

Uganda

Incidence and Nature of Child Labor

The Ugandan Bureau of Statistics estimated that 33.9 percent of children in Uganda ages 5 to 14 years were working in 2000-01.⁴⁷⁸¹ Child work is common, especially in the informal sector. In urban areas, children sell small items on the streets, work in shops, beg for money, or are involved in the commercial sex industry. In rural areas, children work in agriculture, including the harvesting of tea.⁴⁷⁸² Child labor is one of many problems associated with poverty. In 1999, the most recent year for which data are available, 84.9 percent of the population of Uganda were living on less than USD 1 a day.⁴⁷⁸³

According to the U.S. Department of State, trafficking in persons is a serious problem in Uganda, particularly the trafficking of children by the Lord's Resistance Army (LRA). Upon being abducted by the LRA, children are forced to become soldiers, porters, or sex slaves.⁴⁷⁸⁴ The war in Northern Uganda, the HIV/AIDS epidemic, and population dislocations have left 2 million children under the age of 18 orphaned and thus, vulnerable to the worst forms child labor.⁴⁷⁸⁵

Children participate in the armed conflict in Uganda. Since the beginning of the 18-year war in Northern Uganda, it is estimated that the LRA has abducted an estimated 20,000 children.⁴⁷⁸⁶ During the first half of 2005, 300 of these children were rescued and returned to rehabilitation centers by Uganda's armed forces, the Uganda People's Defense Force (UPDF).⁴⁷⁸⁷ However, it is reported that children have enlisted in the UPDF by falsifying their age. The official age in which a person may enlist or be conscripted into the UPDF is 18 years of age.⁴⁷⁸⁸ There is no evidence that the UPDF actively recruits underage soldiers;⁴⁷⁸⁹ the UPDF contends that children serving in the security forces may be enrolled either through deception or oversight.⁴⁷⁹⁰ In 2004, the most recent timeframe for which such information is available, the UPDF collaborated with UNICEF to identify and remove 300 to 400 under-age soldiers from Uganda's 60,000 person army.⁴⁷⁹¹

The Constitution states that a child is entitled to basic education, which is the responsibility of the State and the child's parents. The Government of Uganda provides free education through grade seven. In fiscal year 2004-2005, 31 percent of the government's general budget was allocated to the Ministry of Education and Sports (MOES) for education. Of this amount, 66 percent was allocated to primary

⁴⁷⁸¹ ILO-IPEC, *Child Labour in Uganda: a Report Based on the 2000/2001 Uganda Demographic and Health Survey*, Report, Uganda Bureau of Statistics and ILO-IPEC, Entebbe, 2002, ix, 23, 29, 30, 36.

⁴⁷⁸² U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Uganda*, Washington, D.C., February 28, 2005; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41632.htm>.

⁴⁷⁸³ World Bank, *World Development Indicators 2005* [CD-ROM], Washington, D.C., 2005.

⁴⁷⁸⁴ U.S. Department of State, *Victims of Trafficking and Violence Protection Act of 2000: Trafficking in Persons Report*, Washington, D.C., June, 2005; available from <http://www.state.gov/g/tip/rls/tiprpt/2005/>.

⁴⁷⁸⁵ U.S. Department of State, *Country Reports- 2004: Uganda*.

⁴⁷⁸⁶ U.S. Embassy- Kampala, *reporting*, September 02, 2005.

⁴⁷⁸⁷ Ibid.

⁴⁷⁸⁸ U.S. Central Intelligence Agency, "The World Fact Book: Uganda," (October 20, 2005); available from <http://www.cia.gov/cia/publications/factbook/geos/ug.html>.

⁴⁷⁸⁹ U.S. Embassy- Kampala, *e-mail communication to USDOL official*, July 7, 2006.

⁴⁷⁹⁰ U.S. Department of State, *Country Reports- 2004: Uganda*.{NOTE:Section 5,}

⁴⁷⁹¹ Ibid.

education and 16.7 percent to secondary education.⁴⁷⁹² However, education is not compulsory.⁴⁷⁹³ In 2002, the gross primary enrollment rate was 141 percent.⁴⁷⁹⁴ Gross enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. Primary school attendance statistics are not available for Uganda.⁴⁷⁹⁵ As of 2001, 64 percent of children who started primary school were likely to reach grade 5.⁴⁷⁹⁶

In 2003, 80 percent of the students taking their primary leaving examinations passed, but there are differences in achievement that appear to be influenced by geography. Children in stable areas of the country were more likely to pass the examination, while barely 20 percent passed in “the remote, troubled districts.”⁴⁷⁹⁷ In addition, there are gender differences in achievement: boys perform better in and are more likely to finish primary school than girls.⁴⁷⁹⁸

The U.S. Department of State reports that corruption, instability in some areas of the country, and inadequate teacher preparation prevented full implementation of universal primary education initiatives despite increases in educational resources and educational improvements.⁴⁷⁹⁹ Reports indicate that almost 90 percent of children aged 5 to 17 who work do not attend school: 78 percent have left school and 10 percent have never been to school.⁴⁸⁰⁰

Child Labor Laws and Enforcement

The revised Employment Decree of 1975 sets the minimum age for employment at 14 years and prohibits persons below the age of 18 from engaging in hazardous labor.⁴⁸⁰¹ Article 34 (4) of the Constitution of Uganda states that children under 16 years have the right to be protected from social and economic exploitation and should not be employed in hazardous work; work that would otherwise endanger their

⁴⁷⁹² Republic of Uganda Ministry of Education and Sports, *The National Report on the Development of Education in Uganda at the Beginning of the 21st Century*, Geneva, August 30, 2004; available from

http://www.ibe.unesco.org/International/ICE47/English/Natreps/reports/uganda_rev.pdf.

⁴⁷⁹³ U.S. Department of State, *Country Reports- 2004: Uganda*.

⁴⁷⁹⁴ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=51> (Gross and Net Enrolment Ratios, Primary; accessed December 2005). For an explanation of gross primary enrollment rates that are greater than 100 percent, please see the definition of gross primary enrollment rates in the “Data Sources and Definitions” section of this report.

⁴⁷⁹⁵ This statistic is not available from the data sources that are used in this report. Please see the “Data Sources and Definitions” section for information about sources used.

⁴⁷⁹⁶ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=55> (School life expectancy, % of repeaters, survival rates; accessed December 2005).

⁴⁷⁹⁷ Integrated Regional Information Networks, “Uganda: Addressing the challenge of educating the disadvantaged”, [online], February 3, 2004 [cited February 11, 2004]; available from <http://www.irinnews.org/print.asp?ReportID=39262>.

⁴⁷⁹⁸ U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Uganda*, Washington, February 28, 2004, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41632.htm>.

⁴⁷⁹⁹ Ibid.

⁴⁸⁰⁰ Labour and Social Development ILO and Government of Uganda Ministry of Gender, “Child Labour and the Urban Informal Sector in Uganda,” (June 2004), 6; available from http://64.233.161.104/search?q=cache:2-YO8KNStdQJ:www.ilo.org/iloroot/docstore/ipoc/prod/eng/2004_ug_urban_en.pdf+Child+Labour+and+the+Urban+Informal+Sector+in+Uganda&hl=en&start=1, page 6. The majority of working children, 61 percent, are orphans, having lost at least one parent (30 percent) or both (31 percent).

⁴⁸⁰¹ The Employment Decree of 1975, originally limited employment for children between the ages of 12 and 18 years and prohibited children under 12 from working. See ILO/IPEC and Uganda Bureau of Statistics, “Child Labour In Uganda: A Report Based On the 2000/2001 Uganda Demographic and Health Survey,” (2001), 6-7; available from http://www.ilo.org/public/english/standards/ipoc/simpoc/uganda/report/ug_rep_2001.pdf.

health, physical, mental, spiritual, moral, or social development; or work that would interfere with their education.⁴⁸⁰²

Legislation is in draft that if adopted will expand the laws to address additional forms of child labor. The legislation will define “worst forms of child labor”, many in accordance with ILO Convention 182. While current child labor laws only apply to the formal sector, the new legislation could expand enforcement to the informal sector as well where working children are common.⁴⁸⁰³

Currently, the worst forms of child labor may be prosecuted under different statutes in Uganda. The Constitution prohibits servitude and forced labor.⁴⁸⁰⁴ While trafficking in persons is not a specific violation under Ugandan law, related offenses are, which taken together cover the full scope of trafficking in persons. For instance, detaining a person with sexual intent is punishable up to 7 years of imprisonment, and the penalty for trading in slaves is punishable by up to 10 years of imprisonment. “Defilement,” defined as having sex with a minor, is a punishable offense with a range of sentences leading up to the death penalty.⁴⁸⁰⁵ In 2005, the government actively applied its law to the latter offense, arresting 4,756 people.⁴⁸⁰⁶

The Ministry of Gender, Labor, and Social Development (MGLSD), charged with enforcing child labor laws, investigates child labor complaints through district labor officers. In addition, local governments are also empowered to investigate child labor complaints. However, until a child labor complaint monitoring system is developed, comprehensive statistics regarding child labor violations and investigations of such complaints are not available.⁴⁸⁰⁷

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The MGLSD houses the Child Labor Unit and implements the “National Plan of Action to Eliminate Child Labor.” However, according to the U.S. Department of State, limited resources prevent the National Plan from being carried out to the extent that was envisioned.⁴⁸⁰⁸

The MGLSD also coordinates the Orphans and Vulnerable Children Policy, which extends social services to groups that include children who participate in the worst forms of labor.⁴⁸⁰⁹

In partnership with USDOL, NGOs and the ILO, the Government of Uganda participates in the implementation of various projects that aim to eliminate the worst forms of child labor.⁴⁸¹⁰ ILO-IPEC implements a USD 5.3 million

regional capacity building project funded by USDOL. The project, “Building the Foundations for Eliminating the Worst Forms of Child Labor in Anglophone Africa,” is being implemented from

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	3/25/2003	✓
Ratified Convention 182	6/21/2001	✓
ILO-IPEC Member		✓
National Plan for Children		✓
National Child Labor Action Plan		✓
Sector Action Plan		

⁴⁸⁰² *Constitution of the Republic of Uganda, Chapter 4*; available from <http://www.government.go.ug/constitution/#>.

⁴⁸⁰³ U.S. Embassy- Kampala, email communication, US Embassy, Kampala, January 20, 2006.

⁴⁸⁰⁴ *Constitution of the Republic of Uganda*.

⁴⁸⁰⁵ U.S. Department of State, *Country Reports- 2004: Uganda*, Section 5.

⁴⁸⁰⁶ U.S. Embassy- Kampala, email communication to USDOL official, August 11, 2006.

⁴⁸⁰⁷ Ibid.

⁴⁸⁰⁸ Ibid.

⁴⁸⁰⁹ Ibid.

⁴⁸¹⁰ Ibid.

September 2002 until June 2006.⁴⁸¹¹ “Opportunities for Reducing Adolescent and Child labor through Education (ORACLE)” is a USD 3 million project funded by USDOL and implemented by the International Rescue Committee and the Italian Association for Volunteers in International Service. ORACLE is a 4-year project begun in August 2003. The project contributes to the prevention and elimination of the worst forms of child labor amongst conflict-affected children in Northern Uganda through the provision of transitional and non-formal education and family-based poverty reduction strategies.⁴⁸¹²

There are two additional regional projects funded by USDOL in which the Government of Uganda participates. ILO-IPEC is implementing a project funded at USD 3 million entitled “Combating and preventing HIV/AIDS-induced child labour in Sub-Saharan Africa: pilot action in Uganda and Zambia.” To reduce their vulnerability to participation in child labor, the project provides vocational and basic education, psycho-social rehabilitation and social protection to children orphaned by the HIV/AIDS epidemic.⁴⁸¹³ Another USD 14.5 million program is being implemented by World Vision in Kenya, Uganda, Rwanda, and Ethiopia. The program, “Combating Exploitative Child Labor through Education” also known as KURET, provides educational alternatives to children who are especially vulnerable to the worst forms of child labor because of HIV/AIDS.⁴⁸¹⁴

Tobacco exporters and unions support a project that combats child labor in the tobacco growing industry. In 2003, the Eliminate Child Labour in Tobacco Foundation funded a three-year USD 516,560 project to reduce the incidence of child labor in the tobacco industry in the Masindi region of the country (west central Uganda). The goals of the project are to remove primary school age children working on tobacco farms and place them in primary schools, and provide assistance to ensure their retention in the educational system. The Government of Uganda is represented on a steering committee that coordinates the activities of the program and the Masindi District Local Council is slated to provide land for the construction of and provide management for a vocational school serving the project.⁴⁸¹⁵

The government provides a variety of resettlement packages to former rebels returning to Uganda, some of which include educational benefits and vocational training.⁴⁸¹⁶ At two locations in the country, military-operated programs assist the reintegration of returning child soldiers.⁴⁸¹⁷ In addition to these programs, the government is involved in efforts to eliminate child labor through strategies to reduce poverty, specifically the Poverty Eradication Action Plan and the Plan for Modernization of Agriculture.⁴⁸¹⁸

The MOES implements the policy of Universal Primary Education to encourage the enrollment and retention of primary students by improving access to education, enhancing the quality of education, and

⁴⁸¹¹ ILO-IPEC, *Building the Foundations for Eliminating the Worst Forms of Child Labor in Anglophone Africa: Uganda*, Technical Progress Report, September 2005.

⁴⁸¹² International Rescue Committee, *Technical Progress Report: Uganda Oracle Project*, September, 2005. p. 2.

⁴⁸¹³ International Labor Organization/IPEC, “Technical Performance Report for Combating and Preventing HIV induced Child Labour in Sub-Saharan Africa: pilot action in Uganda and Zambia,” (September, 2005). pp. i - iv.

⁴⁸¹⁴ Inc. World Vision, “Technical Progress Report Kenya, Uganda, Rwanda, and Ethiopia Together (KURET),” (September 2005), 3-18.

⁴⁸¹⁵ Eliminate Child Labour in Tobacco Foundation, *The Project for Elimination of Child Labour from Tobacco Farms in Masindi District, Uganda*, November 14, 2003, 1-3.

⁴⁸¹⁶ U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Uganda*, Section 5.

⁴⁸¹⁷ U.S. Department of State, *Trafficking in Persons Report- 2004: Uganda*, Washington, D.C., June 14, 2004; available from <http://www.state.gov/g/tip/rls/tiprpt/2004/33189.htm>.

⁴⁸¹⁸ The Poverty Eradication Action Plan (PEAP) aims to reduce poverty levels to 10 percent by 2017. The Plan for Modernization of Agriculture (PMA) constitutes an important sectoral policy framework within the PEAP. USAID/UGANDA, *Overall Assistance Environment in Uganda*, [online] August 3, 2004 [cited September 22, 2004]; available from <http://www.usaid.orug/about%20usaid-uganda.htm>.

ensuring that education is affordable.⁴⁸¹⁹ The MOES developed a “Basic Education Policy and Cost Framework for Educationally Disadvantaged Children” to increase access among children not served by the current education system, including street and working children and children infected or affected by HIV/AIDS.⁴⁸²⁰

⁴⁸¹⁹ Ministry of Education and Sports, *The Ugandan Experience of Universal Primary Education (UPE)*, The Republic of Uganda, Kampala, July 1999, 10. See also Uganda Bureau of Statistics and ILO-IPEC, *Child Labour in Uganda: A Report Based on the 2000/2001 Uganda Demographic and Health Survey*, Entebbe, 2002, 7-8.

⁴⁸²⁰ The framework is part of Uganda’s commitment to the international Millennium Development Goals which establish education goals to be met by 2015. The Republic of Uganda, *Basic Education Policy and Costed Framework for Educationally Disadvantaged Children*, 1st Draft, Ministry of Education and Sports, Kampala, October 31, 2002, 1-2 [hard copy on file].