



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

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**Committee on the Elimination of  
Discrimination against Women**  
Forty-seventh session  
4–22 October 2010

**Consideration of reports submitted by States parties under  
article 18 of the Convention**

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

**Uganda**

1 The Committee considered the combined fourth to seventh report of Uganda (CEDAW/C/UGA/4-7) at its 954th and 955th meetings, on 13 October 2010 (see CEDAW/C/SR.954 and 955). The Committee's list of issues and questions is contained in CEDAW/C/UGA/Q/7 and the responses of Uganda are contained in CEDAW/C/UGA/Q/7/Add.1.

**A. Introduction**

2 The Committee expresses its appreciation to the State party for its combined fourth, fifth, sixth and seventh periodic report, which was well structured and, in general, followed the Committee's guidelines for the preparation of reports with references to the previous concluding observations, although it lacked references to the Committee's general recommendations and some specific disaggregated data, and was overdue. The Committee expresses its appreciation to the State party for its oral presentation, the written replies to the list of issues and questions raised by its pre-session working group and the further clarifications to the questions posed orally by the Committee.

3 The Committee commends the State party for its high-level delegation, headed by the Minister of State for Gender and Cultural Affairs, which included several representatives from relevant ministries, the Parliament and the Law Reform Commission, with expertise in the areas covered by the Convention. The Committee appreciates the open and constructive dialogue that took place between the delegation and the members of the Committee.

4 The Committee notes with appreciation that the report was prepared in a participatory process involving Government institutions, academia, development partners and national civil society organizations, including women organizations.

## **B. Positive aspects**

5. The Committee welcomes the promulgation of the 2006 Refugee Act which contains provisions in line with international standards, including the specific provision recognizing discriminatory practices based on gender as a ground for seeking asylum.

6. The Committee welcomes the progress achieved since the consideration of the State party's third periodic report in 2002 (CEDAW/C/UGA/3), including the legislative reforms that have been undertaken and the adoption of a wide range of legislative measures. Specific reference is made to:

- (a) The Land Act Amendment (2004);
- (b) The Employment Act (2006);
- (c) The Equal Opportunities Commission Act (2007) which provides a legal basis to challenge laws, policies, customs and traditions that discriminate against women, as well as the National Equal Opportunities Policy;
- (d) The amendments to the Penal Code prohibiting defilement of girls and boys (2007);
- (e) The Domestic Violence Act 3 (2010), criminalizing violence in a domestic setting;
- (f) The Prohibition of Female Genital Mutilation Act 5 (2010);
- (g) The Prevention of Trafficking in Persons Act (2010); and
- (h) The International Criminal Court Act (2010), criminalizing sexual exploitation of women during conflict situations.

7. The Committee notes with satisfaction that the State party has adopted a number of policies, programmes and plans of action to promote gender equality and eliminate discrimination against women. Specific reference is made to the National Action Plan on Gender for monitoring the implementation of the Convention for the period 2007–2010 as well as the National Gender Policy (2007).

8. The Committee notes with satisfaction that, in the period since the consideration of the previous report, the State party has ratified the Convention on the Rights of Persons with Disabilities, as well as its Optional Protocol, on 25 September 2008.

## **C. Principal areas of concern and recommendations**

9. **The Committee recalls the State party's obligation to systematically and continuously implement all the provisions of the Convention on the Elimination of All Forms of Discrimination against Women and views the concerns and recommendations identified in the present concluding observations as requiring the State party's priority attention between now and the submission of the next periodic report. Consequently, the Committee urges the State party to focus on those areas in its implementation activities and to report on action taken and results achieved in its next periodic report. It calls upon the State party to submit the present concluding**

observations to all relevant ministries, the National Assembly and the judiciary, so as to ensure their full implementation.

#### National Assembly

10. While reaffirming that the Government has the primary responsibility and is particularly accountable for the full implementation of the State party's obligations under the Convention, the Committee stresses that the Convention is binding on all branches of Government and invites the State party to encourage its National Assembly, in line with its procedures and where appropriate, to take the necessary steps with regard to the implementation of these concluding observations and the Government's next reporting process under the Convention.

#### Discriminatory laws

11. The Committee takes note of a number of important decisions of the Constitutional Court that have declared parts of existing legislation unconstitutional on the grounds of being discriminatory against women, including the cases *Uganda Women Lawyers Association v. Attorney General* (2003) and *Law and Advocacy for Women in Uganda v. Attorney General* (2006). While welcoming the efforts of the State party to achieve legislative reform, specifically in the context of the work of the Law Reform Commission, the Committee reiterates its concern at the low priority given to comprehensive legal reform to eliminate sex-discriminatory provisions and to close legislative gaps in order to bring the country's legal framework fully into compliance with the provisions of the Convention and to achieve women's de jure equality. The Committee is concerned, in particular, about the delay in the passage of the Marriage and Divorce Bill, the Sexual Offences Bill and the HIV/AIDS Prevention and Control Bill. The Committee is further concerned that other legislation and customary practices that discriminate against women and are incompatible with the Convention remain in force.

12. **The Committee calls upon the State party to accelerate its law review process to harmonize its domestic legislation with its constitutional principles relating to non-discrimination and equality between women and men and with its obligations under the Convention without delay and within a clear time frame. To this end, the Committee urges the State party to:**

(a) **Expediently enact the Marriage and Divorce Bill, the Sexual Offences Bill and the HIV/AIDS Prevention and Control Bill;**

(b) **Raise the awareness of legislators about the need to give priority attention to legal reforms in order to achieve de jure equality for women and compliance with the State party's international treaty obligations; and**

(c) **Continue to increase support for law reform through partnerships and collaboration with religious and community leaders, lawyers, judges, unions, civil society organizations and women's non-governmental organizations.**

#### Visibility of the Convention

13. The Committee remains concerned that there is inadequate knowledge of the rights of women under the Convention, its concept of substantive gender equality and the Committee's general recommendations in society in general, including among all branches of the Government and the judiciary. It is further concerned that women themselves, especially those in rural and remote areas, are not aware of their rights under the Convention and thus lack the capacity to claim them.

14. **The Committee urges the State party to take all appropriate measures to ensure that the Convention is sufficiently known and applied by all branches of Government and the judiciary as a framework for all laws, court decisions and policies on gender equality and the advancement of women. The Committee recommends that the Convention and related domestic legislation be made an integral part of the legal education and training of judges and magistrates, lawyers and prosecutors, particularly those working in the local council courts, so that a legal culture supportive of women's equality with men and non-discrimination on the basis of sex is firmly established in the country. It urges the State party to enhance women's awareness of their rights and the means to enforce them through, inter alia, legal literacy programmes, and to ensure that information on the Convention is provided to women in all parts of the country through the use of all appropriate means, including the media.**

#### **National machinery**

15. While noting efforts undertaken by the State party to restructure and strengthen its national gender machinery, notably the Ministry of Gender, Labour and Social Development, the Committee is concerned about the continued weak institutional capacity of this ministry, including inadequate human, financial and technical resources. It is concerned that such inadequacies could prevent it from effectively discharging its functions of promoting specific programmes for the advancement of women, effectively coordinating efforts among the different institutions of the national machinery at various levels and ensuring comprehensive gender mainstreaming in all areas of Government policy.

16. **The Committee recommends that the State party expeditiously strengthen its national gender machinery, in particular the Ministry of Gender, Labour and Social Development, in order to ensure a strong institutional mechanism for the promotion of gender equality. In particular, the Committee urges the State party to provide the national machinery with the necessary authority and adequate human, financial and technical resources to coordinate implementation of the Convention, including in the context of the National Action Plan on Gender for monitoring the implementation of the Convention for the period 2007–2010, and work effectively for the promotion of gender equality. It calls upon the State party to strengthen the linkages between the national, regional and local levels in relation to gender-equality activities, including through the provision of training in gender sensitization and gender mainstreaming.**

#### **The Equal Opportunities Commission**

17. While noting that article 33 (6) of the Constitution “prohibits laws, customs or traditions which are against the dignity, welfare or interest of women”, the Committee remains concerned that mechanisms to enforce such constitutional provisions on non-discrimination are not widely known and are inaccessible to women. In this respect, the Committee notes with satisfaction the recent establishment of the Equal Opportunities Commission, the appointment of its five commissioners and the initial budget allocation for its functioning, but it is concerned at the limited information provided on the mandate and composition of the Commission as well as the general lack of information provided by the delegation as to any progress with regard to its operationalization. To this end, the Committee is concerned that the State party does not have a comprehensive and effective complaints system for women.

18. **The Committee urges the State party to strengthen its complaints system to ensure that women have effective access to justice, including through the adoption of an accessible complaints procedure to enforce constitutional guarantees and the provisions contained in the Equal Opportunities Act. To this end, the State party is**

called upon to accelerate the operationalization of the Equal Opportunities Commission. The State party should ensure that this institution is provided with sufficient human, financial and technical resources for its effective functioning and that its composition and activities will be gender-sensitive and will fully address the issue of women's human rights. The Committee requests the State party to provide information and data on the number of complaints received from women by the Commission and the actions taken in its next report.

#### **Stereotypes and harmful practices**

19. While noting some efforts made by the State party, the Committee reiterates its concern at the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles, responsibilities and identities of women and men in all spheres of life. The Committee is concerned that such customs and practices perpetuate discrimination against women and girls and are reflected in the disadvantageous and unequal status in many areas, including in education, public life, decision-making, marriage and family relations, and the persistence of violence against women and harmful practices, including polygamy, early marriages and the bride price. It is further concerned that, to date, the State party has not taken effective and comprehensive action to modify or eliminate stereotypes and negative traditional values and practices. The Committee also expresses its concern at the continuing stereotypical portrayal of women in the media which encourages discrimination and undermines equality of women and men.

20. **The Committee urges the State party to put in place without delay a comprehensive strategy, including review and formulation of legislation and establishment of goals and timetables, to modify or eliminate traditional practices and stereotypes that discriminate against women, in conformity with articles 2 (f) and 5 (a) of the Convention. Such measures should include efforts to raise awareness of this subject, targeting women and men at all levels of society, including traditional leaders, in collaboration with civil society. The Committee urges the State party to address with more vigour harmful practices, such as polygamy, early marriages and the bride price. It also calls upon the State party to use innovative and effective measures to strengthen understanding of the equality of women and men and to work with the media to enhance a positive, non-stereotypical and non-discriminatory portrayal of women. The Committee further calls upon the State party to undertake an assessment of the impact of these measures in order to identify shortcomings, and to improve them accordingly.**

#### **Female genital mutilation**

21. While welcoming the recent enactment of the 2010 Prohibition of Female Genital Mutilation Act, the Committee expresses its concern at the continued prevalence of the harmful practice of female genital mutilation in the State party, which is a grave violation of girls' and women's human rights and of the State party's obligations under the Convention. The Committee also notes with concern the serious health complications for girls and women arising from this practice, which, in some cases, may lead to death, as well as the impunity of perpetrators.

22. **Further to its general recommendations No. 14 (1990) on female circumcision and No. 19 (1992) on violence against women, the Committee calls on the State party to ensure the effective implementation of the 2010 Prohibition of Female Genital Mutilation Act, as well as prosecution and adequate punishment of perpetrators of this practice. The Committee recommends that the State party continue and increase its awareness-raising and education efforts, targeted at both men and women, with the support of civil society organizations and religious authorities, in order to completely**

**eliminate female genital mutilation and its underlying cultural justifications. Such efforts should include the design and implementation of effective education campaigns to combat traditional and family pressures in favour of this practice, particularly among those who are illiterate, especially parents. The Committee requests the State party to include information about the impact of such measures in its next report.**

#### **Violence against women**

23. While welcoming the enactment of the 2010 Domestic Violence Act and the activities of the Gender-Based Violence Reference Group, the Committee expresses its concern at the prevalence of violence against women and girls, such as widespread domestic violence and is particularly concerned at the inordinately high prevalence of sexual offences against women and girls. The Committee is also concerned at the absence of a holistic approach to the prevention and elimination of all forms of violence against women and that such violence would appear to be socially legitimized and accompanied by a culture of silence and impunity. It is further concerned that cases of violence are underreported and at reports of corruption in police stations, with some police officers illegally charging fees for free services. The Committee regrets the lack of information on the impact of the measures and programmes in place to reduce incidences of all forms of violence against women and girls. The Committee is also concerned that social support services, including shelters, are inadequate.

24. **The Committee urges the State party to give attention, as a priority, to combating violence against women and girls and adopting comprehensive measures to address such violence, in accordance with its general recommendation No. 19. It requests that the State party raise public awareness, through the media and education programmes, of the fact that all forms of violence against women are a form of discrimination under the Convention and therefore in violation of women's rights. The Committee calls upon the State party to expeditiously adopt the regulations for implementation of the Domestic Violence Act and to develop a coherent and multisectoral action plan to combat violence against women. The Committee also urges the State party to enact a comprehensive law criminalizing all forms of sexual violence and abuse. The Committee recommends the implementation of training for the judiciary and public officials, in particular law enforcement personnel and health service providers in order to ensure that they are aware of all forms of violence against women and can provide adequate gender-sensitive support to victims. It also recommends the establishment of counselling services and shelters for victims of violence. The Committee requests the State party to provide in its next periodic report detailed information on the causes, scope and extent of all forms of violence against women, disaggregated by age and urban and rural areas, and the impact of measures taken to prevent such violence, investigate occurrences, prosecute and punish perpetrators and provide protection, relief and remedies, including appropriate compensation, to victims and their families.**

#### **Internally displaced women in Northern Uganda**

25. The Committee notes with satisfaction the adoption of the Uganda Action Plan on Security Council resolutions 1325 (2000) and 1820 (2008) and the Goma Declaration, the 2010 International Criminal Court Act categorizing rape, forced marriage and sexual slavery as war crimes chargeable in the Ugandan legal system, as well as the State party's adoption of the Peace, Recovery and Development Plan for 2007–2010 with the aim of reconstructing the conflict-affected districts in Northern Uganda and resettling people from the internally displaced persons camps into their communities. The Committee also welcomes the reference in the Plan to the involvement of women in the peacebuilding, reconciliation, rehabilitation and recovery processes. However, the Committee is seriously

concerned at information that disadvantaged groups of women, including older women, women with disabilities and girls, are left behind in the camps, as they fear for their safety, and that they continue to experience sexual and gender-based violence and abuse within these camps. The Committee also reiterates its concern that many women and girls in the conflict areas have been victims of violence, including abduction and sexual slavery.

**26. The Committee calls upon the State party to continue to fully involve women in the peacebuilding, reconciliation, rehabilitation and recovery processes, including in the context of the Peace, Recovery and Development Plan. The Committee urges the State party to take all necessary measures to ensure that women and girls can return to their communities, that women and girls in the internally displaced persons camps and those that have returned to their communities are adequately protected from sexual and gender-based violence and abuse, that the perpetrators of such acts are prosecuted and punished, and that relief and remedies, including appropriate compensation, are provided to victims of violence, including abduction and sexual slavery, and their families.**

#### **Trafficking and exploitation of prostitution**

27. While welcoming the new Prevention of Trafficking in Persons Act (2010), the Committee notes with concern that statistics on the number of women and girls who are victims of trafficking for sexual and economic exploitation are not available in light of the fact that prostitution is illegal. It is also concerned at the State party's failure to address the root causes of trafficking and prostitution, including poverty, which impedes the State party's efforts to address these issues in a serious way. The Committee is further concerned at the lack of training related to anti-trafficking work and at the high prevalence of HIV/AIDS and other sexually transmitted infections (STIs) among women engaged in prostitution. In addition, the Committee regrets the lack of information provided on the existence and implementation of regional and bilateral memoranda of understanding and/or agreements with other countries on trafficking and the inadequate information provided on prosecution and punishment of traffickers. While noting the draft Action Plan against Child Sacrifice and the establishment of the Anti-Human-Sacrifice and Trafficking Task Force, the Committee expresses its concern at the increased number of cases of "child sacrifice" or abuse which has been identified as a major child protection gap.

**28. The Committee urges the State party to fully implement article 6 of the Convention, including through the effective implementation of the new legislation on trafficking, ensuring that perpetrators are punished and victims adequately protected and assisted. The Committee reiterates its recommendation that the State party develop programmes of action relating to prostitution and the introduction of legislation to ensure the prosecution of, and stronger penalties for, exploitation of women engaged in prostitution. The Committee urges the State party to pay full attention to the provision of health services for these women, so as to combat HIV/AIDS and other STIs. It also recommends that information and training on the anti-trafficking legislation be provided to the judiciary, law enforcement officials, border guards and social workers in all parts of the country. In addition, the Committee urges the State party to review the Penal Code related to prostitution and recommends that the State party conduct comparative studies on trafficking and prostitution and address their root causes, including poverty, in order to eliminate the vulnerability of girls and women to sexual exploitation and trafficking and to undertake efforts for the recovery and social integration of the victims. The Committee calls upon the State party to ensure systematic monitoring and periodic evaluation of trafficking and exploitation of women in prostitution, including the collection and analysis of data, and to include such data in its next periodic report. It also calls upon the State party to increase its efforts at international, regional and**

**bilateral cooperation with countries of origin, transit and destination to prevent trafficking through information exchange and to harmonize legal procedures aiming at prosecution of traffickers. The Committee recommends that the State party consider using the Principles and Guidelines on Human Rights and Human Trafficking (2002) recommended by the Office of the United Nations High Commissioner for Human Rights as a basis for their implementation. The Committee further calls upon the State party to strengthen its efforts to prevent and investigate cases of “child sacrifice” and prosecute perpetrators.**

#### **Participation in political and public life**

29. While acknowledging the significant increase in the number of women in Parliament and politics in general as a result, inter alia, of temporary special measures in accordance with article 4, paragraph 1, of the Convention, the Committee notes that the same level of progress has not been achieved and that obstacles to the advancement of women still remain, mainly at senior levels, in other areas of public and professional life and with regard to decision-making positions, including in the fields of Government, local government, diplomacy, the judiciary and public administration.

30. **The Committee recommends that the State party pursue sustained policies aimed at the promotion of women’s full and equal participation in decision-making as a democratic requirement in all areas of public, political and professional life. It also recommends that the State party fully utilize the Committee’s general recommendation No. 23 (1997) on article 7, concerning women in public life, and calls upon the State party to continue to adopt, wherever necessary, temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendation No. 25 thereon, in order to accelerate women’s full and equal participation in public and political life, in particular at high levels of decision-making. It further recommends the implementation of awareness-raising activities about the importance of women’s participation in decision-making for society as a whole and the development of targeted training and mentoring programmes for women candidates and women elected to public office and programmes on leadership and negotiation skills for current and future women leaders. The Committee also recommends that the State party carefully monitor the effectiveness of measures taken and results achieved and to inform the Committee thereof in its next report.**

#### **Education**

31. The Committee notes with appreciation measures undertaken by the State party in the area of education, including the National Strategy for Girls Education which is complemented by the Early Childhood Education and the Infrastructure and Sanitation Policies, as well as the improvement of the proportion of girls in primary schools from 44.2 per cent in 1990 to 49.8 per cent in 2006. However, the Committee is concerned at the lack of information about the specific budgetary allocations for the implementation of such strategies and policies. The Committee is also concerned at the information provided in the State party’s replies to the list of issues that almost 4 in 10 Ugandan women are illiterate compared to less than 2 in 10 men. The Committee is further concerned about traditional attitudes that constitute obstacles to girls’ education and is particularly concerned about girls’ drop-out rates (53.5 per cent in comparison to 46.3 per cent for boys) owing to early marriages, pregnancies, involvement in domestic chores, etc. The Committee is seriously concerned at the high number of girls who suffer sexual abuse and harassment in schools, as well as the high number of girls who suffer sexual violence while on their way to school. The Committee notes that education is key to the advancement of women and that the low

level of education of women and girls remains one of the most serious obstacles to their full enjoyment of their human rights.

**32. The Committee urges the State party to enhance its compliance with article 10 of the Convention and to raise awareness of the importance of education as a human right and the basis for the empowerment of women. To this end, it urges the State party to:**

**(a) Ensure equal access of girls and women to all levels and fields of education, take steps to overcome traditional attitudes that in some areas may constitute obstacles to girls' and women's education, address girls' dropout rates and adopt measures to retain girls in school;**

**(b) Take the necessary measures to ensure safe transportation to and from schools and safe educational environments free from discrimination and violence, strengthen awareness-raising and training of school officials and students, sensitization of children through the media and the establishment of reporting and accountability mechanisms to ensure that perpetrators of all sexual offences against schoolgirls are prosecuted;**

**(c) Ensure the necessary budgetary allocation for the implementation of various projects and programmes.**

#### **Employment**

33. The Committee welcomes the State party's enactment of the 2006 Employment Act which promotes equality of opportunity in that it sets out to eliminate discrimination in employment and also provides for equal pay for equal work. However, the Committee is concerned about the persistence of discrimination against women in the labour market, in particular the high rate of unemployment affecting women, a wide wage gap between women and men and occupational segregation. It is also concerned about the concentration of women in the informal sector with no social security or other benefits. While acknowledging the increase in the period of maternity leave from 45 to 60 days, the Committee is concerned that this right is not applied fully in all cases, especially in the private sector. While noting that the Employment Act has introduced a specific provision on sexual harassment, the Committee is concerned that the narrow definition is limited to sexual harassment by an employer or his representative and, in addition, employers are only called upon to take positive measures to prevent sexual harassment where one has more than 25 employees.

**34. The Committee requests the State party to ensure equal opportunities for women in the labour market, in accordance with article 11 of the Convention. To this end, the Committee urges the State party to adopt effective measures in the formal labour market to eliminate both horizontal and vertical occupational segregation, narrow and close the wage gap between women and men and apply the principle of equal remuneration and equal opportunities at work. It also calls upon the State party to provide a regulatory framework for the informal sector, with a view to providing women in this sector with access to social security and other benefits. The Committee further calls upon the State party to implement relevant legislation with a view to ensuring, in accordance with international standards, that all mothers receive leave with pay, and also to provide effective sanctions and remedies for violation of laws on maternity leave. The State party is further encouraged to widen the definition of sexual harassment and adopt concrete measures to addressing this phenomenon, including in the workplace.**

## Health

35. The Committee welcomes a number of efforts undertaken by the State party to improve women's health since the examination of the last periodic report, including the prioritization of maternal health in the Health Sector Strategic Plan, the development of the Road-map for Reduction of Maternal and New-born Mortality and Morbidity and the reduction of the number of children who die before their first birthday from 88 to 75 per 1,000 live births during the same period. However, the Committee notes with concern that, despite a slight decline, maternal mortality rates remain very high (505 per 100,000 in 2001 as compared to 435 per 100,000 in 2006), with clandestine abortions being a major cause thereof. The Committee is also concerned at the very high number of teenage pregnancies, women's limited access to quality reproductive and sexual health services, especially in rural areas, and that the existing sex education programmes are not sufficient, and may not give enough attention to the prevention of early pregnancy and the control of STIs. The Committee is further concerned that over 80 per cent women with cervical cancer are diagnosed in advanced stages of the disease, thus making it the leading cause of cancer deaths in the country. Furthermore, the Committee is concerned at the limited information on women's mental health status.

**36. The Committee calls upon the State party to take all necessary measures to improve women's access to health care and health-related services, within the framework of the Committee's general recommendation No. 24 on article 12. It urges the State party to strengthen its efforts to reduce the incidence of maternal and infant mortality and to raise awareness of and increase women's access to health-care facilities and medical assistance by trained personnel, especially in rural areas. The Committee also urges the State party to strengthen and expand efforts to increase knowledge of and access to affordable contraceptive methods throughout the country and ensure that women in rural areas do not face barriers in accessing family planning information and services. It also recommends that education on sexual and reproductive health and rights be widely promoted and targeted at adolescent girls and boys, with special attention to the prevention of early pregnancy and the control of STIs, including HIV/AIDS. The Committee also calls upon the State party to provide updated information about measures taken to combat cervical cancer and information about women's mental health status and their access to mental health services, in its next periodic report.**

## HIV/AIDS

37. While acknowledging information provided on various initiatives undertaken by the State party to prevent and combat HIV/AIDS, including the National Strategic Plan 2007/8–2011/12, the Committee notes with deep concern that the State party continues to face a serious epidemic and that women and girls are disproportionately affected by HIV, as the HIV prevalence among women is higher (8 per cent) than among men (5 per cent). In this respect, the Committee is concerned that women and girls may be particularly susceptible to infection owing to gender-specific norms and that the persistence of unequal power relations between women and men and the inferior status of women and girls may hamper their ability to negotiate safe sexual practices and increase their vulnerability to infection. The Committee is also concerned that the draft National HIV/AIDS policy and the HIV/AIDS Prevention and Control Bill have not yet been passed.

**38. The Committee calls upon the State party to ensure the expeditious passage of the draft National HIV/AIDS policy and the HIV/AIDS Prevention and Control Bill. The Committee recommends that the State party take continued and sustained measures to address the impact of HIV/AIDS on women and girls, as well as its social and family consequences. It urges the State party to enhance its focus on women's**

**empowerment, include clearly and visibly a gender perspective in its policies and programmes on HIV/AIDS and increase the role of men in all relevant measures. The State party is encouraged to undertake awareness-raising campaigns throughout the State party and among Government personnel in respect of prevention, protection and maintenance of confidentiality in order to systemize and integrate approaches for multiple government sectors. The Committee also recommends that the State party report on measures taken in this respect, and obstacles encountered and results achieved, in its next report.**

#### **Economic empowerment of women**

39. Despite the existence of the State party's National Development Plan (2010/11–2014/15) and the reduction of poverty from 56 per cent to 31 per cent in 2006, including as a result of the former Poverty Eradication Action Plan, the Committee expresses its concern at the fact that 31 per cent of the Ugandan population – women, in the majority – still lives below the poverty line. The Committee is also concerned that female-headed households are more disproportionately represented among the chronically poor and households moving into poverty. The Committee is further concerned that, according to research studies, women experience severe constraints, including limited access to the key factors of production, such as land, capital and microfinance facilities, as well as several legal and administrative obstacles that constrain their level of entrepreneurship. The Committee also notes with concern the particularly marginalized situation of the Batwa women.

**40. The Committee urges the State Party to continue to intensify the implementation of gender-sensitive poverty reduction and development programmes in rural and urban areas and to pay particular attention to the Batwa women in the development of such programmes. The Committee also reiterates its recommendation that the State party continue to develop targeted policies and support services for women aimed at alleviating and reducing poverty.**

#### **Rural women**

41. The Committee reiterates its concern at the disadvantaged position of women in rural and remote areas (who form the majority of women in Uganda), which is characterized by poverty, illiteracy, difficulties in access to health and social services and a lack of participation in decision-making processes at the community level. The Committee also reiterates its concern that customs and traditional practices, prevalent in rural areas, prevent women from inheriting or acquiring ownership of land and other property.

**42. The Committee calls upon the State party to take the necessary measures to increase and strengthen the participation of women in designing and implementing local development plans, and to pay special attention to the needs of rural women, in particular women heads of household, by ensuring that they participate in decision-making processes and have improved access to health, education, clean water and sanitation services, fertile land and income-generating projects. The Committee also urges the State party to eliminate all forms of discrimination with respect to the ownership, co-sharing and inheritance of land. It further urges the introduction of measures to address negative customs and traditional practices, especially in rural areas, which affect full enjoyment of the right to property by women.**

#### **Sexual orientation and gender identity**

43. The Committee notes with grave concern that homosexual behaviour is criminalized in Uganda. The Committee also expresses its serious concern about reported harassment, violence, hate crimes and incitement of hatred against women on account of their sexual orientation and gender identity. The Committee is further concerned that they face

discrimination in employment, health care, education and other fields. Furthermore, the Committee notes with concern the private member's proposed Anti-Homosexuality Bill, the contents of which would result in further discrimination of women on the basis of sexual orientation and gender identity.

**44. The Committee calls on the State party to decriminalize homosexual behaviour and to provide effective protection from violence and discrimination against women based on their sexual orientation and gender identity, in particular through the enactment of comprehensive anti-discrimination legislation covering, inter alia, the prohibition of multiple forms of discrimination against women on all grounds, including on the grounds of sexual orientation and gender identity. To this end, the Committee urges the State party to oppose the private member's proposed Anti-Homosexuality Bill. The Committee also urges the State party to intensify its efforts to combat discrimination against women on account of their sexual orientation and gender identity, including by launching a sensitization campaign aimed at the general public, as well as providing appropriate training to law enforcement officials and other relevant actors.**

#### **Older women and women with disabilities**

45. While noting efforts undertaken, including the adoption of a national policy on ageing, the Committee expresses its concern at the vulnerable situation of older women and women with disabilities. In particular, the Committee is deeply concerned at the social situation of these women, including their poverty. The Committee also expresses its serious concern at reports that women with disabilities, especially in Northern Uganda, face stigma and isolation, gender-based violence and obstacles to accessing justice. The Committee is further concerned that sexual and reproductive health and rights of women with disabilities are not promoted and protected. Furthermore, the Committee is concerned that older women and women with disabilities often suffer from multiple forms of discrimination, especially with regard to access to education, employment and health care, social services, protection from violence and access to justice.

**46. The Committee calls upon the State party to pay special attention to the precarious situation of older women and women with disabilities and to take all necessary measures to combat stigma and discrimination against them, both by private actors and in government programmes. The Committee urges the State party to adopt special programmes to alleviate poverty within these groups of women, including through the introduction of a universal non-contributory pension within the framework of a broader strategy that expands social protection measures for different categories, as outlined in the National Development Plan. The Committee also urges the State party to prevent, investigate, and prosecute gender-based violence committed against all women, including women with disabilities. Effective measures should also be taken to ensure that older women and women with disabilities have equal and non-discriminatory access to education and employment, as appropriate, and health care, including reproductive health, rehabilitation and HIV services, social services, protection from violence and access to justice. The Committee requests that further information, including disaggregated data and information on specific programmes and achievements, be provided on the situation of older women and women with disabilities in the next periodic report.**

#### **Marriage and family relations**

47. The Committee is concerned that multiple marriage regimes apply in the State party. While noting that the Constitutional Court has declared some aspects of current legislation on divorce unconstitutional for discriminating against women, and noting the Marriage and

Divorce Bill and the Muslim Personal Law Bill, the Committee expresses its concern that these Bills have not yet been enacted into law and that gaps exist in the laws on marriage, property rights, inheritance, divorce and the family in general. The Committee also expresses its concern at the high number of early marriages of girls and the persistence of polygamy in the country. To this end, the Committee is concerned that the new Marriage and Divorce Bill, in its current version, will not criminalize polygamy and will still allow for the possible payment of a bride price, which would be designated as marriage gifts.

48. **The Committee urges the State party to harmonize civil, religious and customary law with article 16 of the Convention and to complete its law reform in the area of marriage and family relations in order to bring its legislative framework into compliance with articles 15 and 16 of the Convention, within a specific time frame. To this end, the Committee calls upon the State party to review and amend, as necessary, the current version of the Marriage and Divorce Bill and the Muslim Personal Law Bill to ensure that these do not discriminate against women. The Committee also calls upon the State party to implement measures aimed at eliminating polygamy, as called for in the Committee's general recommendation No. 21 (1994) on equality in marriage and family relations, and to take all necessary measures to combat the practice of early marriages.**

#### **Optional Protocol**

49. **While welcoming the State party's ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and noting the statement by the delegation that the ratification of the Optional Protocol to the Convention is currently under consideration, the Committee calls upon the State party to accelerate its efforts to ratify the Optional Protocol.**

#### **Article 20, paragraph 1**

50. **The Committee encourages the State party to accept, as soon as possible, the amendment to article 20, paragraph 1, of the Convention concerning the meeting time of the Committee.**

#### **Beijing Declaration and Platform for Action**

51. **The Committee urges the State party, in the implementation of its obligations under the Convention, to fully utilize the Beijing Declaration and Platform for Action, which reinforce the provisions of the Convention, and requests the State party to include information thereon in its next periodic report.**

#### **Millennium Development Goals**

52. **The Committee emphasizes that full and effective implementation of the Convention is indispensable for achieving the Millennium Development Goals. It calls for the integration of a gender perspective and explicit reflection of the provisions of the Convention in all efforts aimed at the achievement of the Millennium Development Goals and requests the State party to include information thereon in its next periodic report.**

#### **Dissemination**

53. **The Committee requests the wide dissemination in Uganda of the present concluding observations in order to make the people, Government officials, politicians, parliamentarians and women's and human rights organizations aware of the steps that have been taken to ensure the de jure and de facto equality of women**

and the further steps that are required in that regard. The Committee recommends that the dissemination should include the local community level. The State party is encouraged to organize a series of meetings to discuss progress achieved in the implementation of these observations. The Committee requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly on the theme "Women 2000: gender equality, development and peace for the twenty-first century".

#### **Ratification of other treaties**

54. The Committee notes that the adherence of the State party to the nine major international human rights instruments<sup>1</sup> would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the Government of Uganda to consider ratifying the treaties to which it is not yet a party, i.e., the International Convention for the Protection of All Persons from Enforced Disappearance.

#### **Follow-up to concluding observations**

55. The Committee requests the State party to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 12 and 32 (b) above.

#### **Technical assistance<sup>2</sup>**

56. The Committee recommends that the State party avail itself of technical assistance in the development and implementation of a comprehensive programme aimed at the implementation of the above recommendations and the Convention as a whole. The Committee also calls upon the State party to strengthen further its cooperation with specialized agencies and programmes of the United Nations system, including the United Nations Development Programme, the United Nations Development Fund for Women, the United Nations Children's Fund, the United Nations Population Fund, the World Health Organization, the Office of the United Nations High Commissioner for Human Rights, and the Statistics Division and the Division for the Advancement of Women in the Department of Economic and Social Affairs of the Secretariat.

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<sup>1</sup> The International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention on the Rights of Persons with Disabilities.

<sup>2</sup> As of 1 January 2011, the United Nations Development Fund for Women and the Division for the Advancement of Women will become part of the newly formed United Nations Entity for Gender Equality and the Empowerment of Women (UN Women); see General Assembly resolution 64/289.

**Preparation of next report**

57. The Committee requests the State party to ensure the participation of all ministries and public bodies in the preparation of its next report and, at the same time, to consult a variety of women's and human rights organizations.

58. The Committee requests the State party to respond to the concerns expressed in the present concluding observations in its next periodic report under article 18 of the Convention. The Committee invites the State party to submit its eighth periodic report in October 2014.

59. The Committee invites the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including the guidelines on a common core document and treaty-specific documents, approved at the fifth inter-committee meeting of the human rights treaty bodies, in June 2006 (HRI/MC/2006/3 and Corr.1). The treaty-specific reporting guidelines adopted by the Committee at its fortieth session in January 2008 (A/63/38, Part one, annex I) must be applied in conjunction with the harmonized reporting guidelines on a common core document. Together, they constitute the harmonized guidelines on reporting under the Convention on the Elimination of All Forms of Discrimination against Women. The treaty-specific document should be limited to 40 pages, while the updated common core document should not exceed 80 pages.

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