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COMMITTEE ON THE RIGHTS OF THE CHILD

Fortieth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

Concluding observations of the Committee on the Rights of the Child: Uganda

1. The Committee considered the second periodic report of Uganda (CRC/C/65/Add.33) at its 1058th and 1059th meetings (see CRC/C/SR.1058 and 1059), held on 15 September 2005, and adopted, at the 1080th meeting (CRC/C/SR.1080), held on 30 September 2005, the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the second periodic report as well as the detailed written replies to its list of issues (CRC/C/Q/UGA/2). It commends their self-critical and analytical nature, which gave a clear understanding of the situation of children in the State party.

3. The Committee is encouraged by the frank and constructive dialogue it had with the State party's high-level and multisectoral delegation and welcomes the positive reactions to the suggestions and recommendations made during the discussion.

B. Follow-up measures undertaken and progress achieved by the State party

4. The Committee welcomes a number of positive developments in the reporting period, inter alia:

   (a) The adoption of the Children Act in 2000 (previously the Children Statute), which is in compliance with the Convention on the Rights of the Child;

   (b) The adoption of the Uganda People's Defense Force (UPDF) Act, which sets at 18 years the minimum age for the recruitment of persons into the Armed Forces; and

   (c) The National Strategic Programme Plan of Interventions for Orphans and Other Vulnerable Children (2005/06-2009/10).

5. The Committee notes with appreciation the near completion of the establishment of the field presence of the Office of the High Commissioner for Human Rights aimed at strengthening the capacity of the State party to respond to its human rights needs, particularly in northern Uganda.

6. The Committee also welcomes the ratification of the following international human rights instruments:

   (a) The Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, in January 2002 and on the involvement of children in armed conflict, in June 2002;

   (b) ILO Conventions No. 138 concerning Minimum Age for Admission to Employment, in March 2003 and No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, in June 2001;

(c) The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and Their Destruction, in 1999;

(d) The Rome Statue of the International Criminal Court, in 2002;

(e) The Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court of Human and Peoples' Rights, in 2001; and

(f) The Convention on the Protection of The Rights of All Migrant Workers and Members of Their Families, in July 2003.

C. Factors and difficulties impeding the implementation of the Convention

7. The Committee notes that the long-standing conflict in northern Uganda has negatively affected the implementation of the rights guaranteed in the Convention.

D. Principal areas of concern and recommendations

1. General measures of implementation

General observation

8. The Committee recognizes the current efforts towards pursuing a peaceful resolution of the conflict in northern Uganda. However, it notes the extremely negative impact of the conflict on the children of Uganda as a result of, inter alia, the abduction of children for use as child soldiers and also their displacement.

9. **The Committee urges the State party to continue to strengthen and expedite its efforts to end the long-standing conflict, including by seeking assistance from the United Nations, and to strengthen the provision of necessary humanitarian assistance and security to children in camps for internally displaced persons (IDPs).**

The Committee's previous recommendations

10. The Committee notes with satisfaction that some concerns and recommendations (see CRC/C/15/Add.80) made upon the consideration of the State party's initial report have been addressed through legislative measures and policies. However, recommendations regarding, inter alia, resources allocation, birth registration, child labour, child soldiers, refugee children and juvenile justice have not been given sufficient follow-up. The Committee notes that those concerns and recommendations are reiterated in the present document.

11. **The Committee urges the State party to take all necessary measures to address those recommendations contained in the concluding observations on the initial report that have not yet been implemented and to provide adequate follow-up to the recommendations contained in the present concluding observations on the second periodic report.**

Legislation

12. The Committee takes note that some progress has been made by the State party in the effort to bring domestic laws into compliance with the Convention, e.g. in the area of juvenile justice, but remains concerned at the lack of a systematic and comprehensive legislative review.

13. **The Committee recommends that the State party strengthen its efforts to bring domestic laws into full compliance with the Convention. In this regard, the State party should provide the Law Reform**

Commission with concrete directions and with the necessary resources to perform its task. The Committee further recommends that the State party take the necessary measures to ensure that laws and regulations in the area of children's rights are effectively implemented.

Coordination

14. The Committee notes that the restructuring of the National Council for Children (NCC) has been included in the White Paper on Constitutional Amendment, with the intention of replacing NCC with the Ugandan National Children Authority (UNCA). However, the Committee is concerned at the delay in this restructuring process, which may hamper the efforts to implement the rights enshrined in the Convention in a well-coordinated manner.

15. **The Committee recommends that the State party expedite the process of restructuring NCC in order to ensure full implementation of the Convention. In this regard, the Committee refers the State party to its general comment No. 5 (2003) on general measures of implementation for the Convention on the Rights of the Child. The Committee further recommends that the State party provide NCC and, as soon as it is established, UNCA with adequate human and financial resources to execute its mandate, including the effective coordination of the activities at the national and district levels for the implementation of the Convention.**

National Plan of Action

16. The Committee welcomes the information that significant progress has been made to achieve the goals of the Uganda National Programme of Action for Children (UNPAC). However, the Committee is concerned at the lack of a systematic review and update of UNPAC with the view to incorporating the goals of the outcome document entitled "A world fit for children" of the General Assembly special session on children (2002). It is further concerned that insufficient allocation of resources has resulted in a lack of sustainable results and that problems related to HIV/AIDS and prolonged armed conflict have negatively affected the implementation of UNPAC.

17. **The Committee recommends that the State party develop a new UNPAC for the implementation of the Convention, taking into account the goals set out in "A world fit for children", and provide the necessary resources for its full implementation.**

Independent monitoring

18. While noting the remarkable work carried out by the Uganda Human Rights Commission in the field of monitoring human rights violations, the Committee expresses its concern at the lack of a specific department dealing with children's rights. It is further concerned that the institution lacks adequate human resources and budgetary allocations.

19. **The Committee recommends that the State party establish within the Uganda Human Rights Commission a separate department or mechanism with the necessary expertise to independently monitor the implementation of the Convention on the Rights of the Child. It should also be provided with the necessary human and financial resources to receive and investigate complaints from or on behalf of children on violations of their rights. In this regard, the Committee draws the attention of the State party to its general comment No. 2 (2002) on national human rights institutions.**

Resources for children

20. The Committee notes the relatively high rate of economic growth in the State party and that considerable debt relief has been provided via the Heavily Indebted Poor Country Initiative, but it is concerned that the resources allocated for children are very limited and insufficient to respond to national and local priorities for the protection and promotion of children's rights.

21. In light of article 4 of the Convention, the Committee urges the State party to prioritize and increase budgetary allocations for children at both national and local levels, e.g. for the work of the District Probation and Welfare Office, to ensure at all levels the implementation of the rights of the child, and in particular to pay attention to the protection of the rights of children belonging to vulnerable groups, including children with disabilities, children affected by and/or infected with HIV/AIDS, children living in poverty and those in remote areas.

Data collection

22. While noting that in the last few years the State party has made remarkable progress in its data collection system, including the creation of a semi-autonomous organization charged by the Uganda Bureau of Statistics with developing statistics in the country, the Committee is nevertheless concerned at the lack of a comprehensive data collection system that gathers data from the village and sub-county levels and forwards them to the district level for consolidation and analysis.

23. The Committee encourages the State party to continue to strengthen its system of collecting disaggregated data as a basis for assessing progress achieved in the realization of children's rights and to help design policies to implement the Convention. The Committee also recommends that the State party seek technical assistance from, inter alia, UNICEF.

Dissemination, training and awareness-raising

24. The Committee notes with appreciation the efforts made by the State party in disseminating the Convention through, inter alia, the development and distribution of child rights advocacy materials. Nevertheless, it is of the opinion that additional progress needs to be made with regard to raising awareness of the Convention and the Children Act among children and adults, especially in rural areas.

25. The Committee recommends that the State party strengthen its efforts to ensure that the provisions of the Convention are widely known and understood by adults and children. It also recommends the reinforcement of adequate and systematic training of all professional groups working for and with children, in particular law enforcement officials, teachers, including teachers in rural and remote areas, health personnel, social workers and personnel of childcare institutions. In this regard, the Committee recommends that human rights education be included in the official curriculum at all levels of education.

Cooperation with civil society

26. While appreciating the fact that NGOs have been involved in the preparation of the State party's report, the Committee is of the opinion that civil society, and in particular the role of NGOs, should be further strengthened in the promotion and implementation of the Convention on the Rights of the Child.

27. The Committee recommends that the State party further encourage the active, positive and systematic involvement of civil society, including NGOs, in the promotion of children's rights,

including, inter alia, their participation in the follow-up to the concluding observations of the Committee. It further recommends that the State party provide the Uganda Children's Rights NGO Network with as much support as possible.

2. Definition of the child

Age of marriage

28. The Committee is concerned that the different marriage laws do not conform to the definition of a child as contained in the Constitution, the Children's Act and the Convention.

29. The Committee recommends that the State party fully enforce the age of marriage set out in the law for all forms of marriage and for both boys and girls. It also recommends that the State party expedite its reform of the marriage laws undertaken by the Uganda Law Reform Commission. It further recommends that the State party undertake sensitization campaigns, especially among local traditional leaders, on the negative impact that early and forced marriage has, particularly on girls.

3. General principles

Non-discrimination

30. The Committee notes that the Ugandan Constitution prohibits discrimination on grounds of sex, race, colour, ethnic origin, tribe, creed, religion, social or economic standing, or political opinion. It also welcomes the information provided by the delegation that the Equal Opportunity Commission will be established within a year. However, the Committee is concerned at the fact that discrimination against certain groups of children still exists in practice, particularly with regard to girls, children with disabilities, children living in poverty, refugee children, children affected by and/or infected with HIV/AIDS, former child soldiers and Batwa children.

31. The Committee urges the State party to take adequate measures, including expediting the establishment of the Equal Opportunity Commission, to ensure the practical application of the constitutional and legal provisions guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and to adopt a comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.

32. The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking into account general comment No. 1 (2001) on the aims of education.

Right to life, survival and development

33. The Committee notes with deep concern that child sacrifice takes place in the districts of Mukono and Kayunga, a serious violation of the most fundamental rights of the child.

34. The Committee recommends that the State party:

(a) Adopt appropriate legislative measures specifically prohibiting the practice of child sacrifice at the local level;

(b) Continue to ensure that people who sacrifice children are reported to the authorities and prosecuted; and

(c) Conduct awareness-raising campaigns through local Governments on negative cultural practices, especially in the districts concerned.

Respect for the views of the child

35. While noting with appreciation the efforts made by the State party to implement the principle of respect for the views of the child, such as the child forum, the Committee remains concerned that traditional societal attitudes appear to limit children in freely expressing their views in schools, the courts, or within the family.

36. The Committee recommends that the State party strengthen its efforts to ensure that children's views are given due consideration in the family, the schools, the courts and relevant administrative and other settings, in accordance with article 12 of the Convention.

4. Civil rights and freedoms

Birth registration

37. The Committee notes with appreciation that the delegation underscored the importance of birth registration, but it is deeply concerned at the fact that a very large number of children are neither registered at birth nor at a later stage.

38. In the light of article 7 of the Convention, the Committee urges the State party to strengthen and further develop measures to ensure that all children born within the national territory are registered by, inter alia, making birth registration easy and free and by introducing mobile units, especially in rural and remote areas and IDP camps. The Committee further urges the State party to proceed with the registration of those children who have thus far not been registered.

Corporal punishment

39. While taking note that corporal punishment has been prohibited in schools by a circular of the Ministry of Education, and in the penal system under the Children's Act, the Committee remains concerned that corporal punishment is still traditionally accepted and widely practised in the family and in other settings.

40. The Committee recommends that the State party explicitly prohibit by law all forms of corporal punishment in all settings, including in the family, the schools and alternative childcare, and implement those laws effectively. It also recommends that the State party conduct awareness-raising campaigns to ensure that alternative forms of discipline are used, in a manner consistent with the child's human dignity and in conformity with the Convention, especially article 28, paragraph 2.

5. Family environment and alternative care

Children without parental care

41. The Committee is deeply concerned about the impact the high rate of HIV/AIDS has for children who have lost one or both parents and the need to provide them with adequate alternative care.

In addition, poverty, preventable diseases, conflict in the country and other problems deprive children of parental care and/or a family environment.

42. **The Committee recommends that the State party strengthen and effectively implement its National Strategic Plan of Interventions for Orphans and Other Vulnerable Children for the years 2005/06-2009/10. In particular, the Committee recommends that the State party put more focus, inter alia, on:**

(a) **Effective support programmes for children in vulnerable families, such as those affected by HIV/AIDS, single-parent families and families suffering from poverty;**

(b) **Effective support to extended families which care for children of parents who have died of AIDS and for child-headed families; and**

(c) **The promotion of and support for family-type forms of alternative care for children deprived of parental care, in order to reduce the resort to residential care.**

Child abuse and neglect

43. The Committee notes the information, including in the State party's written replies to the list of issues, of the reported cases of child abuse and neglect in four major regions. It is further concerned at the lack of a comprehensive policy for the prevention and combat of child abuse and neglect in the family.

44. **The Committee recommends that the State party:**

(a) **Take the necessary measures to prevent child abuse and neglect;**

(b) **In addition to existing procedures, establish effective mechanisms to receive, monitor and investigate complaints;**

(c) **Carry out preventive public education campaigns about the negative consequences of the ill-treatment of children.**

45. **In the context of the Secretary-General's in-depth study on the question of violence against children and the related questionnaire to Governments, the Committee acknowledges with appreciation the written replies of the State party to this questionnaire and its participation in the Regional Consultation for Eastern and Southern Africa, held in South Africa from 18 to 20 July 2005. The Committee recommends that the State party use the outcome of this regional consultation as a tool for taking action, in partnership with civil society, to ensure that every child is protected from all forms of physical, sexual or mental violence, and for generating momentum for concrete and, where appropriate, time-bound actions to prevent and respond to such violence and abuse.**

6. Basic health and welfare

Children with disabilities

46. Notwithstanding the State party's continuous efforts to support children with disabilities through targeted State welfare measures, including direct and indirect assistance, the Committee is concerned about the persisting de facto discrimination. It notes with concern that equal opportunities for children with disabilities are jeopardized, e.g. by their limited access to public buildings, government services and public transportation, and that social stigma, fears and misconceptions surrounding disabilities remain strong in society leading to the marginalization and

alienation of these children. It is further concerned that children are doubly disadvantaged if they live in rural and remote areas.

47. **In light of the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the recommendations adopted by the Committee on its day of general discussion on the rights of children with disabilities (see CRC/C/69), the Committee recommends that the State party take all necessary measures:**

    (a) **To prevent and prohibit all forms of discrimination against children with disabilities and ensure that they have equal opportunities to participate fully in all spheres of life, by implementing the domestic laws and including disability aspects in all relevant policy-making and national planning;**

    (b) **To collect adequate disaggregated statistical data on children with disabilities and use such data in developing policies and programmes to promote their equal opportunities in society, paying particular attention to children living in the most remote areas of the country;**

    (c) **To provide children with disabilities with access to adequate social and health services, to quality education and to the physical environment, information and communication;**

    (d) **To raise awareness about children with disabilities, including their rights, special needs and potential, in order to change prevailing negative attitudes, misbeliefs and prejudices against children with disabilities by initiating and supporting public information campaigns; and**

    (e) **To ensure that professionals working with and for children with disabilities, such as medical, paramedical and related personnel, teachers and social workers, are adequately trained.**

48. **Furthermore, the Committee encourages the State party to pay particular attention to the rights and status of children with disabilities in the context of the African Decade of Persons with Disabilities 1999-2009.**

Health and health services

49. Notwithstanding the various measures undertaken by the State party to develop primary health care and lower infant and child mortality, the Committee remains deeply concerned at the state of health of children in the State party, which, as stated in the report (para. 132), is among the lowest in sub-Saharan Africa. In particular, the Committee is deeply concerned that infant, under-five and maternal mortality rates remain very high. It is also concerned at the decrease in vaccination uptake, the prevalence of malaria and the high incidence of malnutrition, undernutrition and stunting among children. The Committee is also concerned that the current plans, policies and programmes initiated to improve the health situation are challenged, in particular by a lack of human and financial resources. The Committee is further concerned at the availability of health-care services whose quality varies dramatically between the different areas of the State party.

50. **The Committee recommends that the State party take all necessary measures to strengthen its programmes for improving health care by, inter alia, supporting these programmes with adequate resources and paying particular and urgent attention to mortality rates, vaccination uptakes, nutrition status, and the management of communicable diseases and malaria.**

HIV/AIDS

51. The Committee, while noting the ABC strategy, is concerned that despite the reduction in the HIV/AIDS infection rate, children and women of child-bearing age remain highly vulnerable to contracting HIV/AIDS and that not all have access to anti-retroviral drugs, testing and counselling.

52. **With reference to the Committee's general comment No. 3 (2003) on HIV/AIDS and the rights of the child and the International Guidelines on HIV/AIDS and Human Rights, the Committee recommends, in particular, that the State party:**

(a) **Strengthen its efforts to combat HIV/AIDS, including through awareness-raising campaigns, and to prevent discrimination against children infected with and affected by HIV/AIDS;**

(b) **Ensure the full and effective implementation of a comprehensive policy to prevent HIV/AIDS that includes all preventive measures, and the complementarity of the different approaches for different age groups;**

(c) **Ensure access to child-sensitive and confidential counselling, without the need for parental consent, when such counselling is required by a child;**

(d) **Continue to strengthen its efforts to prevent mother-to-child transmission of HIV;**

(e) **Seek international assistance from, among others, UNAIDS and UNICEF, to that effect.**

Adolescent health

53. The Committee is concerned that insufficient attention has been paid to adolescent health issues, including developmental, mental and reproductive health concerns, and substance abuse. The Committee is also concerned at the particular situation of girls, given, for instance, the relatively high percentage of early marriages and early pregnancies, which can have a negative impact on their health.

54. **The Committee recommends that the State party, taking into account the Committee's general comment No. 4 (2003) on adolescent health and development in the context of the Convention on the Rights of the Child:**

(a) **Undertake a comprehensive study to assess the nature and extent of adolescent health problems and, with the participation of adolescents, use it as a basis to formulate adolescent health policies and programmes with a particular focus on the prevention of early pregnancies and sexually transmitted infections (STIs), especially through reproductive health education; and**

(b) **Strengthen adolescent-sensitive mental health counselling services and make them known and accessible to adolescents.**

Harmful traditional practices

55. The Committee notes with appreciation the efforts undertaken by the State party to address the practice of female genital mutilation (FGM), including a number of programmes in cooperation with UNFPA. However, it remains concerned that FGM is not specifically prohibited by law and is still widely practised in the State party. Concern is also expressed about the persistence of other harmful traditional practices, including early marriage.

56. **The Committee recommends that the State party adopt legislative measures to prohibit FGM and conduct awareness-raising campaigns to combat and eradicate this and other traditional practices harmful to the health, survival and development of children, especially girls. The Committee recommends that the State party introduce sensitization programmes for practitioners and the general public to encourage change in traditional attitudes and discourage harmful practices, engaging with the extended family and the traditional and religious leaders. It further recommends that the State party provide retraining, where appropriate, for practitioners and support them in their efforts to find alternative sources of income.**

Standard of living

57. The Committee takes note of the adoption of a strategic framework for national development (VISION 2005) and the Poverty Eradication Action Plan 1997-2017. However, the Committee remains deeply concerned about the widespread poverty in the State party, particularly in northern Uganda, and the increasingly large numbers of children who do not enjoy the right to an adequate standard of living, including access to food, clean drinking water, adequate housing and latrines.

58. **The Committee recommends that, in accordance with article 27 of the Convention, the State party reinforce its efforts to provide support and material assistance, with a particular focus on the most marginalized and disadvantaged families, and to guarantee the right of children to an adequate standard of living. In this connection, the Committee recommends that the State party pay particular attention to the rights and needs of children when implementing, inter alia, its Poverty Eradication Action Plan.**

7. Education, leisure and cultural activities

59. The Committee acknowledges the remarkable improvements in the field of education following the recommendations made by the Committee, including the recruitment of teachers, the construction of classrooms and the provision of desks. The Committee also notes that the State party is developing an early childhood education policy. However, the Committee is concerned at the still unsatisfactory level of enrolment in the higher grades, due mainly to the large number of dropouts, the low transition rate to secondary school, the insufficient number of trained teachers and the poor quality of education.

60. **The Committee recommends that the State party, taking into account its general comment No. 1 (2001) on the aims of education:**

(a) **Increase public expenditure on education, in particular pre-primary, primary and secondary education;**

(b) **Increase enrolment in primary and secondary education, reducing socio-economic, ethnic and regional disparities in access to and full enjoyment of the right to education;**

(c) **Undertake additional efforts to ensure access to informal education to vulnerable groups, including street children, orphans, children with disabilities, child domestic workers and children in conflict areas and camps, inter alia by eliminating the indirect costs of school education;**

(d) **Strengthen vocational training, including for children who have left school before completion; and**

(e) **Provide detailed information on the implementation of the early childhood education policy in its next periodic report.**

8. Special protection measures

Refugee children

61. The Committee notes with appreciation the approach taken by the State party in hosting more than 200,000 refugees and in paying full respect to the principle of non-refoulement, as codified in the 1951 Convention relating to the Status of Refugees. The Committee also notes the new draft refugee bill, which incorporates fundamental human rights principles. It further notes the policy of "universal primary education", which secures access to education for refugee children. However, the Committee is concerned at the poor living conditions, high drop-out rates among girls

from fourth grade onwards, inadequate sanitary materials for girls attending schools and lack of reproductive health education.

62. The Committee recommends that the State party enhance its efforts to conclude the legislative process in order to enact the new refugee bill, and subsequently take all measures to guarantee its full implementation, in line with international human rights and refugee law and taking into account the Committee's general comment No. 6 (2005) on the treatment of unaccompanied and separated children outside their country of origin.

Internally displaced children

63. The Committee is concerned at the very poor living conditions in the camps for internally displaced children, their very limited access to adequate health care and education and the very high risk, particularly for girls, of being sexually abused and exploited.

64. The Committee urges the State party to enhance the security in IDP camps and take all necessary measures to protect children, especially girls, against sexual exploitation and to investigate cases of abuse fully, and prosecute and sentence the perpetrators of these crimes.

Children in armed conflict and child abduction

65. The Committee notes with appreciation that the new Uganda People's Defence Forces Act sets 18 years as the minimum age for recruitment of persons into the UPDF and that regulations for recruitment are very strict, with the goal of preventing the enlistment of children. However, the Committee is concerned about the possible gaps within the recruitment process due, inter alia, to lack of birth registration. It is also very concerned at reports that children are being recruited by the Local Defence Units (LDUs) and that the rigorous procedure established for the UPDF may not be applied strictly.

66. The Committee urges the State party to take all possible measures to prevent the recruitment of children into the UPDF and the LDUs, and in this regard to enforce its legislation strictly. It also encourages the State party to seek international assistance to reinforce its support for the work of the Human Rights Desk within the Ministry of Defence to screen potential recruits more systematically, particularly for the UPDF 105 Battalion and the LDUs.

67. The Committee remains deeply concerned at the continued abduction by the Lord's Resistance Army (LRA) of children to be used as child soldiers, sex slaves, and to carry goods and weapons. It is further concerned at the inhuman and degrading treatment of the abducted children.

68. The Committee urges the State party to do everything possible to prevent the abduction of children by the LRA and to rescue those who are still being held. The Committee also urges the State party to continue to strengthen its efforts, in close cooperation with national and international NGOs and United Nations bodies such as UNICEF, to demobilize child soldiers, to provide them with adequate (short-term) shelter and to support their recovery, reunification with their families and reintegration in their communities. It further recommends that the State party pay special attention to the needs of girls, who have often been the victims of sexual abuse, and place particular emphasis on access to education that is tailored to their ages.

69. The Committee is alarmed by the phenomenon of "night commuters", or children who leave their homes and the camps at night in search of greater security and safety from abduction.

70. **The Committee urges the State party to address the phenomenon of night commuters and take all necessary measures to protect children, to the maximum extent possible, against the risk of abduction by the LRA and other armed forces. In addition, the Committee recommends that the State party strengthen its support to the night commuters' shelters.**

Street children

71. The Committee is deeply concerned at the increasing number of street children, especially in Kampala and other major urban centres, who are victims of, inter alia, drug abuse, sexual exploitation, harassment and victimization by members of the police force. It is gravely concerned at the fact that society considers such children as dangerous people and a burden for the society.

72. **The Committee recommends that the State party:**

(a) **Undertake a systematic assessment of this phenomenon in order to get an accurate picture of its root causes and magnitude;**

(b) **Develop and implement with the active involvement of street children themselves a comprehensive policy which, inter alia, should address the root causes, in order to prevent and reduce this phenomenon, and which should provide street children with the necessary protection, adequate health-care services, education and other social services;**

(c) **Support family reunification programmes, when it is in the best interests of the child.**

Economic exploitation, including child labour

73. The Committee is deeply concerned at the fact that according to the information provided in the written replies half of the 2.7 million working children are aged 10-14 years and one third are under the age of 10, and that the State party has not taken comprehensive measures to prevent and combat this large-scale economic exploitation of children.

74. **The Committee urges the State party to develop and implement, with the support of the ILO, UNICEF, and national and international NGOs, a comprehensive programme to prevent and combat child labour, in full compliance with ILO Conventions No. 138 and No. 182 which the State party has ratified.**

Sexual exploitation

75. The Committee is concerned that according to some recent studies a considerable number of children are victims of sexual exploitation. Furthermore, the Committee is deeply concerned at the very high incidence of defilement of girls, constituting more than half of the cases of child abuse. In addition, it notes that the law on sexual abuse is biased against the boy child.

76. **The Committee recommends that the State party:**

(a) **Take appropriate legislative measures, including adoption of the long-standing bill on sexual offence, and develop an effective and comprehensive policy addressing the sexual exploitation of children, including the factors that place children at risk of such exploitation;**

(b) **Undertake awareness-raising educational measures to prevent and eliminate the defilement of girls;**

(c) **Avoid criminalizing child victims of sexual exploitation;**

(d) Implement appropriate policies and programmes for the prevention, recovery and social reintegration of child victims, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.

Drug abuse

77. The Committee notes the information provided by the delegation that drug abuse is an increasing problem in the State party.

78. The Committee recommends that the State party take measures to prevent and end drug abuse among children and to support recovery programmes for child victims of drug abuse. The Committee further recommends that the State party seek technical cooperation from, inter alia, WHO and UNICEF.

Juvenile justice

79. While recognizing the efforts made in this domain, including through the adoption of legislation, the Committee remains concerned at the limited progress achieved in establishing a functioning juvenile justice system throughout the country. In particular, the Committee is concerned at the lack of magistrates, remand homes for children in conflict with the law and the conditions in such institutions.

80. The Committee urges the State party to ensure that juvenile justice standards are fully implemented, in particular articles 37 (b), 40 and 39 of the Convention, as well as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), and in the light of the Committee's day of general discussion on the administration of juvenile justice. In particular the Committee recommends that the State party:

(a) Continue to increase the availability and quality of specialized juvenile courts and judges, police officers and prosecutors, inter alia through systematic training of professionals;

(b) Provide adequate financial, human and technical resources to the juvenile courts at sub-county level;

(c) Strengthen the role of local authorities, especially with regard to minor offences;

(d) Provide children with legal assistance at an early stage of legal proceedings;

(e) Improve training programmes on relevant international standards for all professionals involved with the system of juvenile justice;

(f) Enhance the recruitment and training of probation and social welfare officers and facilitate the fulfilment of their key role, as provided for in the Children's Act;

(g) Seek technical assistance and other cooperation from, inter alia, the United Nations Office on Drugs and Crime (UNODC), OHCHR and UNICEF.

Children belonging to a minority or indigenous group

81. The Committee is concerned at the situation of children belonging to minorities, including Batwa children, in particular with regard to their limited access to basic social services, including health care and education, and the violation of their rights to survival and development, to enjoy their own culture and to be protected from discrimination.

82. In light of the recommendations adopted at its day of general discussion on the rights of indigenous children (CRC/C/133, para. 624), the Committee recommends that the State party:

(a) Undertake a study to assess the situation and the needs of Batwa children and to elaborate a plan of action, involving leaders of the Batwa community, to protect the rights of those children and ensure access to their social services; and

(b) Adopt adequate means and measures to ensure that Batwa communities, including children, are provided with information regarding birth registration procedures, access to health-care facilities and education.

9. Optional Protocols to the Convention on the Rights of the Child

83. The Committee recommends that the State party submit its reports under the Optional Protocols to the Convention on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict by 2006.

10. Follow-up and dissemination

Follow-up

84. The Committee recommends that the State party take all appropriate measures to ensure that the present recommendations are fully implemented, inter alia by transmitting them to the members of the Council of Ministers or the Cabinet or a similar body, the Parliament, and to provincial or local Governments and Parliaments, when applicable, for appropriate consideration and further action.

Dissemination

85. The Committee further recommends that the second periodic report and written replies submitted by the State party and the related recommendations (concluding observations) it adopted be made widely available in the languages of the country, including (but not exclusively) through the Internet to the public at large, civil society organizations, youth groups, professional groups and children, in order to generate debate and awareness of the Convention, its implementation and monitoring.

11. Next report

86. The Committee invites the State party to submit its next periodic report before the due date established under the Convention for the fifth periodic report, i.e. 15 September 2012. This report should combine the third, fourth and fifth periodic reports. However, owing to the large number of reports received by the Committee every year and the consequent significant delay between the date of submission of a State party's report and its consideration by the Committee, the Committee invites the State party to submit a consolidated third, fourth and fifth report 18 months before its due date, that is by 15 March 2011.