



**Convention on the
Rights of the Child**

Distr.
GENERAL

CRC/C/SR.1058
22 September 2005

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Fortieth session

SUMMARY RECORD OF THE 1058th MEETING

Held at the Palais Wilson, Geneva,
on Thursday, 15 September 2005, at 10 a.m.

Chairperson: Mr. DOEK

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Second periodic report of Uganda

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Second periodic report of Uganda (continued) (CRC/C/65/Add.33; CRC/C/Q/UGA/2; CRC/C/RESP/96; HRI/CORE/1/Add.69)

1. At the invitation of the Chairperson, Ms. Bakoko Bakoru, Ms. Lwanga, Ms. Ocago, Mr. Otim, Mr. Ssonko, Mr. Turyemureba and Ms. Zeridah (Uganda) took places at the Committee table.
2. Ms. BAKOKO BAKORU (Uganda) said that the Government of Uganda attached great importance to children, as demonstrated by the number of legislative acts on children. An advocacy programme on birth and death registration, which was being implemented with the assistance of the United Nations Children's Fund (UNICEF), had made great strides in advancing children's rights at the local level. In a little more than two years, the Government had increased the level of primary school enrolment threefold. It had instituted a community dialogue programme, which enabled communities to participate in developing and implementing programmes for children. The Government had established an administrative unit to deal with street children and set up a programme to deal with the alarmingly high number of HIV/AIDS orphans.
3. Ms. OUEDRAOGO, Country Rapporteur, said that the armed conflict in northern Uganda had seriously hindered the implementation of the Convention. She was particularly concerned at the situation of children living in areas controlled by the rebel forces, as well as in the neighbouring areas. She asked what steps the Government planned to take to end the armed conflict, and why it refused to accept outside assistance.
4. The Government had yet to implement a number of the Committee's recommendations, in particular those related to birth registration, allocation of financial resources, child labour, child soldiers, refugee children, and juvenile justice. She asked what measures were being taken to accelerate the restructuring of the National Council for Children. She hoped that, once it was restructured, the Council would be better able to coordinate the work of the various ministries.
5. The Uganda National Plan of Action for Children was incomplete, and various other plans and programmes had been developed to supplement it. In addition, owing to a lack of qualified staff and financial resources, as well as a low level of awareness of children's needs, most districts were unable to integrate child protection measures into their development plans. Uganda needed to devise a comprehensive and integrated action plan for children, which should be coordinated by a single body. The action plan should be integrated into the Poverty Eradication Action Plan.
6. She asked whether the Uganda Human Rights Commission was fully independent and whether it monitored the implementation of the Convention. She enquired whether the Commission had a separate unit to deal with children's matters and receive complaints from children. The delegation should inform the Committee whether the Commission had qualified personnel and sufficient financial resources. She requested information on the project being

conducted in cooperation with the Office of the United Nations High Commissioner for Human Rights with a view to reinforcing the Commission. She would also be interested in knowing the extent of the Commission's involvement in promoting children's rights in northern Uganda.

7. She expressed concern that the courts still imposed corporal punishment and that corporal punishment continued to be used in prisons and in families. She asked whether the Prisons Act of 2003, which banned corporal punishment, was in force and whether the issue of violence against children was being discussed in Uganda. Lastly, she enquired whether the Government planned to prohibit corporal punishment in families, schools and prisons.

8. Ms. SMITH asked why the Government had not taken urgent measures to end the conflict in northern Uganda, which had led to the worst forms of violations of children's rights. She enquired whether the Government could guarantee that there were no child soldiers in the Ugandan Army, and what measures were being taken to prevent children under 18 from being recruited into the armed forces and civilian militia. She asked why the Government could not protect children who fled their homes in order to avoid being abducted by the Lord's Resistance Army.

9. She wondered why Uganda's economic growth had not had a positive impact on the situation of children. She asked whether corruption was one of the reasons that the departments responsible for the implementation of the Convention did not receive enough funding. She enquired whether Uganda had an overall plan for making appropriations for education, particularly since some 60 per cent of its education expenditure was funded by foreign countries. She asked what measures had been taken to ensure that children could express their views on matters of concern to them. The delegation should provide information on the new anti-terrorism bill.

10. Ms. ALLUOCH said that it would be useful to know what steps had been taken in 2003 to improve the process of birth registration in Uganda. The delegation should provide information on measures to ensure birth registration in camps for internally displaced persons in northern Uganda. She asked what steps the Government was taking to protect "night commuters".

11. Mr. LIWSKI asked why expenditure on health and social services had been reduced despite the fact that Uganda's gross domestic product (GDP) had increased and its debt-serving obligations had been alleviated. Owing to public health exemptions from intellectual property protection, Uganda had been able to produce generic medicines. However, third countries were putting pressure on Uganda to enforce high intellectual property standards, which would limit its ability to produce generic drugs and to provide adequate treatment for HIV/AIDS patients. He would be interested in knowing the Government's position in the multilateral negotiations on that issue.

12. He wondered what had prompted the Government to restructure the National Council for Children. He enquired to what extent civil society organizations were involved in organizing activities for children and developing policies on children's issues. The delegation should indicate what steps had been taken to prevent the use of torture and other forms of cruel, inhuman or degrading treatment of children, particularly in places in detention.

13. Mr. FILALI said that Uganda needed to compile disaggregated information on various categories of children and asked whether a databank on children had been developed. He wished to know how the Government planned to ensure that the Uganda Human Rights Commission had sufficient resources to fulfil its mandate.

14. Ms. VUCKOVIC-SAHOVIC said that, according to marriage statistics for 2002, there were some 65,000 married girls under the age of 15 in Uganda. She wished to know how the Government planned to ensure respect for the newly established minimum age for marriage, which was 18. The delegation should explain the procedure for dealing with juvenile offenders under age 12.

15. Mr. ZERMATTEN requested additional information concerning the reform of the National Council for Children and suggested that children or children's organizations should be consulted in the reform process. He wished to know what level of funding the restructured Council would receive and whether it would be an independent body. He wondered whether the new Council would delegate authority to regional bodies.

16. In Uganda, boys who had had sexual relations with consenting girls were treated as criminals, while the girls were treated as victims. That practice was discriminatory, and he wondered what measures the Government had taken to ensure the equal treatment of boys and girls in such cases.

17. Ms. KHATTAB wished to know whether the Ministry of Gender, Labour and Social Development sponsored programmes for the empowerment of girls. She requested information on the implementation of Uganda's national strategy for girls' education. She asked whether the strategy dealt with other issues of concern to girls, such as early marriage, early pregnancy and protection against HIV/AIDS.

18. Mr. KOTRANE asked why Uganda had not ratified the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption. The delegation should explain why the Government had failed to implement certain recommendations of the Uganda Human Rights Commission, particularly those concerning the provision of compensation to victims of human rights violations. He wished to know the current status of the sexual offences bill.

19. Mr. SIDDIQUI expressed concern for children living in northern Uganda and asked whether the Government had considered requesting to have United Nations peacekeeping forces sent to that region. He wished to know what steps were being taken to address the disadvantages suffered by Baka children. He enquired to what extent the Poverty Eradication Action Plan, would address child's rights issues.

20. Mr. PARFITT said that the delegation should comment on reports that Uganda's HIV/AIDS prevention programme focused too heavily on abstinence and misinformed the public about other methods of prevention, such as condoms. He wished to know what resources had been allocated to that programme.

21. He enquired whether the Uganda Human Rights Commission promoted the Convention and whether any of its members were responsible for monitoring children's rights. He asked how many complaints the Commission received from or with regard to children and their families, and whether any Commission members handled such complaints. He wished to know what steps the Government had taken to deal with the conflict in northern Uganda.

The meeting was suspended at 11.05 a.m. and resumed at 11.25 a.m.

22. Mr. SSONKO (Uganda) said that the Uganda Human Rights Commission had been established by the National Resistance Movement in order to put an end to the human rights abuses experienced by Ugandans under the previous regime. The Commission was an independent institution and had been established in accordance with the Paris Principles. Its functions included the investigation of complaints of human rights violations; research, education and training to promote respect for human rights; and the monitoring of the Government's compliance with its international treaty obligations. The Commission was composed of six commissioners who discharged their functions within various departments. The department of international treaty monitoring had established a unit that dealt with the Convention on the Rights of the Child.

23. The Commission had the power to summon any person to appear before it and to produce any document related to its investigation. It could order the release of a detained person, payment of compensation or any other legal remedy. The Commission operated three regional offices in northern Uganda and had begun an initiative, in conjunction with the Ministry of Defence, to improve relations between the military and the civilian population.

24. The CHAIRPERSON asked whether Uganda had considered establishing a special commission to deal with children's rights and an office of the ombudsman. He wished to know why the Government had failed to implement certain recommendations of the Uganda Human Rights Commission.

25. Mr. SSONKO (Uganda) said that, when government officials were found guilty of human rights abuses, compensation was made by the State. A list of the amounts of compensation already paid by the Government would be made available to the Committee. The Office of the Inspector General of Government, which was an independent office established by the Constitution, functioned as ombudsman.

26. Ms. BAKOKO BAKORU (Uganda) said that the National Council for Children was responsible for ensuring the observance of children's rights in Uganda. The Council was currently undergoing reform that would give it greater autonomy and resources. An equal opportunity commission, which would be established before the end of 2006, would strengthen the work of the Council. The National Council for Children cooperated with the law enforcement branch and the Uganda Human Rights Commission.

27. Ms. SMITH requested further information on the restructuring of the National Council for Children.

28. Ms. BAKOKO BAKORU (Uganda) said that the Council was being reorganized in conjunction with the restructuring of the Ministry of Gender, Labour and Social Development in order to implement the Social Development Sector Investment Plan. The Council's role would be upgraded in order to enable it to meet the new challenges facing it, particularly the large number of orphans and all children who had been infected with HIV/AIDS while in rebel captivity.
29. The CHAIRMAN asked whether any campaigns had been conducted to raise children's awareness of the Council and its activities.
30. Mr. OTIM (Uganda) said that a free telephone line for children would be set up in the near future.
31. Ms. BAKOKO BAKORU (Uganda) said that, while a telephone line might be helpful, many children did not have access to a telephone. However, non-governmental organizations (NGOs) were making progress in disseminating information about the Council at the grass-roots level.
32. While the Government was making efforts to protect children, the situation in the north of the country was difficult. Many people in northern Uganda had been abducted by rebels, and it was only when they returned to Ugandan territory that the Government, in cooperation with several NGOs, could take action. More targeted assistance was currently being sent to people in northern Uganda, particularly those living in camps for internally displaced persons. Since many of those camps were becoming new towns, it was expected that some of the current inhabitants would not return to their villages, even when peace had been established.
33. Ms. ALUOCH asked why the Government had chosen a Ugandan member of the World Bank to act as a mediator in its negotiations with the Lord's Resistance Army.
34. Ms. KHATTAB asked what measures had been taken to provide effective assistance to children in northern Uganda.
35. Ms. SMITH asked whether the Government had adopted a comprehensive policy on internally displaced persons, and to what degree the security situation in northern Uganda had improved.
36. Ms. BAKOKO BAKORU (Uganda) said that while it was true that the key negotiator with the Lord's Resistance Army was a Ugandan member of the World Bank, she was only part of the Government's peace team.
37. Uganda had almost reached the Millennium Development Goal of universal enrolment in primary education, which had particularly benefited girls. The current challenge was to find ways of keeping children in school and to develop vocational opportunities for post-secondary studies. Affirmative action had been taken to facilitate girls' entry into tertiary education by adding 1.5 points to their final school examination scores.

38. A successful programme had been conducted in conjunction with the United Nations Population Fund (UNFPA) to combat the practice of female genital cutting in the district of Kapchorwa. Efforts had been made to change the mindset of the traditional surgeons in those communities, particularly by providing them with an alternative source of income.
39. Early marriages had decreased as a result of universal primary education, since more girls were staying in school. The Community Mobilization and Empowerment programme, which was operated in cooperation with UNICEF, had encouraged parents not to allow their daughters to marry at a young age. The Government's affirmative action measures to promote women's participation in politics had made people realize that girls could benefit from education. Under the Birth and Registration programme, traditional birth attendants and community health workers had widely disseminated information about the health risks of early pregnancy for mothers and infants.
40. Uganda had been endeavouring to improve the population's standard of living. The number of people living below the poverty line had decreased from about 45 per cent to about 38 per cent over 10 years.
41. There had been a 12 per cent reduction in the number of people who earned their living through agriculture, and a corresponding increase in the number of people employed in industry. The Government was working in cooperation with the International Labour Organization (ILO) to draft new labour laws. Measures to prevent child labour had already been adopted. The most serious obstacle to Uganda's implementation of its labour policy was lack of resources. The Ministry of Gender, Labour and Social Development, whose budget had increased significantly over recent years, cooperated closely with the Parliament's chairperson for social services in order to develop its policies and increase funding opportunities.
42. The CHAIRPERSON asked how the Government would update the National Plan of Action for Children to include the recommendations of the outcome document of the special session of the General Assembly devoted to children, held in 2002.
43. Ms. OUEDRAOGO, Country Rapporteur, asked how indicators on children would be integrated into Uganda's data collection system. That system still had many shortcomings and must be improved. She wondered how the obstacles to the proper dissemination of the Convention and national legislation on children's rights would be overcome, and whether the Government intended to incorporate the Convention into school curricula.
44. As a result of adult deaths from HIV/AIDS, many Ugandan households were headed by children, and she wondered what measures were being taken to support such households. She asked how many children's institutions existed in Uganda, and who took the decision to place a child in an institution. She wondered whether such institutions had sufficient qualified staff; and whether norms had been established to regulate living conditions in children's institutions. The delegation should indicate how frequently the cases of children living in institutions were reviewed. She asked whether informal adoptions were common in Uganda and, if so, how children in such situations were protected by the State. She enquired whether a system for foster care had been established, particularly in view of the large number of AIDS orphans.

45. She wished to know what measures the Government was taking to address the issue of sexual abuse in the family. She also wished to know what was being done to prevent and prohibit domestic violence. She asked how the Vision 2025 strategy and the Poverty Eradication Action Plan were linked, whether they were adequately funded, and whether they included aspects relating to the rights of the child. She asked whether children's opinions had been taken into account in the drafting of those policies. She wished to know who financed the fund for community development initiative projects in northern Uganda, and whether the projects took account of the real needs of the people. She wondered whether the projects supported by the fund could be sustained in the long term if the security situation in northern Uganda did not improve.

46. She wished to know whether the effects of programmes to assist street children had been evaluated, and whether the implementation of those programmes was monitored. She would like to know how the Government planned to address the increase in the number of such children. She wondered whether the effects of government measures to protect child victims of sexual exploitation had been evaluated, what was being done to prevent the further sexual exploitation of victims who had received assistance, and how the perpetrators of such crimes were punished. She wished to know whether drug abuse was a problem in Uganda.

47. The Committee had received reports of the practice of child sacrifice in the State party. She asked whether the Government was aware that that practice existed and, if so, how it planned to eradicate it.

48. Uganda had ratified the Optional Protocol to the Convention on the involvement of children in armed conflicts and its first State party report had been due in 2005. She asked when that report would be submitted.

49. Ms. SMITH, Alternate Rapporteur, said that, although there had been a marked improvement in female primary school attendance in the State party, secondary school and higher education attendance rates were still very low. She wondered what steps were being taken to make educational institutions better equipped for girls, and to increase the number of female teaching staff. Although primary education was in principle free of charge, in practice children were required to pay for uniforms, school books and other materials. She wished to know whether orphans and poor families received assistance for such necessities.

50. She wondered whether the quality of primary education had been adversely affected by the sharp increase in attendance and the continuing shortage of financial resources. She asked how the Government planned to improve the quality of teaching. She wondered whether life skills and health issues would be included in school curricula in order to raise awareness about such problems as early pregnancy. She wished to know the status of the new school curriculum. She asked how the Government ensured that there were sufficient qualified teachers in schools, since salaries were very low. She wondered whether any measures had been taken to implement child-centred teaching. The delegation should inform the Committee whether the Government planned to allocate further financial resources to education.

51. She commended the State party's generous attitude towards refugees and asylum-seekers, and asked when the bill on refugees would be adopted. She would appreciate further information on pretrial detention, legal aid and conditions in prisons, rehabilitation institutions and remand institutions. She asked what alternatives to detention existed for children. She wished to know whether family courts dealt with criminal as well as civil matters.

52. Mr. KRAPPMANN requested updated statistics on education. In that connection, the Government should establish an effective system for disaggregated data analysis. Although primary school attendance rates had improved considerably, the accumulated dropout rate between primary and higher education was 80 per cent. He expressed concern at the long list of categories of children with difficulties in attending school. He asked how the Government intended to facilitate access to education for those categories of children, and what measures would be taken to ensure that they enrolled in school and remained in education. The delegation should explain why children dropped out of school.

53. He asked whether basic education in Uganda was completely free of charge, and whether the Government was taking measures to make pre-primary education accessible to all. He asked what information was contained in the reference document used by the Early Childhood Development Taskforce, and what the results of the National Classroom Construction Plan had been. He wondered how the Government planned to rectify the general shortages of water, books and educational materials in schools. He asked what steps would be taken to ensure that teachers were adequately trained. He was concerned that the new school curriculum had not been distributed owing to a lack of resources, and wondered when it would be introduced in all schools.

54. Measures should be taken to prohibit and eliminate corporal punishment in schools, since it caused children to drop out of education, and made donors reticent about contributing to the education system. He asked whether vocational training was available to school dropouts.

55. Mr. KOTRANE commended the Government's policy on planning for a sustainable solution to the problem of child labour. The National Programme of Action to Eliminate Child Labour in Uganda aimed to withdraw 3,000 children from the worst forms of child labour, and he wondered what would be done to assist the remaining - nearly 2.7 million - working children. He requested further information on the five programmes for working children, and the eight programmes that were being drafted. He requested updated statistics on the number of children living with their mothers in detention, the number of judges who specialized in juvenile justice and the number of children being held in special juvenile detention institutions. He wondered whether Uganda cooperated with international organizations on issues of juvenile justice.

56. Ms. KHATTAB asked whether the Government's strategy on education for girls had its own budget, and how that strategy had improved the enrolment and retention of girls in schools. She requested additional information on measures to discourage surgeons from practising female genital mutilation.

57. Ms. AL-THANI requested further information on measures to protect children with disabilities. She asked what sort of discrimination against such children occurred within the family, and what was being done to raise public awareness of those children's rights. She wished to know what was being done to improve access to schools and to ensure that teachers were adequately trained to work with disabled children.

58. She asked how the Government was rectifying the lack of resources and staff for the public health sector, and addressing regional disparities in health service provision. She requested information on measures to reduce maternal and infant mortality rates. She wished to know whether measures were being taken to raise awareness of malaria, and whether mosquito nets were provided to the public free of charge. Although HIV/AIDS had declined as a result of a government strategy to promote abstinence, further measures were required to ensure that the number of cases did not increase in future. She asked how the Government's policy on HIV/AIDS had been updated, and whether it included specific measures to reduce mother-to-child transmission and protect AIDS orphans.

The meeting rose at 1.05 p.m.