



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

Distr.: General  
21 September 2010

Original: English

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**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  
reports**

**Uganda\***

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\* Late submission from State party.

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## Acronyms and abbreviations

ANC	Antenatal Care
ARVs	Antiretrovirals
BTVET	Business, Technical and Vocational Education and 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 Immunodeficiency 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	Microfinance Support Centre Ltd.
NDP	National Development Plan
NGOs	Non-Governmental Organizations
NOTU	National Organization of Trade Unions
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 Organization
UNFPA	United Nations Population Fund
UNGEI	United Nations Girls' Education Initiative
UNICEF	United Nations Children's 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

## I. Preamble

### A. Introduction

1. In 2009, the Government of Uganda submitted a combined fourth, fifth, sixth and seventh report on the implementation of CEDAW to the Committee on the Elimination of All Forms of Discrimination Against Women.
2. This omnibus report was considered by the pre-session working group which requested clarification on issues in the areas of health, education, access to productive resources, employment and other related issues.

### B. Methodology

3. 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 initiated with the relevant ministries, departments and agencies (MDAs). Civil society organizations (CSOs), including women NGOs, were also consulted. During these consultations, a review of the documents published by the line Ministries and NGOs on the implementation of CEDAW were undertaken. In addition, oral interviews were conducted with the officers directly involved in CEDAW implementation.
4. The responses in the report follow the sequence of the list of issues submitted by the CEDAW working group.

## II. Replies to the list of issues

### A. General

#### **Reply to the issues raised under paragraph 1 of the list of issues (CEDAW/C/UGA/Q/7)<sup>1</sup>**

5. The Ministry of Gender, Labour and Social Development (MGLSD), the coordinating agency for all the stakeholders engaged in the implementation of CEDAW, initiated a consultative process to respond to the comments arising from the third periodic report and to prepare the fourth country status report.
6. The consultation process had four main objectives:
  - (a) To disseminate to stakeholders the recommendations of the CEDAW Committee arising from the third country status report;
  - (b) To review the progress made since the submission of the third country status report, and gather information for the fourth country status report;
  - (c) To finalize the draft National Action Plan for the implementation and monitoring of CEDAW in Uganda; and
  - (d) To share experiences on the implementation of CEDAW.

<sup>1</sup> Please refer to the list of issues (CEDAW/C/UGA/Q/7) for the wording of the questions.

7. The consultations achieved the following:
  - (a) Adoption of recommendations and strategies for enhanced implementation and monitoring of CEDAW in Uganda;
  - (b) Formulation and adoption of the first National Action Plan for the implementation and monitoring of CEDAW in Uganda; and
  - (c) Information for the fourth country status report.
8. The participatory consultations included a presentation of the provisions of CEDAW and dissemination of the 3<sup>rd</sup> Periodic Report of Uganda (CEDAW/C/UGA/3).
9. Dissemination of the report and consultations were held in Kampala in November 2006 with Government officials, academia, development partners and national CSOs, including women organizations.
10. The participants in the national consultative process were drawn from the line Ministries that implement CEDAW provisions, namely, Justice & Constitutional Affairs (MJCA); Health (MOH); Education and Sports (MOES); Finance, Planning and Economic Development (MFPED); and Gender, Labour and Social Development (MGLSD). Political leaders and technical staff at all levels also attended.
11. In September 2008, a National Consultative Workshop was organized for Members of Parliament (MPs) representing the different sessional committees of Parliament including the Gender, Labour & Social Development Committee. Consultations with MPs provided political input. The MGLSD also worked closely with the Uganda Women's Parliamentary Association (UWOPA) and organized three workshops with a cross section of MPs. The workshops assessed whether the minimum standards of gender equality provided for under the Convention have been attained.
12. In addition, regional consultations were held in December 2007 in both the Northern and Eastern regions, and involved stakeholders from 24 Districts.
13. UNICEF facilitated three regional consultations on the development of the National Plan of Action for implementing and monitoring CEDAW.
14. The concluding observations adopted by the CEDAW Committee, following consideration of the 3<sup>rd</sup> Country Status Report, could not be translated into the main local languages due to inadequate resources. There are 65 local languages/ethnic groups in Uganda and considerable resources are needed to translate information into all of those languages. Nonetheless, consultations with the different stakeholders, in particular Government officials and politicians, created awareness on the steps required to ensure de jure and de facto equality of women and men.

#### **Reply to the issues raised under paragraph 2 of the list of issues**

15. The planning units of the relevant Ministries are responsible for generating sex-disaggregated data for the health, education, access to productive resources, employment and other sectors. The planning units also coordinate the collection and reconciliation of sex-disaggregated data for the sectors with the data available at the Uganda Bureau of Statistics with a view to informing sector-performance evaluations, planning and policy formulation.
16. An update of the statistical data disaggregated by sex pertaining to the main areas of the Convention can be found in Appendix 1.
17. The State Party has put in place steps to establish regular collection and analysis of data to generate sex disaggregated data. The Uganda Bureau of Statistics (UBOS) is a semi-autonomous Government agency, created by an act of Parliament in 1998, with a mandate

to ensure the production of quality and timely official statistics, and to coordinate, monitor and supervise the National Statistical System (NSS).<sup>2</sup> In 2010, UBOS hired a gender statistician/analyst to enhance the agency's capacity in gender-related data collection and analysis. The State Party generates sex disaggregated data on 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.

18. For example, the Analytical report on gender and special interest groups, October 2006, was produced based on the 2002 Uganda Population and Housing Census.<sup>3</sup>

## **B. Legal status of the Convention, legislative and institution framework**

### **Reply to the issues raised under paragraph 3 of the list of issues**

19. The State Party has progressively domesticated the Convention provisions into enabling laws that are now applicable in national courts. This was achieved through the concerted efforts of many stakeholders participating in advocacy consultations, debates and sensitizations on gender equality. Participating line Ministries include Gender, Labour and Social Development (MGLSD), Justice and Constitutional Affairs (MJCA), Health (MoH), Education and Sports (MOES), as well as Parliamentary Sessional Committees, Uganda Women's Parliamentary Association (UWOPA), district leaders, religious and cultural leaders; women NGOs and CSOs, private sector associations, academia, and the media.

20. Since the promulgation of the Constitution in 1995, the following gender-responsive laws have been enacted:

- Land Act and its amendments guaranteeing right to occupancy where spousal consent is a requirement prior to any transaction on matrimonial land;
- Labour Laws, e.g. Employment Act (2006), provide for women's maternal rights: maternity leave of 60 working days, and paternity leave of 3 working days. The law also prohibits sexual harassment;
- Penal Code (Amendment) prohibits defilement of girls and boys;
- Domestic Violence Act 3 (2010) criminalizes domestic violence in a domestic setting;
- Prohibition of Female Genital Mutilation (FGM) Act 5 (2010) criminalizes the act of female genital mutilation;
- Prevention of Trafficking in Persons Act (2010) prohibits the trafficking of persons, including children, for gain and exploitation; and
- International Criminal Court (ICC) Act (2010) criminalizes sexual exploitation of women during conflict situations.

21. 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, respectively, for further consultations.

<sup>2</sup> Facts & Figures on Gender (2008:5), Uganda Bureau of Statistics.

<sup>3</sup> Uganda Bureau of Statistics (October 2006), Analytical Report – 2002 Uganda Population and Housing Census.

22. Furthermore, Article 21(3) of the Constitution (1995) prohibits discrimination, defined as follows: “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, social or economic standing, political opinion or disability.”

23. The definition is broad and 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 enabling legislations that have been passed and which cover specific forms of discrimination against women and girls.

24. *De facto* equality with regard to legislation is constrained by multiple factors arising from the enforcement of a dual legal system of statutory and customary laws concurrently. Cultural practices and patriarchal traditions tend to disadvantage women, especially with regard to allocation of productive resources essential for accessing justice.

#### **Reply to issues raised under paragraph 4 of the list of issues**

25. The 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, bride price). Following consultations, the bill was split into two parts, namely the Marriage and Divorce bill and the Administration of Muslim Personal Law/Qadhis Courts bill. Therefore, the Domestic Relations bill no longer exists.

26. The Marriage and Divorce bill aims at consolidating the law relating to civil, Christian, Hindu, Baha’i, and customary marriages, and provides for all types of recognized marriages, marital rights and duties, recognition of cohabitation in relation to property rights, separation, divorce and the consequences, and other related matters.

27. The Marriage and Divorce bill was read for the first time in the 8<sup>th</sup> Parliament; it is currently before the Legal and Parliamentary Affairs Sessional Committee for further consultation with stakeholders.

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

29. The Sexual Offences (Miscellaneous Provisions) bill is a working document. It is still undergoing consultations and 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, which cover prohibition of defilement, and violence in the domestic setting, respectively. It is mostly the procedural aspects relating to trials for sexual offences that remain in the Sexual Offences bill.

#### **Reply to the issues raised under paragraph 5 of the list of issues**

##### **1. Poverty**

30. The gender analysis in the Uganda Households Survey data of 1999-2003 (MFPED 2003) showed that female-headed households (FHH) were more disproportionately represented among the chronically poor, and households moving into poverty.<sup>4</sup> The analysis further indicated that divorced/widowed and married female-headed households are particularly prone to being poor at any given time.

##### **Poverty level: disaggregated by marital status and gender of household head**

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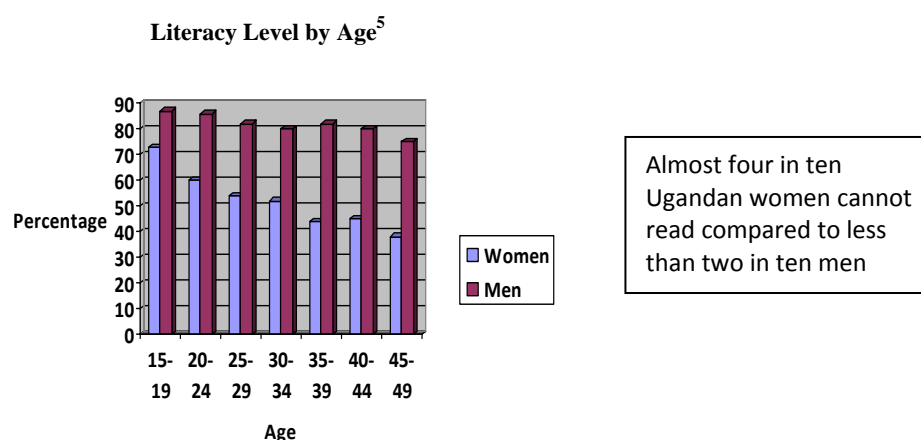
<sup>4</sup> MFPED (August 2006: 23- 24), Gender inequality in Uganda: status, causes and effects.



	MHH					FHH					All
	Unmarried	Divorced	Widowed	Married	All	Unmarried	Divorced	Widowed	Married	All	
1992	44.6%	57.2%	48.0%	49.2%	56.5%	30.6%	53.3%	54.6%	62.6%	56.2%	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											
Total	18.4%	38.0%	34.95 %	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%	

31. More FHH (38.9%) than MHH (32.8%) are below the poverty line. The above table indicates that female-headed households are a poor and potentially vulnerable group.

## 2. Literacy



## 3. Access to justice

32. The National Development Plan (NDP) highlights 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).

33. A desk review of Gender and Access to Justice in Uganda (March 2002: 26-27)<sup>6</sup> presents the balance sheet on barriers to justice by men and women. The barriers include gender-neutral and gender-biased laws, gender-insensitive operations in court and judicial systems, and societal perceptions which condone gender-based violence. Gender-based violence is estimated at 68% for females, compared to 20% for males (UDHS 2009). Appendix 2 presents levels of gender-based violence in marriage.

## 4. Strategies put in place to overcome these challenges

34. 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

<sup>5</sup> Key findings from the 2006 UDHS – Gender Perspective.

<sup>6</sup> Justice Law and Order Sector, Desk Review of Gender and Access to Justice In Uganda, March 2002.

services to active and productive Ugandans. MSC provides services to Savings and Credit Cooperative Organizations and Area Cooperative Enterprises which in turn offer access to services to their members. MSC provides a special financial product for special interest groups which include women, youth, persons with disabilities, as well as older persons.

35. Universal Primary Education, Universal Secondary Education, Business, Technical and Vocational Education and Training (BTNET), Functional Adult Literacy (FAL) programmes are in place to address the high illiteracy levels. BTNET is a post-primary programme intended to increase business options available for girls and boys who opt 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's and girls' rights and increase their access to justice. Administrative institutions like the Family and Child Protection units at all Police Stations are available to women and girls to address family and children issues.

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

37. The NDP recognizes the importance of access to justice and has planned programmes for legal-aid and para-legal services.

#### **Reply to the list of issues raised under paragraph 6 of the list of issues**

38. The Equal Opportunities Commission (EOC) launched operations in the 2009/2010 financial year (FY). The Commission is comprised of five members – three women and two men – appointed for a 5-year term, renewable once. The Chairperson is a woman.

39. The processes to establish a full-fledged EOC Secretariat are ongoing. The Commission has gone through an induction process and strategic planning and development of a five-year work plan for 2009-2012. The Commission has already receiving complaints, however, they can only be handled after awareness has been created and regulations to guide the operations of the Commission have been developed. The Parliamentary Standing Committee on Equal Opportunities complements the work on elimination of discrimination in society.

### **C. National machinery for the advancement of women**

#### **Reply to the issues raised under paragraph 7 of the list of issues**

40. MGLSD is the national machinery for gender equality and women's empowerment. It coordinates all the mechanisms for promoting gender equality. The Directorate for Gender and Community Development has the primary responsibility for spearheading promotion of gender equality and the advancement of women. The Ministry participates in public-policy formulation through various bodies and institutions. It is charged with the responsibility of mainstreaming gender in national development plans, sector Ministries, local government, investment plans, as well as the UN agencies country cooperation framework.

41. The Ministry is directed at the Cabinet level by a Minister and a Minister of State. This arrangement enables the national machinery to be represented in the Cabinet, the highest decision-making body in Government.

42. The Ministry was restructured in 2008 and the Gender division was upgraded to a full-fledged Department of Gender and Women's Affairs. The staff complement of Gender Experts in the department increased from 7 in 2004 to 13 in 2009, that is, 76% of its

optimal staffing level. The Ministry has a technical link to the local government and is responsible for the overall technical and policy guidance for the Social Services and Social Development departments at the district level. The table below provides a budget estimate summary for the Ministry.

**Sector Summary Budget Frameworks for the MGLSD<sup>7</sup>**  
(Estimates in Uganda Shillings - billions)

<i>Vote Function</i>	<i>2008/2009</i>	<i>2009/2010</i>	<i>2010/2011</i>	<i>2011/2012</i>	<i>2012/2013</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

**Reply to the issues raised under paragraph 8 of the list of issues**

43. The National Action Plan for monitoring the implementation of CEDAW for 2007-2010 is the first such plan since Uganda ratified CEDAW in 1985. The Plan reflects Uganda's commitment to promoting equality of women and men, as provided for in CEDAW.

44. The National Action Plan on Women, which is based on the Beijing Platform for Action on Women, focuses on five strategic objectives, which are in line with CEDAW provisions, namely:

- (a) legal policy framework and leadership;
- (b) social economic empowerment;
- (c) reproductive health rights and responsibilities;
- (d) girls' education; and
- (e) peace building, conflict resolution and freedom from violence.

45. Although no reviews have been conducted on these Action Plans over the reporting period, the present CEDAW country status report monitors and documents the progress made in their implementation.

**D. Stereotypes and cultural practices**

**Reply to the issues raised under paragraph 9 of the list of issues**

46. The Ministry has promoted activities at all levels to create awareness and raise social consciousness with a view to changing societal attitudes and cultural patterns that perpetuate stereotyping and reinforce the idea that women are inferior.

<sup>7</sup> MGLSD, April 2010, Social Development Sector Budget Framework 2010/11-2012/13.

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

48. The development of a handbook for mainstreaming gender in education has created a gender-responsive learning environment, where the girls are portrayed positively and accorded equal opportunities as boys.

49. Furthermore, institutional mechanisms have been set up to support women in the media. For instance, there are enabling laws and policies that support freedom of the press, irrespective of gender. Uganda has an effective policy-development system to support gender equality in the media, though it lacks strict implementation measures. In addition, the system does not have clear monitoring and evaluation tools and mechanisms in place. However, the Government recognizes and promotes women's media networks such as the Uganda Media Women's Association (UMWA), which runs a community radio station that mainly transmits information on women's and children's welfare, as well as the Women of Uganda Network (WOUGNET) which transmits electronic information on women, and the Uganda Journalist Association (UJA) where women participate and are portrayed positively.

50. However, the media is driven by profit; as such, media houses tend not to give priority to development issues, including gender concerns. Priority issues that "sell" are politics, crime, conflict and popular culture, including, inter alia, sports and music. In fact, there has been an increase in the negative portrayal of women in the media. The media is a form of sexual exploitation of women and tends to promote a negative perception of women.

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

#### **Reply to the issues raised under paragraph 10 of the list of issues**

52. The Prohibition of Female Genital Mutilation Act 5 (2010) was enacted in March 2010. The Act prohibits and criminalizes female genital mutilation and also provides for prosecution and punishment of offenders, and protection of victims – girls and women – under threat of female genital mutilation.

53. A person who performs FGM is liable to 10 years' imprisonment if found guilty. Persons who participate or aid the process shall be imprisoned for a period not exceeding five years. A person who commits the offence of aggravated FGM (i.e., if the victim dies or suffers disability or is infected with HIV/AIDS due to FGM, or if the offender is the parent or guardian of the victim or a health worker, doctor or person in authority) shall face life imprisonment.

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

55. The Ministry of Education is in the process of establishing a model girls' school within communities that practice FGM, as a measure of motivation against the practice. In addition, the MGLSD has initiated consultations with communities that practise FGM and the women "surgeons" who perform FGM on an alternative livelihood programme.

### Reply to the issues raised under paragraph 11 of the list of issues

56. Child sacrifice in Uganda has been identified as a major child protection deficiency that requires action. The rapid assessment on child sacrifice, conducted by the MGLSD in 2009, indicated that children are primary victims because of their vulnerability and the perception that they are pure and therefore appropriate for sacrifice. The box below provides data on the practice in Uganda:

Data from Police records and media reports of cases of child sacrifice linked to ritual murders have been on the increase since 1999. 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 brought before the Court). Between January and October 2009, 13 children died under circumstances suspected to be linked to human sacrifice, (Source: Anti-Human Sacrifice & Trafficking, Uganda Police Task Force, 2009: Binoga 8)

57. Child sacrifice constitutes “murder” under the Penal Code, and is also addressed in the Prevention of Trafficking in Persons Act (2009), which protects all persons, including girls. Persons who traffic in children as deemed to commit aggravated trafficking in persons and may be liable to the death penalty.

58. A draft National Action Plan against child sacrifice was developed by MGLSD based on the findings of the Rapid assessment on child sacrifice in Uganda. The Plan includes proposals aimed at preventing the occurrence of child sacrifice, improving investigation and prosecution of offenders, and responding to the physical, psychological and medical needs of survivors and their families.

59. An Anti-Human Sacrifice and Trafficking Task Force has been set up in the Uganda Police Force to handle all investigation and prosecution related to human trafficking and child sacrifice, and to sensitize the public about those issues.

60. Other harmful practices that persist include early marriage, child abuse and female genital mutilation, and are addressed by the Children Act (Cap 59) and Prohibition of Female Genital Mutilation Act (2010).

61. Early marriage of girls is prohibited under the Constitution, the Penal Code (Amendment) Act 8 (2007) and the Marriage and Divorce Bill.

## E. Violence against women

### Reply to the issues raised under paragraph 12 of the list of issues

62. The Domestic Violence Act 3 was enacted in 2010. It provides for the protection and relief of victims of domestic violence, punishment of perpetrators, procedures and regulations to be followed by the Court with regard to protecting and compensating victims of domestic violence, jurisdiction of the Court, enforcement of court orders, and empowerment of the Family and Children Court. Local council (LC) courts have jurisdiction to try minor cases of domestic violence of a reconciliatory nature.<sup>9</sup>

63. The Act provides for four broad forms of domestic violence, namely:

<sup>8</sup> MGLSD (2009), Rapid Assessment on Child Sacrifice in Uganda: Informing Action, Assessment Report and Draft National Action Plan Against Child Sacrifice.

<sup>9</sup> Local councils were established by the Local Council Act 13 of 2006.

- 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 the form of repeated insults, ridicule or name-calling, or repeated threats;
- Sexual abuse: any conduct of a sexual nature that abuses, humiliates, degrades or otherwise violates the dignity of another person;
- Economic violence: deprivation of the following: all or any economical or financial resources that the victim is entitled to, household necessities for the victim and his/her children, property jointly or separately owned by the victim, payment of rent related to the shared household, maintenance.

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

65. MGLSD coordinates a gender-based violence (GBV) reference group, composed of technical stakeholders working on issues domestic violence. The GBV reference group has embarked on, among others, the development of a comprehensive multi-sectoral strategy to combat domestic violence. The first phase of the process consists of a national baseline survey on gender-based violence, which is intended to bring out the magnitude of domestic violence, a situational analysis of the systems and operations to build the 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, law enforcement officers, prisons, magistrates, lawyers, line Ministry officials, local government and district leaders, Members of Parliament and judges.

#### **Reply to the issues raised under paragraph 13 of the list of issues**

66. The status of the Sexual Offences (Miscellaneous Provisions) Bill (2004) has changed due to the fact that many of the articles have been incorporated in other laws. For example, the provision on defilement has been incorporated into Section 129 of the Penal Code (Amendment) Act 8 (2007). It provides for simple and aggravated defilement of both girls and boys, as well as compensation for the victims.

67. Prostitutes are protected from rape under Section 117 of the Penal Code; a person convicted of rape shall be liable to the death penalty.

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

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

70. The remaining content of the Sexual Offences Bill cover the procedural aspects of prosecuting sexual violence cases. The bill is now a working document and consultations are ongoing for a way forward.

#### **Reply to the issues raised under paragraph 14 of the list of issues**

71. 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 made up of 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.

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

73. In addition, the Government has developed a Uganda Action Plan based on UN Security Council resolutions 1325 and 1820 and the Goma Declaration. The Action Plan defines a systematic framework for national actions and monitoring systems to assess progress and the impact of interventions at all levels.

74. The member countries of the International Conference on the Great Lakes Region (ICGLR) (which include Uganda) made a commitment under the Goma Declaration to eradicate all forms of sexual violence against women and children caused during armed conflict and in post-conflict situations by putting in place appropriate legal and policy frameworks.

75. The International Criminal Court Act (2010) categorizes rape, forced marriage and sexual slavery as war crimes chargeable under the Uganda legal system. The law provides for a Trust Fund for victims to, inter alia, service compensation issues.

76. Furthermore, the High Court of Uganda has established a War Crimes Division to try cases committed during conflict situations.

## **F. Trafficking and exploitation of prostitution**

### **Reply to the issues raised under paragraph 15 of the list of issues**

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

78. Any person who commits the offence of aggravated trafficking of persons (i.e. where the victim is a child, the offence is committed by a syndicate or on a large scale, or by a parent, close relative or guardian, or a public officer, or if the victim dies or is infected with HIV/AIDS, among others) is liable to life imprisonment.

79. The Ministry of Internal Affairs is charged with coordinating the implementation of the Act. The regulations for implementing the Act have not yet been developed.

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

### **Reply to the issues raised under paragraph 16 of the list of issues**

81. UNFPA (2009) estimated that there are 7,423 commercial sex workers (CSWs) operating in Kampala, and ILO/IPEC estimated that between 7,000 to 12,000 children are affected by commercial sexual exploitation in Uganda.<sup>10</sup> Among the commercial sex workers are very young girls and boys brought from rural areas for domestic work and

<sup>10</sup> UYDEL Annual Report 2009.

promises of education and later abandoned. Such children end up living on the streets and are consequently sexually abused and exploited.

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

83. Measures to provide rehabilitation and support for the 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, training in practical skills so as to enable the women to engage in lawful economic enterprises of their choice, and strengthening the community social protection networks to support integration.

## **G. Political participation and participation in public life**

### **Reply to the issues raised under paragraph 17 of the list of issues**

84. 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 the British Council/UK-DFID, entitled "Affirmative Action in Uganda Politics," and published in Women's Political Space,<sup>11</sup> indicates 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 needs with regard to gender. Gender has been increasingly and more systematically recognized as central to poverty eradication

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

86. Capacity-building programmes for women candidates to national and local positions have been developed with a view to increasing the low participation of women in the public sphere. Capacity-building for women candidates in the forthcoming elections is ongoing.

87. The positive policies in the education sector continue to enhance women's participation in politics.

## **H. Education**

### **Reply to the issues raised under paragraph 18 of the list of issues**

88. The National Strategy for Girls' Education (NSGE) addresses the gender-related issues identified as being 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 girls' education and recommends appropriate action to address them. The strategy is complemented by the Early Childhood Education and Infrastructure and Sanitation policies. The Early Childhood Education Policy addresses early enrollment in schools at 6 and 13 years, respectively. This enables girls to complete primary school while still young.

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<sup>11</sup> MFED (2006), Gender inequality in Uganda: status, causes and effects; Tanzarn Nite: Affirmative Action in Uganda.



89. The Infrastructure and Sanitation Policy builds on issues of gender-sensitive sanitation facilities to meet the needs of girls as well as children with special needs. In addition, it ensures availability of water supply to schools. Further, the policy provided guidelines for the construction of secondary schools. A Government Secondary School equipped with a science laboratory is built in every sub-county. This increases opportunities for girls in rural areas to enroll in and complete secondary education.

90. With regard to girls dropping out of school due to pregnancy, expecting child-mothers are allowed to sit examinations and continue their education after delivery. However, this practice has not yet been adopted as a policy.

91. 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.

92. 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).

#### **Reply to the issues raised under paragraph 19 of the list of issues**

93. 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.

94. 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.

### **I. Employment**

#### **Reply to the issues raised under paragraph 20 of the list of issues**

95. The National Employment Policy aims at promoting full, productive and decent employment for all men and women under conditions of freedom, equity and human dignity. Parliamentary and Cabinet approvals are still pending.

96. Efforts include addressing the issue of social security for women and men working in the informal sector. Advocacy by stakeholders is ongoing for the Government to initiate and support insurance schemes for the non-formal sector.

97. 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.

**Reply to the issues raised under paragraph 21 of the list of issues**

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

99. Furthermore, women's employment rights, in both the formal and informal sectors, will be monitored by the Equal Opportunities Commission through its programmes and based on complaints lodged by aggrieved women.

100. Advocacy and sensitization programmes by the Government, employers' organizations (Federation of Uganda Employers) and workers' organizations (National Organization of Trade Unions) are geared towards increasing awareness of each party's rights and responsibilities. This promotes compliance of the labour laws by both employers and employees.

**J. Health****Reply to the issues raised under paragraph 22 of the list of issues**

101. 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.

102. 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.

103. 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.

**Reply to the issues raised under paragraph 23 of the list of issues**

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

105. There is continuous awareness of post-exposure prophylaxis (PEP) availability at health centres and the need to take it within 72 hours of a sexual attack or intercourse with a person suspected of having HIV/AIDS in order to prevent HIV/AIDS infection.

106. Nation-wide sensitization campaigns on HIV/AIDS and Sexually Transmitted Infections (STIs) is ongoing. The campaigns are conducted in various forms, including information education and communication materials, radio programmes, print media and theatre for development within communities. The campaigns involve various partners

coordinated by the Ministry of Health and the Uganda Aids Commission under the multi-sector HIV/AIDS prevention strategy.

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

108. However, persons living with HIV/AIDS are concerned that the bill is aimed primarily at protecting people who are HIV negative. For example, it proposes that a third party disclose the HIV status of an infected person to his/her spouse without his/her consent.

109. Testing is mandatory for both men and women. The bill proposes mandatory testing in situations where a person is incapable of giving informed consent to undergo HIV testing, or when a person is under criminal investigation, or upon a court order.

#### **Reply to the issues raised under paragraph 24 of the list of issues**

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

111. Although cervical cancer screening is not widely available, there are a few centres within the city that offer free screening services. A few other centres offer screening at a cost to the women who can afford to pay for it.

112. There is a pilot project on cervical cancer vaccination in seven districts. Vaccinations have so far been conducted in two districts, namely Nakasongola and Ibanda. With additional funding, the vaccination project will be extended to all regional referral hospitals.

113. Health providers are being trained on how to conduct pap smears and provide continuous sensitization to women on having regular checkups.

### **K. Economic Empowerment**

#### **Reply to the issues raised under paragraph 25 of the list of issues**

114. One of the measures put in place to support women entrepreneurs is the Prosperity for All (*Bonna bagaggawale*) programme. Also, the Microfinance Support Centre Ltd. (MSC) has been established to facilitate access to affordable, sustainable and convenient financial and business development services to active and productive Ugandans, including women. Women in even sub-county are organized into Savings and Credit Cooperative

115. Organizations (SACCOs) through which the MSC provides services. Members within the SACCO provide guarantee for the credit instead of collateral.

116. Public-private partnership (PPP) initiatives also support women entrepreneurs. For example, the DFCU Banks has a special loan facility for women entrepreneurs in diverse business areas.

117. Other Public-private partnership initiatives include skills development for women entrepreneurs, which covers enterprise selection, record- and bookkeeping, information technology, accessing financial services, marketing and business registration, among others.

118. The issue of access, control and ownership of land by women, is being addressed by the 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.

119. The Mortgage Act 8 (2009) provides for written consent of the other spouse who is not registered in title, before a mortgage is given on a matrimonial home. It further implies assumed co-ownership of matrimonial land for married couples.

## **L. Rural women and vulnerable groups**

### **Reply to the issues raised under paragraph 26 of the list of issues**

#### **1. Access to Justice**

120. Rural women can access justice since the judicial system is decentralized to the village level. There are local council courts in the villages which handle customary conflicts and minor domestic violence cases.<sup>12</sup> 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 has established family protection units at every police station to handle children and family-related matters. Women can also access the Magistrate Courts at the district and sub-county level.

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

#### **2. Standard of Living**

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

123. 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 known as SACCOs. SACCOs are initiated, constituted and run by women. Members are lent up to 80% of their deposit, interest free.<sup>13</sup> The funds borrowed are used to generate income for improved standard of living at both the household and individual levels.

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

#### **3. Education**

125. Upgrading 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 and targets girls, boys, women and men in order to increase their literacy levels.

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<sup>12</sup> Established by the Local Council Act 13 (2006).

<sup>13</sup> MFPED (July 2009), BMAU Brief 3 - Women in Entrepreneurship.

#### **4. Health**

126. Women in rural areas have access to free health services at Public Health Centres which provide a range of services, including treatment for epidemic-prone diseases, maternal and perinatal diseases, infectious and non-communicable diseases, as well as family planning services.<sup>14</sup>

#### **5. Participation in decision-making**

127. The participation of rural women in decision-making is promoted by affirmative action. One third of all local council (LC) seats, from village to district levels, are reserved for women.

### **Reply to the issues raised under paragraph 27 of the list of issues**

#### **1. Older Women**

128. The State Party recognizes the valuable contribution that older persons make to society, especially with regard to wealth creation, 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.

129. 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 to, ownership of and control over household resources.<sup>15</sup>

130. Formal social security can be accessed by persons who were in formal employment. However, this system excludes many older women who were formerly employed in the informal sector, which is mainly agriculture. Data show that only 7.1% of older persons (of which 60% are male) have access to a pension. The Government is currently piloting social assistance grants for the empowerment of older women in eight districts.

#### **2. Women with disabilities**

131. Uganda has domesticated the 22 standard rules for equalization of opportunities for persons with disabilities (PWDs). Article 32 of the Constitution reaffirms affirmative action for marginalized groups, including women with disabilities. The Local Government Act (1997) provides for two PWDs (one male and one female) at each level of governance from village to district levels. At the national level, PWDs are represented by five Members of Parliament, and there is a Minister responsible for PWDs and the Elderly.

132. Programmes have been set up to create awareness on the special needs of PWDs, including women with disabilities. Their issues have been mainstreamed into other Government programmes, albeit with limited success. For example, the Universal Primary Education provides for children with disabilities, although with many challenges. The Employment Act provides a framework for employment opportunities for PWDs. Since the 2009/2010 financial year, Government has been providing funds to groups of persons with disabilities in the form of a special grant to help them start up income-generating activities for self-empowerment.

<sup>14</sup> MOH Monthly Report Form.

<sup>15</sup> National Policy for Older Persons, April 2009: 161.

133. Furthermore, a National Policy on Disability was formulated in 2008 to promote 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 levels.<sup>16</sup>

### **3. Refugees and migrant women**

134. Measures in place to support refugee and migrant women and girls are provided by international humanitarian agencies, including the United Nations High Commission for Refugees (UNCHR), International Rescue Committee, American Refugee Committee, International Committee of the Red Cross, which are coordinated by the Office of Prime Minister which also provides policy guidelines. The services provided include food and welfare, health, education, water and sanitation.

#### **Internally displaced women and girls**

135. Internally displaced women face double jeopardy because of the conflict situation and the patriarchal practices in society. Northern Uganda has had the most internally displaced persons because of the 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 following the cessation of hostilities.

136. The Peace, Recovery and Development Plan (PRDP) for Northern Uganda is being implemented to reconstruct the conflict-affected districts and resettle 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 with regard to access to education, health, water and sanitation, economic livelihood activities and access to justice.

137. MGLSD and other State actors are implementing prevention, protection and access to justice policies to address gender-based violence in Northern Uganda.

### **M. Marriage and family life**

#### **Reply to the issues raised under paragraph 28 of the list of issues**

138. The Marriage and Divorce Bill was tabled in the 8<sup>th</sup> 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, and provides for the different types of recognized marriages, marital rights and duties and cohabitation in relation to property rights, separation and divorce, and consequences, as well as other related matters.

139. The bill stipulates 18 years as the age of consent for all types of marriage, which is in line with the provisions of the Constitution, Children Act and Penal Code (Amendment) Act.

140. The bill further proposes that marriage gifts be designated as the bride price, and they need not be returned in the event of divorce. A request to return marriage gifts shall be considered an offence.

141. Further, inheritance of widows is prohibited and considered an offence. A person who commits this offence is liable to a fine or imprisonment or both. However, marriage

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<sup>16</sup> 2002 Population and Housing Census (October 2006, 45), Gender and Special Interest Groups.

between a widow and a relative of her late husband is permitted, if both parties freely consent.

142. The bill maintains the potentiality of polygamy in a customary marriage. A husband can jointly own property with each wife in a customary marriage.

#### **Qadhi's Courts**

143. The Muslim Personal Law Bill is a working document. Consultations on the content of the bill are still ongoing with stakeholders. The bill provides for the establishment of a Qadhi's Court as provided for under article 129 (d) of the Constitution. The Qadhi's Court will handle marriage, divorce, inheritance of property and guardianship issues. Appeals will be dealt with in the High Court of Uganda.

### **N. Optional Protocol and amendment to article 20, paragraph 1**

#### **Reply to the issues raised under paragraph 29 of the list of issues**

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

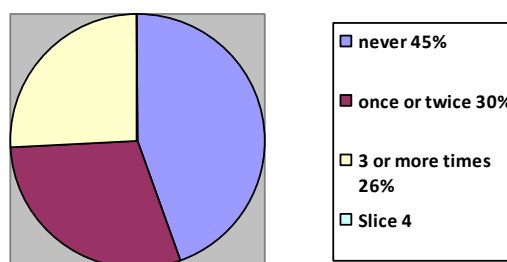
145. The consultation processes for ratification of the Optional Protocol are ongoing. The delay is partly due to the fact that advocacy efforts had been directed towards the ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol). The Government ratified the Maputo Protocol in July 2010, which paves way for advocacy on the ratification of the Optional Protocol and acceptance of amendment to Article 20, paragraph 1 of the Convention to move ahead.

## Annexes

### Annex 1

#### 1.1. Women and Health

**Figure 1. Family planning discussions in a couple<sup>17</sup>**



41% of married women claim that their family-planning needs are unmet. This indicates that a substantial number of pregnancies are unplanned and probably unwanted.

#### 1.2. Care during childbirth

UDHS data indicate that most Ugandan women give birth under unsafe conditions.<sup>18</sup>

- 42% of births in Uganda are by a skilled provider. One possible explanation for this is that many more births occur at home (58%) than in a health centre (41%);
- 63% of women in rural areas give birth at home, compared to 20% of women in urban areas;
- 10% of all births are completely unassisted;
- Women who have attained secondary or higher level of education are three times more likely than women with no education to give birth in a health facility.<sup>19</sup>

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. The analysis highlighted the following:

- women have specific needs arising out of their biological reproduction;
- women seek treatment for others instead of seeking treatment for themselves;
- health sector's inherent gender bias and norms that discriminate against women and consumers of health care;
- preference for boy children, which means that women with girl children continue to bear children in the hope of 'chancing' on a male child;
- need for female adolescents to be provided with appropriate information to deal with their sexuality, socialized heavy domestic roles for girls which predisposes them to more morbidity than their male counterparts;

<sup>17</sup> Uganda Bureau of Statistics ( 2008 ; 12 ) Facts and Figures on Gender.

<sup>18</sup> Uganda Key Findings from the 2006 UDHS: A Gender perspective; 14.

<sup>19</sup> Uganda Key Findings from the 2006 UDHS: A Gender Perspective; 14.



- limited resources (time and money) to seek health care;
- high levels of teenage pregnancy as girls are pressured to engage in sexual intercourse earlier than their male counterparts; and
- pressure for early marriage.

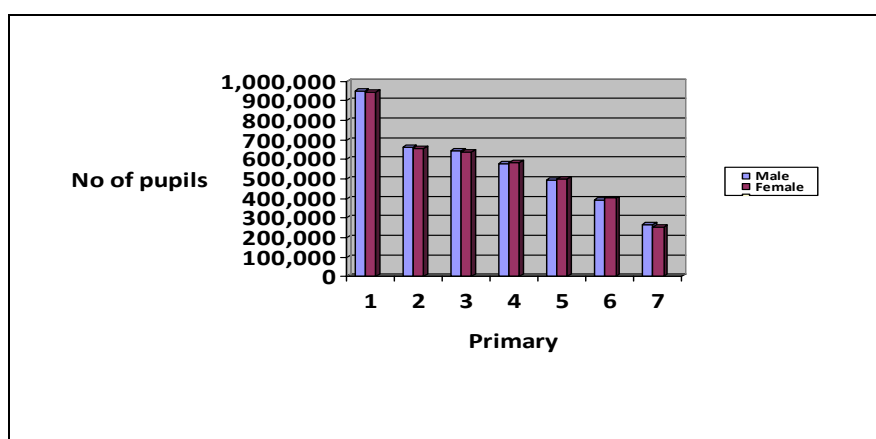
There are also gender disparities with regard to HIV/AIDS. Young women in steady unions are 2 to 4 times more vulnerable to HIV/AIDS. Lack of gender disaggregated data on illnesses is a key gender concern. Apart from reproductive health concerns, most health statistics are presented in a non-disaggregated manner which does not show gender differences.<sup>20</sup>

### 1.3. Education: enrolment by gender and grade<sup>21</sup>

The Ministry of Education carries out an annual education census, which captures, among others, enrolment by gender, retention, transition, dropout, and promotion rates. The information is collected and processed into the Uganda Annual Educational Statistics Abstract, a valuable source for sex disaggregated education data.

Total enrolment in all primary schools shows that 50.1% were boys and 49.9% girls. The majority of the pupils were in the lower classes (see figure 2 below).

**Figure 2. Enrolment by gender and grade in primary school**



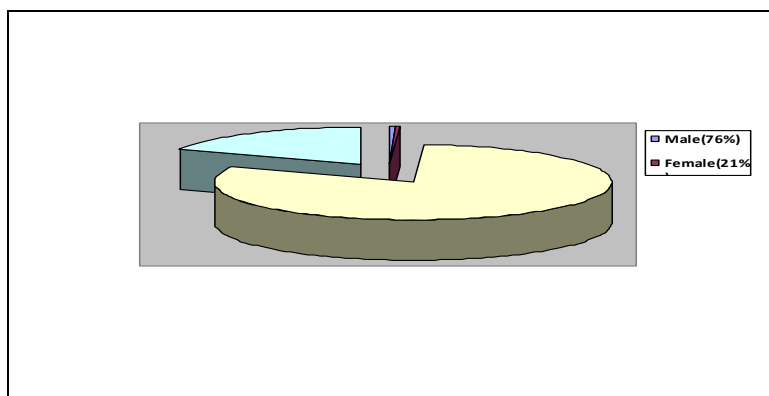
The Ministry of Education also conducts, on an annual basis, a national census of students enrolled in senior Secondary School and Business, Technical and Vocational Education Training (BTNET). The exercise captures enrolment by gender, in particular gross intake and promotion rates for boys and girls. The census is conducted 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 the Primary Leaving Examinations (PLE). The information captured in the education census is used in the planning and monitoring of the provisions regarding relevant quality education to Ugandans, and processed and disseminated to various users under the Education Management Information System (EMIS).<sup>22</sup>

**Figure 3. Enrolment by gender in BTNET**

<sup>20</sup> MGLSD (2007), 7-11: A Gender Analysis of the Health Sector Strategic Plan (HSSP 11).

<sup>21</sup> MOES (2008), Volume 1: xvi, Uganda Educational Statistics Abstract.

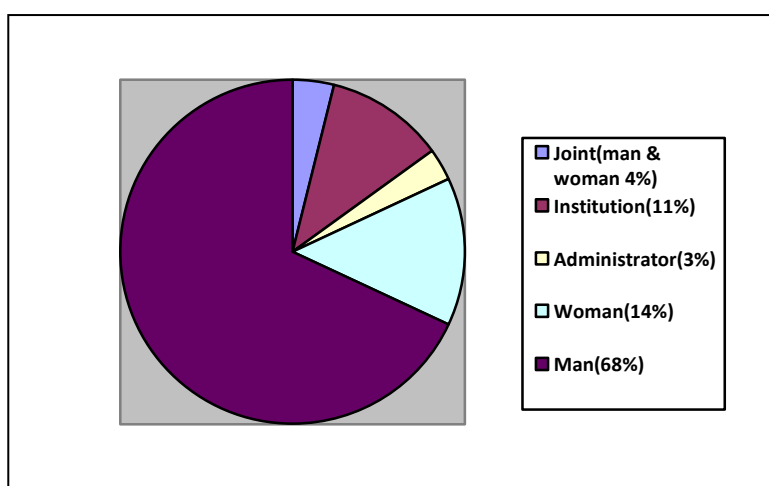
<sup>22</sup> MOES (Vol. 1, 2008; v), Uganda Educational Statistical Abstract.



#### 1.4. Access to Productive Resources

Article 26 of the Constitution (1995) guarantees everyone the right to own property individually or in association with others. Land rights, particularly in rural areas, are acquired through birth rights and traced through patrilineal descent; this filters through the statutory laws. Under the Succession Act (Cap 162) and the Marriage and Divorce laws (Caps 248-253), women's land rights are restricted by the prevailing inequitable legal structure and traditional practices.<sup>23</sup> Male-headed households hold ownership rights to between 80 and 90% of available land.<sup>24</sup>

**Figure 4. Economic resources and ownership of mortgage titles in Uganda<sup>25</sup>**



Access to finance is still very limited due to the limited collateral that must be present to the lending institutions. Figure 4 shows the patterns of ownership of 93,146 registered titles mortgaged during the period 1980-2002. Women accessed only 14% of total mortgages.

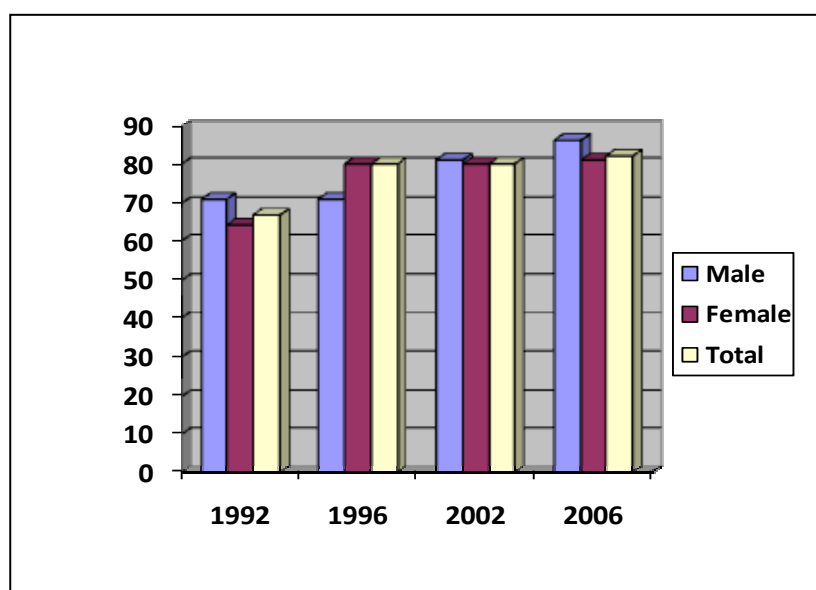
<sup>23</sup> MFPED (2007), PMAU Briefing Paper 1: Strategies for Generating Employment in Uganda.

<sup>24</sup> MFPEP (24), Inequality beyond income in Uganda. Does it call for more public response? Discussion Paper 14.

<sup>25</sup> NDP 2010/2011–2014/2015; 133.

### 1.5. Employment

**Figure 5. Labour force participation by gender<sup>26</sup>**



The labour participation rates for men are slightly higher than those for women, as shown in Figure 5 above. This can be attributed to low literacy levels among women, in general, and the fact that most women engage in unproductive roles, in particular.

The State Party has generated sex disaggregated data on disadvantaged women, namely, older women, women with disabilities and refugees, contained in the Analytical Report for Gender and Special-Interest Groups 2006.<sup>27</sup> The analysis is generated from data captured during the 2002 Uganda Population and Housing Census.

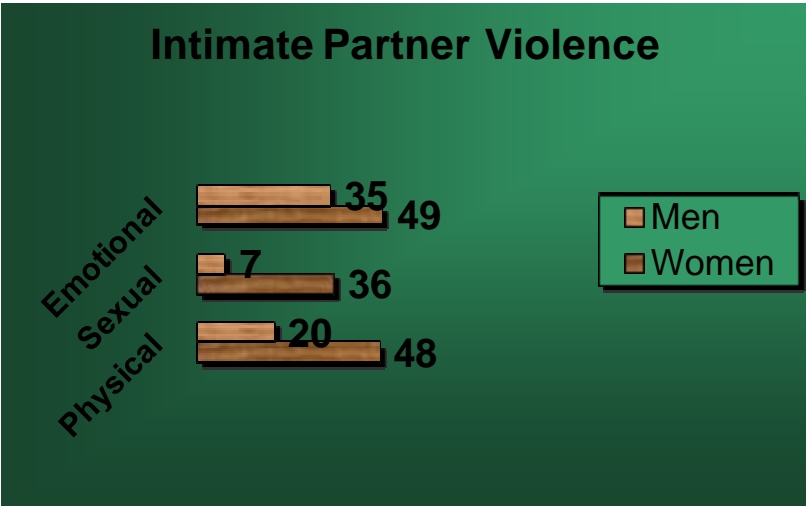
<sup>26</sup> MFPED, Employment and Job Creation In Uganda: Status and Job Prospects, discussion paper, 19 June 2009: 11.

<sup>27</sup> Uganda Bureau of Statistics (October 2006), Analytical Report–2002 Uganda Population and Housing Census.

Annex 2

Domestic violence

Figure 6. Percentage of married women and men aged 15-49 who have experienced violence by their spouse or partner<sup>28</sup>



<sup>28</sup> Uganda Key Findings from the 2006 UDHS, A Gender Perspective (23).

### Annex 3

**Figure 7. Health facilities in Uganda**

*Table adopted from the National Development Plan: 249*

#### HEALTH FACILITIES ( 2004-2006)

Year	2004				2006				2010			
INDICATOR	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, 2006, 2010

## **Annex 4.**

### **References**

#### **LEGISLATION**

1. Constitution of the Republic of Uganda (1995);
2. Domestic Violence Act 3 (2010);
3. Prohibition of Female Genital Mutilation Act 5 (2010);
4. Prohibition of Trafficking in Persons Act (2010);
5. Equal Opportunities Commission Act (2007);
6. Penal Code (Amendment) Act 8 (2007);
7. International Criminal Court Act (2010);
8. Children Act (1997);
9. Succession Act (Cap 162);
10. Marriage and Divorce Laws (Caps 248-253);
11. Labour Laws: Employment Act 6 (2006); Labour Unions Act 7 (2006); Labour Disputes (Arbitration and Settlement) Act; Occupational Safety and Health Act 9 (2006).

#### **PROPOSED BILLS**

12. Marriage and Divorce Bill (2009);
13. HIV/AIDS Prevention and Control Bill (2008);
14. Administration of Muslim Personal Law Bill (2009) [proposal];
15. Sexual Offences (Miscellaneous) Bill (2004);

#### **POLICIES**

16. National Equal Opportunities Policy (July 2006);
17. Uganda Gender Policy (2007);
18. National Policy for Older Persons;
19. Gender in Education Sector Policy (2009), Ministry of Education and Sports;

#### **ACTION PLANS**

20. National Development Plan (2010/11-2014/15);
21. Uganda Action Plan on UN Security Council resolutions 1325 and 1820 and the Goma Declaration;
22. Career Pathways, Department of Guidance and Counseling, Ministry of Education and Sports;
23. Creating a Gender-Responsive Learning Environment, Ministry of Education and Sports;
24. National HIV and AIDS Strategic Plan (2007/8-2011/12);
25. National Policy on Mainstreaming HIV and AIDS in Uganda (2008);

26. Gender Analysis of the Health Sector Strategic Plan (HSSP), Ministry of Gender, Labour and Social Development;
27. National Action Plan on Women (2007), Ministry of Gender, Labour & Social Development;
28. Social Development Sector Budget Framework Paper, Ministry of Gender, Labour & Social Development.

### **REPORTS**

29. Women's Experience of Armed Conflict in Uganda: Luweero District (1980-1986), ISIS-WICCE;
30. Effective Gender Mainstreaming: Modeling the Contributions of Reduced Gender Inequality to GDP Growth Prospects in Uganda (May 2009), Ministry of Finance, Planning and Economic Development;
31. USE/UPPET Head Count 2009 Report, Ministry of Education and Sports;
32. Uganda Education Statistics Abstract (2008), Ministry of Education and Sports;
33. Annual Health Sector Performance Report (November 2009), Ministry of Health;
34. A Desk Review of Gender and Access to Justice in Uganda (March 2002), Ministry of Gender, Labour and Social Development;
35. Gender Inequality in Uganda: Status, Causes and Effects (August 2006), Ministry of Finance, Planning and Economic Development;
36. Women in Decision-making in Uganda, Uganda Women Parliamentary Association;
37. Inequality Beyond Income in Uganda: Does It Call for More Public Response? Ministry of Finance, Planning and Economic Development;
38. Rapid Assessment on Child Sacrifice in Uganda, Ministry of Gender, Labour and Social Development;
39. Gender Mainstreaming in National Development Policies and Practice (March 2010);
40. Report on the Regional Dissemination Workshop of CEDAW National Action Plan (NAP) in Gulu District (December 2007);
41. Consultative Workshop on the Draft National Action Plan for Monitoring CEDAW in Uganda (December 2007);
42. Report on the Proceedings of the Consultative Workshop to Disseminate CEDAW Committee Recommendations to the Uganda Government, and to Draw Up an Action Plan for Implementing and Monitoring CEDAW in Uganda;
43. Facts & Figures on Gender (2008), Uganda Bureau of Statistics;
44. Strategies for Generating Employment in Uganda, Ministry of Finance, Planning and Economic Development;
45. Women in Wage Employment, Ministry of Finance, Planning and Economic Development;
46. Women in Entrepreneurship, Ministry of Finance, Planning and Economic Development;
47. Women in Agriculture, Ministry of Finance, Planning and Economic Development;
48. Uganda Human Rights Commission, 11<sup>th</sup> Annual Report (2008);

49. Key Findings from the 2006 UDHS: A Gender Perspective;
  50. Issues and Recommendations, Report from the Stakeholders' Consultations (September 2009), Ministry of Lands, Housing and Urban Development.
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