



THE REPUBLIC OF UGANDA

MINISTER'S STATEMENT

DURING THE 47TH SESSIONAL COMMITTEE ON ELIMINATION OF ALL
FORMS OF DISCRIMINATION AGAINST WOMEN

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BY

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Check against delivery

Madam Chairperson

Excellencies

Delegates from Governments present

Representative from the Civil Society Organizations

Ladies and Gentlemen

On behalf of the Republic of Uganda, I wish to add my voice to those countries that have already presented their reports to the Commission before me to congratulate you, Madam Chair and members of the Committee for your able leadership in steering this Commission, as we work towards achieving human rights and the human rights of women in particular.

Madame Chairperson, several developments have occurred in Uganda since we last presented the last status report in 2002. Uganda's population has grown to approx. 30.6 million with a growth rate of 3.2 per annum. Women constitute 51% of the population and over 80% of its population is rural based. Uganda's Poverty Eradication Action Plan (PEAP) has led to poverty reduction from 56 to 31 percent in 2006. During the PEAP period Growth Domestic Product (GDP) grew by 2.7% on average led by the agricultural sector where women contribute over

80%. The PEAP has been replaced by the National Development Plan (NDP) and GDP is projected at 7.2% per annum.

Madam Chairperson, allow me to take this opportunity to present to you the combined 4th, 5th, 6th and 7th Uganda Country Report which highlights the progress made in the areas of concern and recommendations made by the CEDAW Committee when Uganda last appeared in 2002.

The compilation of the report was highly consultative, involving consultations with the line ministries, including Justice and Constitutional Affairs, Health, Education and Sports, Finance, Planning and Economic Development, Agriculture, Local Government among others, members of Parliament, Civil Society Organizations (CSOs) and women organizations.

The consultations sought to establish the progress made in realizing the recommendations and concluding observations of CEDAW meeting in 2002. These consultations were done through regional workshops, meetings with stakeholders and Members of Parliament. Findings were validated through national workshops. Information was also collected by reviewing literature of reports by the various implementing agencies.

MEASURES TAKEN TO ELIMINATE DISCRIMINATION

Madame Chairperson, the Constitution of Uganda provides for the equality of both women and men before and under the law in all spheres of political, economic, social and cultural life and in every other respect and shall enjoy equal protection of the law under Article 21. Article 32 that provides for affirmative action in favour marginalized groups including women. Article 33 specifically provides for the rights of women and Article 180 for women's participation in local Government.

In a bid to eliminate discrimination, Article 32 (3) of the Constitution provides for the establishment of the Equal Opportunities Commission to provide for equal treatment of women and men to challenge laws, policies, customs and traditions that discriminate against women. In 2007, the Equal Opportunities Act was enacted and in 2009 the Commission was set up and the President appointed five members to the commission of whom three are women. Currently the Commission is undergoing initial processes of recruiting and preparing its strategic plan.

In addition, the Government has undertaken law reform initiatives to address discrimination in existing laws. For instance;

The Land Act Amendment (2004) Section 40 prohibits the sell, transfer, exchange, pledge, mortgage and lease of family land without the spouse's

consent. Section 39 (a) provides security of occupancy on family land while Section 17 protects the rights of women to use customary land.

The Mortgage Act No. 8 of 2009 requires the written consent of the other spouse who is not registered on the title before a mortgage is given on a matrimonial home.

The Domestic Violence Act (2010) defines domestic violence, provides for protection and relief of victims of domestic violence, stipulates punishment for perpetrators, provides for different jurisdiction of courts and prescribes procedure and guidelines to be followed by courts in handling cases of domestic violence from the local council courts at the grass level to the High Court. It also creates duties and obligations on police officers and medical personnel to offer support to victims.

The Prevention of Trafficking in Persons Act (2009) defines the offence of trafficking in persons and provides for the prevention, prosecution and protection especially women and children.

The Female Genital Mutilation Act 5 of 2010 defines female genital mutilation and criminalizes acts of female genital mutilation.

The Penal Code Amendment Act 2009 includes clauses that were in the Sexual Offences Bill on defilement, sexual relations between children and aggravated defilement which includes transmission of HIV/AIDS, defilement of children below the age of six years among others.

The Marriage and Divorce Bill seeks to operationalise Article 31(1) (b) of the Constitution which provides for equal rights at, during marriage and

at its dissolution. At present, the Bill has been presented for the first reading in Parliament.

The Government is currently undertaking the reform of the law on succession and inheritance. Among the issues being addressed are widow inheritance, inheritance rights of women and widows and the discrimination in the law stemming from patriarchy traditions and customs.

In addition, the judiciary has proactively participated in the removal of the defacto discrimination of women in the existing legislation. For instance in the case of *Law and Advocacy for Women in Uganda V Attorney General* (2006), provisions pertaining to legal heir, intestate succession and guardianship in Succession Act among others were declared unconstitutional on the basis of their being discriminatory against women. In the case of *Uganda Women Lawyers Association V Attorney General* (2003), provisions of the Divorce Act providing for different standards in applying for divorce and the Penal Code Act that provided different standards for women and men in the definition of the offence of criminal adultery were declared unconstitutional for being discriminatory against women.

ADVANCEMENT OF WOMEN

Madam Chair, Uganda has adopted systematic strategies and support mechanisms to facilitate implementation of the convention provisions for the development and advancement of women. During the formulation of

PEAP 2004-2008, the Gender PEAP team was established to ensure integration of gender concerns in the PEAP formulation processes.

The Government has developed several policies to provide guidance in gender mainstreaming in several sectors to achieve equality between men and women. Such policies include the Uganda Gender Policy, the Gender in Education Policy, and Gender in Agriculture Policy.

Subsequently, progress has been registered in mainstreaming gender at national and local government levels in agriculture, road, education, justice, law and order and the health sectors. For instance,

- The Government has been training technical staff at national and local government in gender and equity budgeting to ensure that there equitable resource allocation for gender promotion and women advancement.
- There has been progress towards gender parity in education, currently enrollment percentages are at par for both girls and boys
- The Plan for Modernization of Agriculture (PMA) which is the framework for modernizing agriculture seeks to increase incomes and improve the quality of the poor subsistence farmers. As a result of gender mainstreaming interventions the PMA highlights the importance of reaching women farmers and ensuring that they benefit from development interventions.

- Implementation of gender mainstreaming in the road sector has resulted into an increment in the number of women participating in labour based road construction works.

Consequently gender mainstreaming is a criterion in the assessment of local government plan and gender and equity budgeting guidelines are part of the Budget Call for sectors and local governments.

Furthermore, Uganda has a National Action Plan on Women (NAPW) 1999 to 2000 and revised 2006 to 2010 to implement the Beijing Declaration and Plat form of Action for Women. The plan identifies 5 critical areas for action to result in women empowerment and advancement. These include legal and policy framework, social and economic empowerment of women, reproductive health, girl child education, peace building conflict resolution and freedom from violence.

EQUALITY BETWEEN MEN AND WOMEN

Madame Chairperson, the Constitution provides that the State shall take affirmative action in favour of groups marginalized on the basis of gender, age, disability or any other reason created by history, custom, tradition for the purpose of redressing imbalances which exist against them.

On this basis, Uganda has sustained implementation of affirmative action in areas of education, political representation, participation in local

governance, employment opportunities in Constitutional commissions, and autonomous bodies.

For instance, in education, Government has reduced taxes on sanitary facilities to ensure girls access them and provided separate sanitary facilities for girls and boys. In addition, female students joining public universities and tertiary institutions are awarded an extra 1.5 points to increase female enrollment at that level. The 1.5 additional points to enrolment scheme to public Universities and other Tertiary Institutions has resulted into a higher ratio of female to male graduates to 51.6% in 2005/06.

Government has sustained affirmative action in the composition of parliament and in local governments. Article 78 (1) (b) of the Constitution provides for one woman representative for every district and (c) provides for representation of special interest groups such persons with disabilities, youth and workers. In addition women are elected to Parliament on non gender specific reserved seats.

At the local government levels, the Constitution under Article 180 (2) (b) provides that one third of the membership of each local governed council shall be reserved for women.

SEX ROLES AND STEREOTYPING

Madam Chair, in an effort to address the persistent patriarchal patterns of behaviors and stereotypes, the Government is starting with the

children in schools. As such the Government has reviewed the education curricula and developed a gender responsive hand book to support the teacher capacity to develop initiatives that focus on change of attitudes and stereotypes in education. This has created a gender responsive learning environment.

Gender mainstreaming division established at Makerere University is intended to address gender issues related to the curriculum content in all Faculties as well as activities. The intensified Postgraduate Diploma in gender studies at the Department of Gender and women studies in Makerere University targets district local government staff and in service personnel to reduce stereotypes at community levels.

SUPPRESSION OF EXPLOITATION OF WOMEN

Madame Chairperson, the Penal Code Act Cap 120 under sections 136 to 139 prohibit prostitution and prescribe a punishment for persons living off the earning of prostitution. As such, the Government does not have specific initiatives targeting female prostitutes.

However the increasing focus on female prostitutes has come about as a result of HIV/AIDS pandemic. The National HIV/AIDS strategic plan 2007/8 to 2011/12 recognizes female prostitutes as one category of the most at risk groups which are extremely vulnerable to HIV/AIDS.

The Government has instituted a policy for free STI treatment in all Government health care facilities from which female prostitutes can access care and treatment. In addition, there are initiatives for scaling up HCT services to the most at risk populations including prostitutes.

POLITICAL AND PUBLIC LIFE PARTICIPATION

Madame Chairperson, there has been modest improvement in women's participation political and public life of Uganda. Women are visible in formal decision making institutions and a 30% minimum has been achieved there in legislature. For instance in the 2006 elections, there was a 35% increase in the number of women parliamentarians from 75 members in 2001 to 100 members in 2006.

There has also been capacity building activities for women leaders in some district local governments, and among women Parliamentarians aimed at increasing their effective participation and capacity to influence the inclusion of women's concerns in policy frameworks at national and local government levels.

Women's presence on the Committee of Parliament has transformed the male dominated character of Parliament. In the current Parliament five women MPs head parliamentary committees while nine are deputies. They are also represented on standing committees which are critical entry points for addressing gender concerns in Government programs.

INTERNATIONAL REPRESENTATION

Madame Chair, regarding international representation, Government has nominated women to participate in international organizations and regional bodies as well as representation in International Court of Tribunals.

For instance at the regional level, Uganda has four women to represent the Government at the East African Legislative Assembly.

Uganda has five women Ambassadors representing the Government at international forum.

Uganda has several women in leadership positions in various international organizations such as African Union, UN bodies and International Tribunals.

NATIONALITY

Madame Chairperson, the law relating to passport regulations has been amended to conform to the Constitution provisions on citizenship. The Uganda Citizenship and Immigration Control Cap 66, section 39 provides that every Ugandan has a right to a passport and other travel documents.

Section 44 provides that a holder of a passport may, on application, have his or her children endorsed in the passport, except for a child of or above the age of sixteen years who shall hold a separate passport. This provision does not require the consent of either parent.

EDUCATION

Madame Chairperson, section 10 (3) (a) of the Education (Pre-primary, primary and post primary) Act 2008 provides that primary education shall be universal and compulsory for pupils aged six years and above which shall last seven years and (b) all children of school going age shall enter and complete the primary education circle of seven years.

In addition section 51(1) of provides that a person, organization or agency who refuses to enroll or deters a child from enrolling for UPE in accordance with the above section commits an offence and is liable on conviction to a fine not exceeding fifty currency points or to a warning in the case of a first offender.

The Universal Primary Education (UPE) Policy has improved enrolment of girls from 44.2 in 1990 to 49.8% in 2006 and 49.9% in 2008. Under the Universal Post Primary and Technical Education (UPPTE) policy free secondary education is provided to both boys and girls.

In addition, Government has introduced the National Strategy for Girls Education which addresses the gender issues indentifies as major reasons for girls dropping out of school. It addresses the issues of assess, quality improvement and gender equity. The strategy focuses on the specific constrains of girls education and recommends appropriate action to address them. The strategy is complemented by the early childhood education and the infrastructure and sanitation policies. The early childhood education policy addresses early enrollment into schools at six

and thirteen years respectively. This enables girls to complete primary school while young.

Where children drop out of school, Section 10 (c) of the Act provides that Government shall ensure that a child who drops out of school before completing the primary education cycle attains basic education through alternation approaches to providing that education.

To address the issue of the girls dropping out due to pregnancy, the law has augmented the punishment for defilement to a sentence of life imprisonment and introduced a punishment for sexual relations between children under section 129 of the Penal Code Amendment Act of 2009. Where children become pregnant, expecting child mothers are allowed to sit for examinations and continue with the education after delivery. Although it is a practice, it is not yet adopted as policy. In addition the Government is currently providing career and vocational guidance for girls and vocational training where appropriate.

EMPLOYMENT

Madame Chairperson, the Constitution Article 40 (1) (a) and (b) provides that Parliament shall enact laws for the right of person to work under satisfactory safe and healthy conditions and to ensure equal payment for equal work without discrimination and 40(4) provides that the employer of every woman worker shall accord her protection during pregnancy, after birth in accordance with the law.

The Employment Act, 2006 provides for labour rights of women. It also contains a number of provisions that protect the rights of women in employment by providing for maternity leave of 60 working days from the previous 45 days.

On Sexual harassment particularly, the Employment Act under section 7 defines sexual harassment in employment and requires employers to put in place measures to prevent sexual harassment. A complainant of sexual harassment is entitled to lodge a complaint with the labour officer who is required to take the necessary action.

In addition, there is an employment policy awaiting Cabinet approval which aims at promoting productive and descent employment for both men and women in conditions of freedom, equality and human dignity.

On women in the informal sector, Government appreciates the need for their social protection and is currently in the process of appointing a new minimum wage advisory board which will undertake a general study to determine the minimum wage by consulting all stakeholders. Domestic workers and other unskilled workers in the informal sector have been indentified as a special category that will be addressed.

In addition, on social protection, the National Social Security Fund (NSSF) Act No. 6 of 2007, section 21 provides for compulsory membership for all employees in any firm or workplace with five or more employees to contribute to their NSSF.

On social protection in the informal sector particularly, the Government has several programs that are aimed at the rural population and women in the informal sector. Such programs include the National Agricultural Advisory Services (NAADS) for agriculture development, Northern Uganda Social Action Fund (NUSAF) for poverty reduction in Northern Uganda, Microfinance institutions such as Savings and Credit Organizations (SACCOs).

These programs are in line with the Constitutional provision of Article 33 (2) which provides that the State shall provide the facilities and opportunities necessary to enhance the welfare of women to enable them realize their full potential and advancement.

EQUALITY AND ACCESS TO APPROPRIATE HEALTH CARE

Madame Chairperson, the Constitution recognizes the unique status and natural maternal functions in society under Article 33 (3). To protect women, the Government has enacted a law to prohibit domestic violence under the Domestic Violence Act, sexual harassment under the Employment Act, female genital mutilation under the Female Genital Mutilation Act, incest under the Penal Code Act and other forms of sexual violence under the Prevention of Trafficking in Persons Act. The act of marital rape is included as a criminal offence or civil wrong in the Marriage and Divorce Bill.

The Government in its National Health policy 2010-2015 recognizes that maternal and child health is a high priority. To this effect a maternal health road map was developed to address issues of maternal morbidity and mortality. This road map addresses the girl's health milestones from childhood to the beginning of menarchy and through to reproductive life. These include health education, nutrition and vaccination at menarchy, reproductive health issues including family planning services and HIV/AIDS prevention and prevention of malignancies.

In addition, the Presidential Initiative on AIDS strategy for Communication to young people (PIASCY). This is an empowerment strategy to raise awareness among school going children on reproductive health and HIV.

On abortions, the Constitution under Article 22 (2) provides that no person has the right to terminate the life of an unborn child except as may be authorized by law. The Penal Code Act under section 141 and 142 prohibits procuring miscarriage and prescribes imprisonment for seven years.

Although the law prohibits abortions, adolescents who appear in health care facilities are offered medical assistance irrespective of the cause the abortion and treated with dignity and empathy. The Government has a strategy on adolescent friendly services strategy which recognizes the vulnerability of the adolescents.

On access to maternal health care, the Government runs a decentralized healthy care delivery system that enhanced provision of maternal health

services up to the lower levels of health center two. The maternal health services include prevention of mother to child transmission of HIV/AIDS. Taking note of the patriarchal nature of our society, the strategies of maternal health services in Uganda now include a strong component of male involvement.

In rural areas particularly, the President launched the community mobilization system strategy called the Village Health Team Strategy (VHTS) which empowers the community at household levels to take charge of their own health issues and link with the health care delivery system.

HIV AIDS

Madame Chairperson, as you are aware Uganda was among the first countries to recognize HIV/AIDS and make efforts to respond to it. The Government has provided a good environment for response to the epidemic. Given the dynamics involved in HIV transmission, the Government recently reviewed and reevaluated the response through modes of transmission studies (MoTS 2009). These studies clearly illustrated the dynamics in the HIV epidemiology.

These studies also illustrated HIV prevalence of 1% in boys compared to 3% in girls. In adulthood, women of reproductive age have more infection with 7% compared to 5% in men. The Most at risk populations (sex workers, married women and young girls) have higher prevalence of HIV than the rest of the population.

As a result of this study, the Government has developed a strategy for most at risk populations. For instance, Government has started the journey on Virtual Elimination of Mother to Child transmission of HIV. It is priority number one of Uganda round ten proposal of the Global funds.

Other properties include universal HIV counseling and testing with priority on couples and increasing coverage for anti-retroviral treatment from 41% to 80%.

ECONOMIC EMPOWERMENT

Madame Chairperson, 31% of the Ugandan population live below the poverty line of which the majority is women. The Government has been addressing poverty through the Poverty Eradication Action Plan (PEAP) which has since transformed into the National Development Plan (NDP) in 2010. The objective of the Plan is to increase household incomes, enhance the quality and availability of gainful employment, increase access to quality social services and improving human security among others.

Attaining gender balance in all sectors and programs is an overriding commitment of the NDP which proposes specific strategies to redress gender gaps in access to and control of productive assets such as credit and land.

Government has developed programs targeting small scale businesses by women to increase their access to capital. A micro finance support center limited has been established to facilitate access to affordable, sustainable

and convenient financial and business development services to active and productive Ugandans including women.

At every sub county level, women are organized in Savings and Credit Cooperative Organizations through which financial services are provided to them. Members in the circles provide guarantees for the credit instead of collateral.

RURAL WOMEN

Madame Chairperson, all Government programs primarily target women. Some of these programs include;

- In agriculture, the National Agricultural Advisory Services (NAADS) program recognizes the role of women in agriculture. About 60% of NAADS farmer groups are women provided with machinery, animals, skills development and knowledge.
- The Functional Adult Literacy (FAL) program provides numerical and literacy functional skills to Ugandans aged 15 years and above who have no or little education. This program has improved literacy rates of women to 63%
- In the health sector, health centres II and IV have been established in rural areas to enhance physical access to health services for rural women. Percentage deliveries in the health care centres have improved from to 29% in 2007 to 46% in 2010.
- Measures taken to address negative traditional customs and practices include among others the National Culture Policy which

emphasizes mobilization of communities to take action on cultural practices that impinge on human dignity.

- Government has established local council courts at village levels to increase access to justice for rural women. These courts handle customary related conflicts and minor domestic violence cases. All districts have police child and family protection units, District Probation and Social Welfare officers, the Family and children's Courts, District Magistrates courts and Human Rights Commission offices are institutions through which women and men can access justice.

ELDERLY WOMEN

Madame Chairperson, Uganda recognizes the valuable contribution of the older persons especially women in the creation of wealth, support and care for children, including orphans of HIV/AIDS. Older persons promote social cohesion, conflict resolution and are custodians of cultural values.

The Government has formulated a National Policy for the Older Persons which spell out priority action areas to support, mobilize and empower those including older women. A pilot social assistance grant has been initiated to empower older women in eight districts. The Government also provides functional adult literacy is available for illiterate older women.

In addition, the older persons are given an opportunity to participate in leadership at the local government levels to ensure that their views are

considered. The Local Government Amendment Act 2005 section 118 (2) (a) provides that Councilors representing the elderly shall be elected by the association of the elderly forming an electoral college.

WOMEN WITH DISABILITY

Madame Chairperson, Article 32 of the Constitution reaffirms affirmative action for marginalized groups including women with disability. The Local Government Act provides for the participation of persons with disability in the governance structures from the village to district levels. At the national level, they are represented by five members in Parliament of which two are women.

The national policy on disability was formulated in 2008 to promote equal opportunities for empowerment, participation and protection of the rights of disabled persons irrespective of gender, age and type of disability.

The Persons with Disability Act 2006 provides for persons with disability's access to buildings, information, public transport, health, education facilities among others.

REFUGEE AND MIGRANT WOMEN

Madame Chairperson, the Government of Uganda has continued to implement policies that promote the welfare and improved livelihoods

for refugees by allowing them to live a life similar to their host communities. The Government ensures that refugees have adequate access to services such as food, health care, free primary education, water and sanitation.

INTERNALLY DISPLACED WOMEN AND GIRLS

Madame Chairperson, the Government is in the process of returning and reintegrating internally displaced persons in Northern Uganda. The Peace Recovery and Development Plan is the long term development strategy for reconstruction and rehabilitation of north and eastern Uganda. Through this program, displaced women and girls access education, health, water and sanitation, economic livelihood activities and access to justice.

CONCLUSION

In conclusion, Madame Chairperson, the Government would like to thank the Committee for the opportunity to share our experience and progress in attaining the rights of women as set out in the Convention.

We recognize that there are still existing challenges to the full attainment of gender equality and women's empowerment and rights in all spheres of life. Nonetheless, we are committed to continue working with the various stakeholders to realize the standards of equality as set out in the Convention.

We commend the support of development partners and contribution of civil society organizations to the achievements and progress made so far. We look forward to continued support and we welcome comments and recommendations to improve our interventions for promotion of gender equality.

FOR GOD AND MY COUNTRY