Grade and Sex in Primary Schools

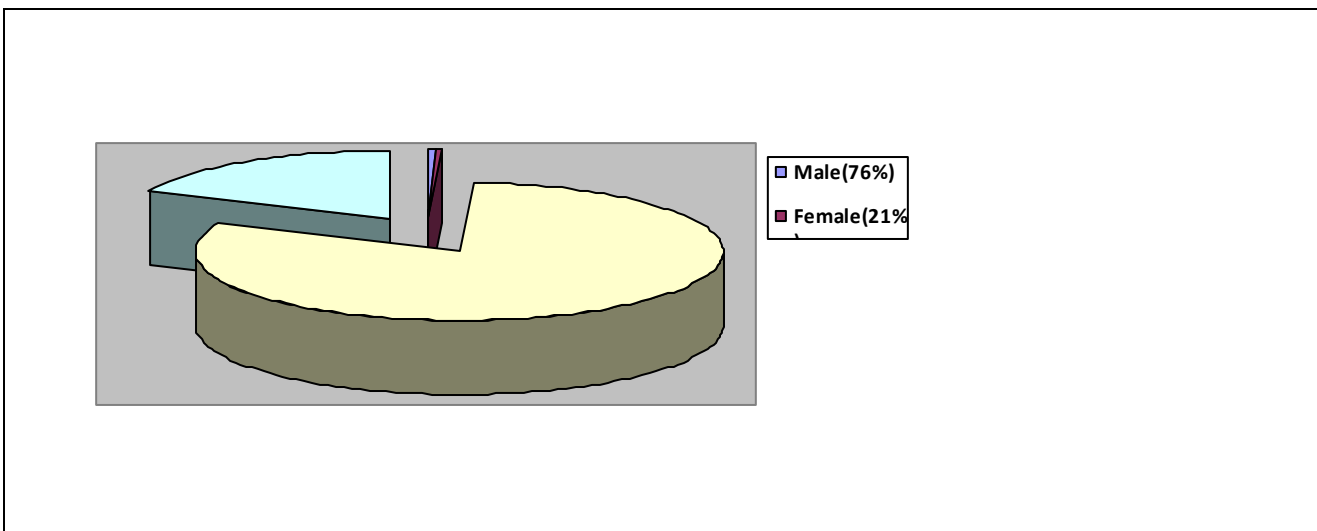
¹⁹ MGLSD 2007; 7-11 A Gender Analysis of the Health sector Strategic Sector Plan (HSSP 11)

²⁰ MOES (Volume 1 2008 xvi) Uganda Educational Statistics Abstract



The Education Sector also conducts annually a national head-count of Senior Secondary School students and Business, Technical and Vocational Education Training (BTJET). The exercise captures enrolment by gender; in particular gross intake rates and promotion rates for boys and girls. The head-count is implemented under the Universal Post-Primary Education and Training (UPPET) Policy, as an equitable provision of quality post-Primary School education and training to all Ugandans who have completed Primary Leaving Examinations (PLE). The information captured under the education census and head-count is used as an input to the planning and monitoring of the provisions of relevant quality education to Ugandans and processed and disseminated to various users under the Education Management Information System (EMIS)²¹.

Figure 2: Enrolment by Gender in BTJET Schools

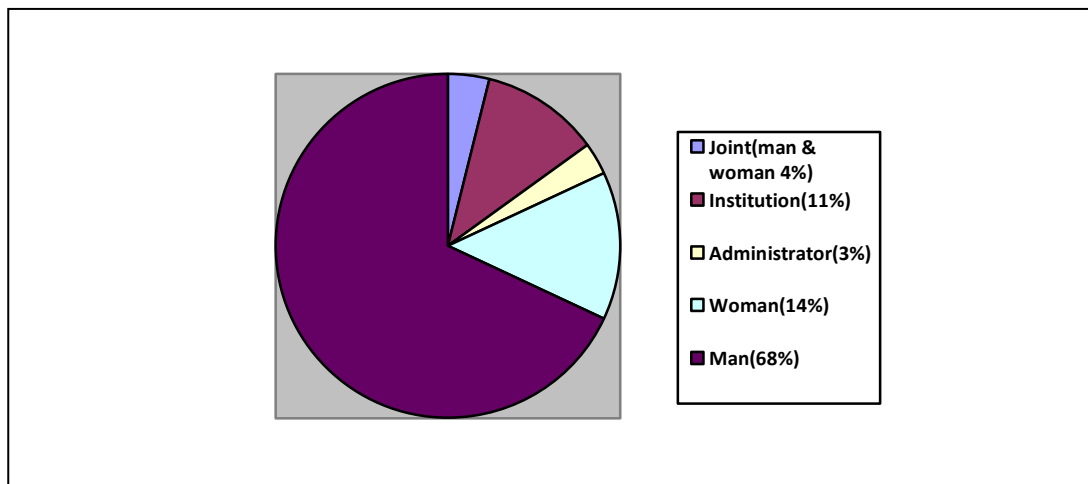


²¹ MOES (Vol.1 2008; v) Uganda Educational Statistical Abstract

Access to Productive Resources

Article 26 of the Constitution (1995) guarantees everyone's right to own property individually or in association with others. Land rights, particularly in rural areas, are acquired through birth rights and are traced through the patrilineal descent and this filters through the statutory laws. Under the Succession Act (Cap 162), the Marriage and Divorce laws (Caps 248-253), women's land rights are limited by the inequitable legal structure and traditional practices²². Male head households hold ownership rights between 80- 90% of the land available.²³

Figure 3: Economic Resources; Ownership of Mortgage Titles in Uganda²⁴

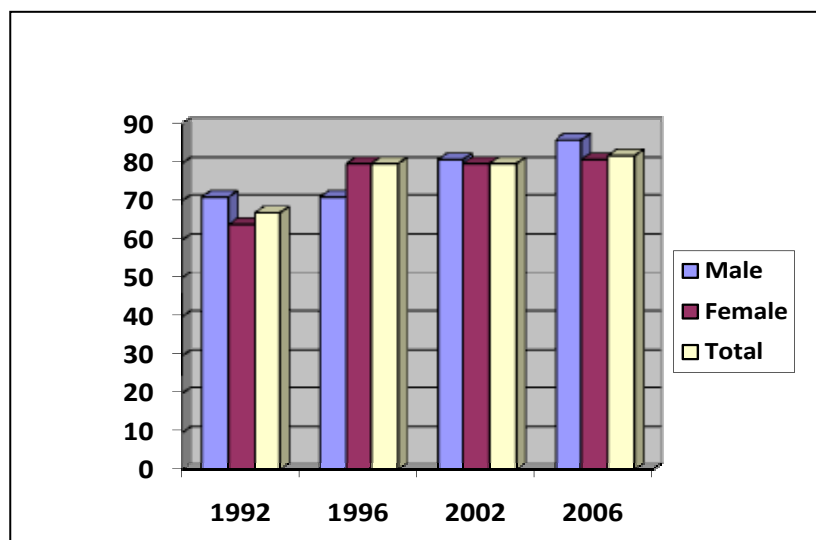


Access to finance is still very limited on account of limited collateral to present to the lending institutions. The pie chart shows the patterns of ownership of 93,146 registered titles mortgaged during the period 1980- 2002. Women accessed only 14% of the total mortgages.

²²MFPEP (2007s) PMAU Briefing Paper 1: Strategies for Generating Employment in Uganda.

²³ MFPEP (24) Inequality beyond income in Uganda. Does it call for more public response? Discussion Paper 14

²⁴ NDP 2010/2011 – 2014/2015; 133

Employment Sector: Labour Force Participation Rate by Sex.²⁵**Figure 4**

The labour participation rates for males are slightly higher than those of their female counterparts as shown above. This is attributable to low literacy levels among women generally and most women engaging in unproductive roles in particular.

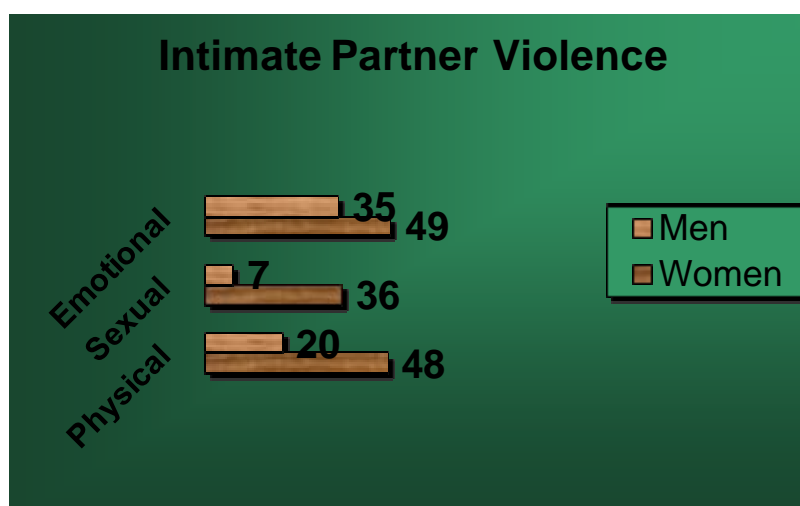
The State Party has generated sex disaggregated data on the disadvantaged women groups, namely, the older, women, women with disability and refugees, is contained in the Analytical Report for Gender and Special Interest Groups 2006.²⁶ The analysis is generated from data captured during the 2002 Uganda Population and Housing Census.

APPENDIX 2**Percentage of ever-married women and men aged 15-49 who ever experienced violence by their spouse or partner.²⁷**

²⁵ MFPED Discussion Paper 19 June 2009: 11: Employment and Job Creation In Uganda; Status and Job Prospects.
Source: Uganda Bureau of Statistics

²⁶ Uganda Bureau of Statistics (October 2006) Analytical Report – 2002 Uganda Population and Housing Census

²⁷ Uganda Key Findings from the 2006 UDHS : A gender Perspective (23)



Appendix 3

Table adopted from National Development Plan: 249

HEALTH FACILITIES (2004-2006)

Year	2004				2006				2010			
	GOVT	PNFP	PRIVATE	TOTAL	GOVT	PNFP	PRIVATE	TOTAL	GOVT	PNFP	PRIVATE	TOTAL
Hospital	55	42	4	101	59	46	8	114	64	56	9	129
HC IV	151	12	2	165	148	12	1	161	164	12	1	177
HCIII	718	164	22	904	762	186	7	955	832	226	24	1082
HC11	1055	388	830	2223	1332	415	261	2008	1562	480	964	3006
Total	1979	606	859	3443	2301	659	277	3237	1562	774	998	4394

Source; Ministry of Health; Infrastructure Division, 2004 and 2006 and 2010

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