



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

Distr.: General  
1 March 2022

Original: English

## Committee on the Elimination of Discrimination against Women

### Concluding observations on the combined eighth and ninth periodic reports of Uganda\*

1. The Committee considered the combined eighth and ninth periodic reports of Uganda ([CEDAW/C/UGA/8-9](#)) at its 1858th and 1859th meetings (see [CEDAW/C/SR.1858](#) and [CEDAW/C/SR.1859](#)), held on 11 February 2022. The list of issues and questions raised by the pre-sessional working group is contained in [CEDAW/C/UGA/Q/8-9](#), and the responses of Uganda are contained in [CEDAW/C/UGA/RQ/8-9](#).

#### A. Introduction

2. The Committee appreciates the submission by the State party of its combined eighth and ninth periodic reports. However, it regrets the delay of more than six years in submitting the reports. It also appreciates the State party's follow-up report to the previous concluding observations of the Committee ([CEDAW/C/UGA/CO/7/Add.1](#)), despite the delay of more than five years in submitting it, and its written replies to the list of issues and questions raised by the pre-sessional working group. It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its high-level delegation, which was headed by the Minister for Gender and Culture, Mutuuzo Peace Regis, and included representatives of the Office of the Prime Minister, the Ministry of Gender, Labour and Social Development, the Ministry of Education and Sports, the Ministry of Finance, Planning and Economic Development, the Equal Opportunities Commission, the National Women's Council, the National Planning Authority, the Bureau of Statistics and the Permanent Mission of Uganda to the United Nations Office and other international organizations in Geneva.

#### B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2010 of the State party's seventh periodic report ([CEDAW/C/UGA/7](#)) in undertaking legislative reforms, in particular the adoption of the following:

\* Adopted by the Committee at its eighty-first session (7–25 February 2022).



- (a) Persons with Disabilities Act of 2020, which contains a commitment to gender balance in the composition of public bodies established by the Act;
- (b) Human Rights Enforcement Act of 2019, giving effect to article 50 (4) of the Constitution by providing for the procedure for enforcing human rights under the Constitution, including women's rights;
- (c) Leadership Code (Amendment) Act of 2017, which, inter alia, provides women with protection from sexual harassment at public workplaces;
- (d) Public Finance Management Act of 2015, which provides for gender responsive planning and budgeting;
- (e) Employment (Sexual Harassment) Regulations of 2012, giving effect to the provisions on sexual harassment in the Employment Act of 2006;
- (f) Domestic Violence Act of 2010 and the Domestic Violence Regulations of 2011;
- (g) Prohibition of Female Genital Mutilation Act of 2010.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption and establishment of the following:

- (a) Third national development plan, 2020/21–2024/25, which provides for a framework for mainstreaming all international normative frameworks, including the Convention, linking it to the 2030 Agenda for Sustainable Development;
- (b) National policy guidelines on ending HIV stigma, 2021;
- (c) National strategy to end child marriage and teenage pregnancy, 2014/15–2019/20;
- (d) National strategy for girls' education, 2014–2020, and the gender in education strategic plan, 2015–2020;
- (e) Male involvement strategy, 2014, encouraging men and boys to take responsibility for their sexual and reproductive behaviour and to abstain from all forms of discrimination against women and girls, and supporting them in so doing;
- (f) National action plan for protecting survivors of domestic violence, 2011.

6. The Committee welcomes the leadership and commitment of the State party in the advancement of the women and peace and security agenda of the Security Council, including its efforts to promote all dimensions of the agenda, as reflected in Council resolutions [1325 \(2000\)](#), [1820 \(2008\)](#), [1888 \(2009\)](#), [1889 \(2009\)](#), [1960 \(2010\)](#), [2106 \(2013\)](#), [2122 \(2013\)](#), [2242 \(2015\)](#), [2467 \(2019\)](#) and [2493 \(2019\)](#), including by aligning the relevant aspects of the third national action plan, 2020–2025, with the Convention, with a comprehensive road map covering the full spectrum of the Security Council's women and peace and security agenda and the Goma Declaration on Eradicating Sexual Violence and Ending Impunity in the Great Lakes Region.

### C. Sustainable Development Goals

7. **The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda. The Committee recalls the importance of Goal 5 and of the mainstreaming of the**

principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of Uganda and to adopt relevant policies and strategies to that effect.

#### **D. Parliament**

8. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites Parliament, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.

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

##### **General context**

9. The Committee takes note of the measures undertaken by the State party to implement gender-responsive recovery strategies related to the coronavirus disease (COVID-19) pandemic, including by developing and implementing the national gender-based violence multisectoral COVID-19 response plan, 2021/22–2024/25, and targeted measures to alleviate the negative economic and social effects of the pandemic on women and girls. Nevertheless, the Committee is concerned about the high prevalence of gender-based violence against women, including domestic violence, the longest shutdown of educational institutions globally due to the pandemic and the feminization of poverty, which disproportionately affects women and girls belonging to disadvantaged and marginalized groups, who face multiple and intersecting forms of discrimination.

10. **In line with its guidance note on the obligations of States parties to the Convention in the context of the COVID-19 pandemic, the Committee recommends that the State party:**

(a) **Implement measures to redress long-standing inequalities between women and men by placing women at the centre of COVID-19 recovery strategies, in accordance with the 2030 Agenda, paying particular attention to unemployed women, women living in poverty, women belonging to ethnic and national minority groups, indigenous women, women in humanitarian settings, older women, women with disabilities, migrant, refugee and asylum-seeking women, lesbian, bisexual and transgender women and intersex persons;**

(b) **Take action to ensure that, in the context of restrictions on freedom of movement, public health measures and post-crisis recovery plans, women and girls are not relegated to stereotypical gender roles, including with regard to domestic work;**

(c) **Review its strategies to ensure that all COVID-19 crisis response and recovery efforts, including emergency measures, are aimed at effectively preventing gender-based violence against women and girls, ensure the equal participation of women and girls in political and public life and in decision-making in the context of recovery efforts, economic empowerment and service delivery and ensure that such strategies are designed so that women and girls benefit on an equal basis with men and boys from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic;**

(d) **Ensure that measures taken to contain the pandemic do not limit access for women and girls, including those belonging to disadvantaged and marginalized groups, to justice, protection from gender-based violence against women, education, employment and health care, including sexual and reproductive health services.**

#### **Visibility of the Convention and the Committee's general recommendations**

11. The Committee takes note of the State party's efforts to enhance the visibility of the Convention, including by publishing the Convention in local languages. It is concerned, however, that women, in particular rural women, women belonging to ethnic and national minority groups, indigenous women, migrant, refugee and asylum-seeking women and women with disabilities, are often not aware of their rights under the Convention or the remedies available to them.

12. **Recalling its previous recommendation (CEDAW/C/UGA/CO/7, para. 14), the Committee recommends that the State party:**

(a) **Disseminate and give more publicity to the Convention and the Committee's concluding observations and general recommendations;**

(b) **Consider establishing a comprehensive mechanism for the implementation of the present concluding observations and involve the Human Rights Commission of Uganda, the Equal Opportunities Commission, the National Women's Council and non-governmental organizations promoting women's rights and gender equality in the work of the mechanism, taking into account the four key capacities of a national mechanism for reporting and follow-up, namely, engagement, coordination, consultation and information management;<sup>1</sup>**

(c) **Raise awareness among women of their rights under the Convention and the legal remedies available to them to claim violations of such rights and ensure that information on the Convention and the Committee's general recommendations is accessible to all women, including women belonging to disadvantaged and marginalized groups;**

(d) **Provide systematic capacity-building and training for government officials, judges, prosecutors, police officers and other law enforcement officials, as well as lawyers, on the Convention.**

#### **Constitutional and legislative framework and discriminatory laws**

13. The Committee remains concerned about the continued delay by the State party in repealing legal provisions that are discriminatory against women in the areas of marriage and family relations, divorce, access to, and control and ownership of, land, employment and protection from gender-based violence against women and the lack of information about a tangible time frame for the revision of such provisions, as well as for the review and revision of legislation that is discriminatory against women, such as the Anti-Pornography Act of 2014, which was adopted since the Committee's previous concluding observations.

14. **Recalling its previous recommendation (CEDAW/C/UGA/CO/7, para. 12), the Committee recommends that the State party:**

(a) **Expedite the enactment of the sexual offences bill, the marriage and divorce bill, the Muslim personal law bill, the legal aid bill, the employment (amendment) bill, the market (amendment) bill, the evidence (amendment) bill and the Penal Code (amendment) bill;**

<sup>1</sup> See [www.ohchr.org/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_PracticalGuide.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf).

(b) **Review and substantially amend the Anti-Pornography Act and other relevant legislation insofar as it is discriminatory against women.**

#### **Women's access to justice**

15. The Committee welcomes the fact that the Equal Opportunities Commission provides women with an additional avenue for obtaining a remedy, given that it may receive and settle individual complaints concerning women's rights and gender equality or refer them to appropriate authorities for adjudication, including courts. It also welcomes the holding of special court sessions at various divisions of the High Court throughout the State party to accelerate the time frame for the consideration of cases of gender-based violence against women. The Committee is concerned, however, about the following:

(a) The complexity of the plural legal system in the State party, which constitutes a barrier to access for women to justice, the persistence of discriminatory gender stereotypes in the justice system and the stigmatization of women complainants, including women migrant workers, rural women, women with disabilities, women with albinism and Muslim women;

(b) The delay in the establishment of special divisions of the High Court to consider cases of gender-based violence against women;

(c) The delay in the enactment of the legal aid bill.

16. **With reference to its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party:**

(a) **Harmonize its justice system, including by:**

(i) **Adopting the law envisaged in article 129 (1) of the Constitution, for the establishment of qadhi courts, in order to standardize procedures to ensure that all qadhi and other customary court decisions that are contrary to the rights guaranteed under the Convention can be appealed effectively to the ordinary courts;**

(ii) **Allocating the necessary human, technical and financial resources to the formal justice sector, in particular in rural and remote areas, to enable all women to claim their rights, and to provide procedural accommodations for women with disabilities, including to serve as witnesses;**

(iii) **Providing capacity-building to members of the judiciary, prosecutors, police and other law enforcement officers and qadhi court imams and officials on gender-responsive administration of justice, including by systematically using the training manual on gender-based violence against women developed by the justice, law and order sector;**

(b) **Accelerate the establishment of special divisions of the High Court to consider cases of gender-based violence against women and institutionalize the good practice of High Court special sessions;**

(c) **Adopt the legal aid bill without further delay to provide for legal aid to women without sufficient means.**

#### **National machinery for the advancement of women and gender mainstreaming**

17. The Committee notes that the State party has made efforts to strengthen its national machinery for the advancement of women, in particular in the areas of policy formulation, and that the Public Finance Management Act of 2015 requires gender-responsive planning and budgeting. The Committee is concerned, however, that:

(a) Gender-mainstreaming and the advancement of women is institutionally covered only by the Directorate for Gender, Culture and Community Development within the Ministry of Gender, Labour and Social Development, which is chronically underfunded and understaffed;

(b) Gender-responsive planning and budgeting has been implemented unevenly.

**18. Recalling its previous recommendation (CEDAW/C/UGA/CO/7, para. 16), the Committee recommends that the State party:**

(a) **Strengthen its national machinery for the advancement of women by clearly defining and institutionally elevating its mandate and responsibilities, providing it with adequate human, technical and financial resources and enhancing the integration of local government mechanisms, so that it may effectively coordinate and monitor the promotion of gender equality and gender mainstreaming at all levels of Government;**

(b) **Pursue gender-responsive planning and budgeting, availing itself of the technical assistance of the Equal Opportunities Commission.**

#### **National human rights institution**

19. The Committee takes note of the work of the Human Rights Commission, as the national human rights institution for gender equality and the advancement of women. It is concerned, however, about the limited human, technical and financial resources available to the Commission.

**20. The Committee recommends that the State party prioritize strengthening the Human Rights Commission, including by allocating sufficient human, technical and financial resources to enable it to effectively and independently discharge its mandate in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).**

#### **Discriminatory stereotypes**

21. The Committee welcomes the fact that, in 2015, the Constitutional Court declared the practice of demanding or refunding a so-called “bride price” to be contrary to various articles of the Constitution on equal marriage and divorce rights and dignity. The Committee also welcomes the lifting of the ban on women riding in the front of trucks issued by a trade association in northern Uganda in 2021. It remains concerned, however, about the persistence of patriarchal attitudes, discriminatory stereotypes and harmful practices, such as polygamy, child marriage and accusations of witchcraft, and that the lifting of the ban has not been effectively implemented.

**22. With reference to the joint general recommendation No. 31 of the Committee/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, and recalling its previous recommendation (CEDAW/C/UGA/CO/7, para. 20), the Committee recommends that the State party:**

(a) **Ensure that all harmful practices affecting women and girls are criminalized, and that perpetrators of such acts are prosecuted and adequately punished, and ensure that victims have access to adequate support services and rehabilitation programmes;**

(b) **Adopt, without delay, a comprehensive strategy, including time-bound targets and provisions for monitoring and evaluation, to eliminate discriminatory stereotypes concerning the roles and responsibilities of women r**

and men in the family and in society and link it to measures to track and eradicate the use of gender-discriminatory expressions and stereotypical portrayals of women in the media;

(c) Expand public education programmes, in collaboration with civil society organizations and the media, on the criminal nature and negative impact of harmful practices on the enjoyment by women and girls of their rights, targeting traditional and religious leaders, rural and remote communities and those in humanitarian settings.

#### **Female genital mutilation**

23. The Committee welcomes the establishment of three specialized shelters for victims of female genital mutilation and the inter-State and community-based initiatives to combat that harmful practice. It is nevertheless concerned that female genital mutilation is still highly prevalent in the State party and that many women and girls are not aware of its criminalization under the Prohibition of Female Genital Mutilation Act of 2010.

24. With reference to its general recommendation No. 14 (1990) on female circumcision, the joint general recommendation No. 31 of the Committee/general comment No. 18 of the Committee on the Rights of the Child (2019) and its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and recalling its previous recommendation (CEDAW/C/UGA/CO/7, para. 22), the Committee urges the State party to:

(a) Ensure that the Prohibition of Female Genital Mutilation Act is widely known and strictly enforced, strengthen awareness-raising campaigns, in particular among religious, traditional and local community leaders, in cooperation with civil society, about the criminal nature of female genital mutilation, its adverse effect on the human rights of women and girls and the need to eradicate it and its underlying cultural justifications, especially in areas where that harmful practice is still prevalent, and continue to promote non-discriminatory alternative rites of passage to adulthood;

(b) Ensure the systematic prosecution and adequate punishment of perpetrators of female genital mutilation, including medical practitioners.

#### **Gender-based violence against women**

25. The Committee takes note of the fact that the third national development plan, like its predecessors, prioritizes combating gender-based violence against women and that a national gender based violence database has been created, which is aimed at better informing strategies, policies and programmes to combat gender-based violence against women. The Committee is deeply concerned, however, that:

(a) Gender-based violence against women, including sexual violence and domestic violence, continues to be manifested throughout the entire life cycle of women and girls and that there is a high level of impunity for, and social acceptance of, such violence in Ugandan society;

(b) There are still cases of the practice of so-called “child sacrifice”, meaning the transfer of a girl or a boy from their home area with the intention to kill them for ritual purposes or to remove the child’s body parts for economic gain;

(c) Marital rape is not defined in law as a crime;

(d) The number of shelters, which are largely funded by development partners, is limited and insufficient funds are available for victim support services.

26. With reference to its general recommendation No. 35 (2017), and recalling its previous recommendation (CEDAW/C/UGA/CO/7, para. 24), the Committee urges the State party to:

(a) Intensify efforts to raise awareness among both women and men, including through educational and media campaigns, with the active participation of women's organizations and women human rights defenders, of the criminal nature of gender-based violence against women, in order to challenge its social acceptance and to destigmatize and protect women from reprisals so as to encourage them to report incidents of gender-based violence against women, and of the specific risk of gender-based violence posed to women and girls facing intersecting forms of discrimination, such as lesbian, bisexual, and transgender women and girls, intersex persons, migrant, refugee and asylum-seeking women and girls, women and girls with disabilities and women and girls with albinism;

(b) Eradicate the practice of "child sacrifice" and systematically prosecute and punish perpetrators of that crime under the Children (Amendment) Act of 2016 and the Penal Code;

(c) Adopt the sexual offences bill without delay to amend the Penal Code to specifically criminalize marital rape, base the definition of rape on the absence of free consent and ensure that penalties for gender-based violence against women are commensurate with the gravity of the offences;

(d) Ensure that sufficient numbers of shelters and victim support services are adequately funded through the State budget, accessible and inclusive, that staff are adequately trained and that the quality of services is regularly monitored;

(e) Collect comprehensive data and link it to the National Gender-based Violence Database, disaggregated by age, sex, relationship between the victim and the perpetrator and other sociodemographic characteristics, such as disability, to better inform policies and strategies to combat gender-based violence against women and girls, including sexual violence.

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

27. The Committee welcomes the efforts made by the State party to prevent and combat trafficking in persons, in particular women and girls, including by engaging in international cooperation, such as for Ugandan women migrant workers abroad, and awareness-raising initiatives, and by awarding compensation to victims of trafficking, including those trafficked for purposes of sexual exploitation and prostitution. However, the Committee notes the following with concern:

(a) That the State party remains a source, transit and destination country for trafficking in persons, in particular women and girls, and that there is a lack of statistical data on the extent of trafficking and its root causes, including in humanitarian settings;

(b) That women migrant workers are at risk of becoming victims of trafficking and sexual and labour exploitation;

(c) The lack of information on conviction rates in trafficking cases and the number of such cases reported, since 2018;

(d) The high prevalence of exploitation of girls in prostitution and child labour, including domestic servitude, forced begging and exploitation in agriculture and brick making.



28. With reference to its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, and recalling its previous recommendation (CEDAW/C/UGA/CO/7, para. 28), the Committee recommends that the State party:

(a) Implement the Prevention of Trafficking in Persons Act of 2009 and collect data on trafficking, disaggregated by sex, age, nationality, ethnicity, disability and socioeconomic status to assess the impact of the Act, raise awareness in all communities of the Act and strengthen victim assistance and witness protection and victim referral pathways in accordance with the national referral guidelines for the management of victims of trafficking;

(b) Reinforce the regulatory regime for recruitment agencies for migrant workers, continue efforts to put a stop to unlicensed agencies, prosecute and punish perpetrators of illegal practices and provide redress to women migrant workers who are victims of such practices, including consular services for Ugandan women migrant workers abroad;

(c) Ensure that traffickers and their accomplices are prosecuted and adequately punished and provide information on prosecution and conviction rates in trafficking cases in its next periodic report under the Convention;

(d) Continue to be vigilant in relation to combating the exploitation of girls in prostitution and child labour and to vigorously prosecuting and punishing perpetrators, and take effective measures to address and reduce the demand for commercial sex;

(e) Ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, which it has signed.

29. The Committee welcomes the national framework to prevent the exploitation of women and girls and provide shelter and services to them. The Committee is nevertheless concerned that women in prostitution can be criminally punished for acts of prostitution, preventing them from reporting cases of violations of their rights, and that women and girls exploited in prostitution are often victims of trafficking and gender-based violence against women. In addition, it notes with concern the high prevalence of HIV and AIDS among women and girls in prostitution.

30. Recalling its previous recommendation (CEDAW/C/UGA/CO/7, para. 28), the Committee recommends that the State party:

(a) Eliminate gender-based violence against women and discrimination against, and the sexual exploitation of, victims of trafficking and ensure that they have access to justice, including legal aid and adequate reparations, protection, shelters and health care, in particular for the prevention and treatment of HIV and other sexually transmitted infections and AIDS;

(b) Take measures to reduce the demand for prostitution, decriminalize women exploited in prostitution and recognize them as victims, including by providing them with witness protection in criminal proceedings;

(c) Provide exit programmes for women wishing to leave prostitution, including alternative income-generating opportunities.

#### **Equal participation in political and public life**

31. The Committee welcomes the fact that the Vice-President, Prime Minister and First Deputy Prime Minister are women, that almost half of Cabinet positions are held by women and that the State party applies statutory quota, such as reserved

parliamentary and local assembly seats, for women, including women with disabilities. It notes that the gender strategy, 2020, and the third national development plan are also aimed at ensuring the full and effective participation of, and equal opportunities for, women in decision-making in political and public life. The Committee is nevertheless concerned that the voter turnout in general elections dropped from 67.6 per cent in 2016 to 59.3 per cent in 2021, in part because women felt discouraged from exercising their right to vote due to heavy military deployment and police presence in the period leading up to the elections, election violence and allegations of electoral fraud. It is also concerned that discriminatory laws and guidelines disenfranchise women with intellectual or psychosocial disabilities.

**32. Recalling its previous recommendation (CEDAW/C/UGA/CO/7, para. 30), the Committee recommends that the State party:**

**(a) Intensify its efforts to increase the representation of women at the decision-making level, in both elected and appointed positions;**

**(b) Continue to adopt temporary special measures, such as statutory quotas and a gender parity system in the public and foreign services, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, to increase the representation of women in elected and appointed bodies, in particular at the local level and in the judiciary, the public service, the foreign service and the armed forces, especially in senior positions;**

**(c) Ensure protection for women facing political violence or harassment and introduce safety measures to protect women from experiencing election-related conflict and violence when exercising their right to vote;**

**(d) Provide capacity-building in political leadership and campaigning skills and access to campaign financing for women who stand for election, including women with disabilities and women with albinism, and raise awareness among political leaders and members of the public of the fact that the full, equal, free and democratic participation of women in political and public life on an equal basis with men is required for the full implementation of the Convention;**

**(e) Repeal discriminatory legal provisions that restrict women with intellectual or psychosocial disabilities from exercising their rights to vote and to stand for election.**

#### **Women human rights defenders and journalists**

33. The Committee takes note of the information provided by the State party that the rights to freedom of opinion, expression, association and peaceful assembly are guaranteed under the Constitution. It is concerned, however, that the work of women human rights defenders and women journalists continues to be restricted and that they are often victims of arrest, physical, including sexual, assault, threats, intimidation, harassment and the freezing of assets. In that regard, it notes with concern that women human rights defenders advocating for the rights of lesbian, bisexual and transgender women and intersex persons are at particular risk, due to the ripple effects of the Anti-Homosexuality Act of 2014, although it was struck down by the Constitutional Court.

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

**(a) Ensure that women human rights defenders and journalists can freely carry out their legitimate activities and create an enabling environment for them to advocate for women's human rights and exercise their democratic rights;**

(b) **Prevent discrimination against women human rights defenders and journalists, ensure their protection from violence and intimidation, investigate, prosecute and punish all abuses against them, including by public officials, and strictly enforce the Human Rights Enforcement Act;**

(c) **Amend provisions that unduly restrict funding to civil society organizations, including women's organizations, in the Anti-Terrorism (Amendment) Act of 2017, the Computer Misuse Act of 2011 and the Non-Governmental Organizations Act of 2016 and consider enacting comprehensive legislation for the protection of civil society organizations, including those working with women human rights defenders and journalists, in conformity with the Convention.**

### **Nationality**

35. The Committee welcomes the fact that the State party, as one of the largest host countries in the world, receives approximately 1.5 million refugees and asylum seekers in the State party, more than half of them women and girls, guaranteeing their right to birth registration under the Constitution and enabling foreign women to confer their nationality to their children. The Committee is concerned, however, about delays in birth registrations, in particular in rural and remote areas and within indigenous communities, delays in the registration, issuance and renewal of identity cards for refugee women and girls and the lack of information on measures taken to reduce statelessness.

36. **With reference to its general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, the Committee recommends that the State party:**

(a) **Facilitate birth registration and the registration of refugee and asylum-seeking women and girls through the use of modern information and communications technology, simplify and ensure affordable birth registration procedures and deploy more mobile teams to issue birth certificates in rural and remote areas and within indigenous communities;**

(b) **Collect data on stateless women and girls, disaggregated by age, ethnicity and disability, and provide such data in its next periodic report;**

(c) **Ratify the Convention on the Reduction of Statelessness of 1961.**

### **Education**

37. The Committee welcomes the teaching programmes for indigenous girls in local languages, the efforts by State party to ensure education in humanitarian settings, including by establishing teaching partnerships between teachers and parents, and takes note of the lifting of the compulsory six-month ban on girls' returning to school after they have given birth. The Committee is nevertheless concerned about the following:

(a) The low literacy rate among women and girls, compared with that of men and boys, despite the gradual increase, girls dropping out of school due to child marriage, the exponential increase in the early pregnancy rate during school closures due to the pandemic and the lack of a friendly environment for expectant and nursing girls and women at school;

(b) The prevalence of sexual violence and harassment in, and on the way to and from, school;

(c) Parents' prioritization of education for sons, including in refugee communities;

(d) The allocation of only 0.1 per cent of the education sector budget to special needs education and the extremely low enrolment rate among girls with disabilities in both inclusive schools and specialized institutions, due in part to the inadequate facilities for girls with disabilities in public schools;

(e) The fact that the national sexuality education framework does not comprehensively address all aspects of sexual and reproductive health and rights, but prescribes an abstinence-only approach.

**38. With reference to its general recommendation No. 36 (2017) on the right of girls and women to education, and recalling its previous recommendation (CEDAW/C/UGA/CO/7, para. 32), the Committee recommends that the State party promote the importance of girls' education at all levels, as a basis for their empowerment, and:**

(a) **Take measures to reduce the high illiteracy rate among women and girls, with a focus on girls living in poverty, rural girls, pregnant girls and young mothers, girls with disabilities and refugee and asylum-seeking girls, through temporary special measures, such as quotas with time-bound targets to increase enrolment, retention and completion rates among girls in secondary education, and strengthen continuing education for women;**

(b) **Ensure safe educational environments that are free from gender-based violence against women and girls, including through safe transportation to and from schools in humanitarian settings, investigate, prosecute and adequately punish all cases of harassment and violence perpetrated against girls and women in educational institutions and provide immediate protection measures to victims;**

(c) **Raise awareness among parents, teachers, traditional and religious leaders, members of indigenous communities and all women, men, girls and boys of the importance of girls' and women's education for their economic empowerment, personal development and autonomy;**

(d) **Strengthen the implementation of the Persons with Disabilities Act by allocating the necessary human, technical and financial resources for the education of girls with disabilities, including by increasing the number of schools for inclusive education throughout the entire State party and taking measures to ensure accessibility and to provide reasonable accommodation for girls with disabilities in schools;**

(e) **Swiftly adopt the school health policy to ensure that gender-sensitive, age-appropriate and accessible education on sexual and reproductive health and rights is included in all school curricula, including in humanitarian settings, to foster responsible sexual behaviour with a view to preventing early pregnancy and sexually transmitted infections, including by addressing negative stereotypes and discriminatory attitudes with regard to the sexuality of adolescents and systematically providing teachers at all levels of the education system with training.**

### **Employment**

39. The Committee welcomes the Leadership Code (Amendment) Act, which provides women with protection from sexual harassment at public workplaces, and the establishment of the Leadership Code Tribunal, which is mandated to adjudicate breaches of the Code, including by combating corruption in the public sphere. The Committee is nevertheless concerned about the following:

(a) Discriminatory provisions on access for women to employment and the lack of legislation prohibiting discrimination based on sexual orientation or gender identity in employment;

(b) Horizontal and vertical segregation in the labour market, especially in rural and remote areas;

(c) The persistent gender pay gap;

(d) The fact that reportedly 80 per cent of women with disabilities have no independent livelihoods or sources of income.

**40. Recalling its previous recommendation (CEDAW/C/UGA/CO/7, para. 34), the Committee recommends that the State party:**

**(a) Intensify efforts to fully implement the existing laws and regulations on the equal rights of women and men to, and in, employment, reduce unemployment among women by promoting access for women to formal employment, remove all discriminatory labour law provisions and amend section 6 of the Employment Act to add discrimination on the basis of sexual orientation or gender identity as prohibited grounds;**

**(b) Strengthen its efforts to eliminate horizontal and vertical segregation in the labour market, promote access for women to the formal sector and ensure that women are covered by social protection schemes, including in the informal sector, under the National Social Security Fund Amendment Act of 2021 and the various social security schemes;**

**(c) Effectively enforce the principle of equal pay for work of equal value, in order to narrow and eventually close the gender pay gap, by conducting regular labour inspections under the Employment Regulations of 2011, applying gender-neutral analytical job classification and evaluation methods and conducting regular pay surveys;**

**(d) Take measures pursuant to the Persons with Disabilities Act, including the quota for women with disabilities and legally mandated reasonable accommodation, and the third national development plan, to ensure that women with disabilities have access to employment and accessible transportation to promote their inclusion in public and private employment;**

**(e) In view of the approval by the Solicitor-General, ratify the Maternity Protection Convention, 2000 (No. 183), the Domestic Workers Convention, 2011 (No. 189), and the Violence and Harassment Convention, 2019 (No. 190), of the International Labour Organization.**

## **Health**

41. The Committee takes note of the fact that the HIV/AIDS Prevention and Control Act of 2015 and the various strategies, policies and programmes for the prevention and control of HIV and AIDS embrace human rights principles, including non-discrimination and gender-responsiveness. It also takes note of the establishment, in 2015, of a national menstrual health and hygiene coalition to mobilize resources for the provision of hygiene products to girls and separate sanitary facilities for them in rural and remote areas, indigenous and refugee communities and government-aided schools. The Committee is concerned about the following:

(a) The persistently high rate of maternal mortality, owing to malnutrition and limited access to sexual and reproductive health services, including safe abortion and post-abortion services – with unsafe abortions accounting for 26 per cent of maternal mortality, according to the Standards and Guidelines on Reducing Maternal Morbidity

and Mortality from Unsafe Abortions issued by the Ministry of Health in 2015 – emergency obstetric services and skilled birth attendance for women in rural and remote areas;

(b) The persistently high rates of early pregnancy – and its links to the pandemic – unsafe abortion and child marriage, as well as the prevalence of obstetric fistula;

(c) The disproportionately high rates of HIV and AIDS among women and girls and their limited access to adequate treatment;

(d) The disproportionately high rates of cervical cancer among women and girls, accounting for 40 per cent of all cancers reported in the State party;

(e) The fact that not all girls have access to affordable hygiene products and separate sanitary facilities in educational institutions;

(f) The reported overcrowding of the only national referral inpatient mental health unit in the State party and the overall lack of comprehensive information about women's health status and access for women to mental health services.

**42. With reference to its general recommendation No. 24 (1999) on women and health, and recalling its previous recommendations (CEDAW/C/UGA/CO/7, paras. 36 and 38), the Committee recommends that the State party increase the proportion of the national budget allocated to health and:**

**(a) Address the high maternal mortality rates throughout the State party, including by:**

**(i) Improving the proximity and delivery of health services, by recruiting more health workers and constructing and/or renovating health centres, in particular in rural and remote areas;**

**(ii) Developing and implementing a strategy to address cases of obstetric fistula, the low rates of antenatal care coverage and births attended by skilled health personnel, and malnutrition among pregnant and breastfeeding women;**

**(iii) Adopting the legislation envisaged in article 22 (2) of the Constitution, on the termination of pregnancy, in order to legalize abortion in cases of rape, incest, risk to the life or health of the pregnant person and severe fetal impairment, ensuring that abortion is decriminalized in all other cases and lifting the moratorium on the implementation of the Standards and Guidelines on Reducing Maternal Morbidity and Mortality from Unsafe Abortions;**

**(b) Ensure the availability and accessibility of sexual and reproductive health services for all adolescent girls and young women, including those belonging to disadvantaged and marginalized groups, and implement the national comprehensive condom programming strategy and implementation plan, 2020–2025, to ensure access to modern contraceptives that are affordable or, if necessary, free of charge;**

**(c) Continue to implement the national policy guidelines on ending HIV stigma and other strategies, policies and programmes on HIV/AIDS, to address the high prevalence of HIV and AIDS among women, and ensure access to antiretroviral treatment free of charge, with a particular focus on the prevention of mother-to-child transmission and targeting lesbian, bisexual and transgender women and intersex persons, women living in a humanitarian settings and women in prostitution;**

(d) **Allocate sufficient human, technical and financial resources to improve the prevention, early detection and treatment of cervical cancer, by disseminating information on the linkages between the human papillomavirus and cervical cancer and on preventive measures, and ensure that women and girls have access to regular screening for the virus;**

(e) **Ensure adequate infrastructure and availability of hygiene products, including by lifting taxes on sanitary pads, and accessible separate sanitary facilities for girls in all educational institutions, including in rural and remote areas;**

(f) **Integrate mental health services into regular health facilities and provide information on the impact of the Mental Health Act of 2018 on women's mental health status and access to mental health services, including for women in detention, in its next periodic report.**

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

43. The Committee takes note of the various economic empowerment programmes, including the third national development plan, and the doubling of the ratio of women's ownership of agricultural land within 20 years, to 32 per cent. The Committee is concerned, however, about the lack of access for women-led businesses in the informal sector to the current government stimulus packages and that the parish development programme proportionally earmarks less funding (about 30 per cent) for women's economic empowerment than the women's entrepreneurship programme.

44. **Recalling its previous recommendation (CEDAW/C/UGA/CO/7, para. 40), the Committee recommends that the State party increase access to loans and other forms of financial credit for women-led enterprises, including those in the informal sector, strengthen women's land rights, address the digital gender gap and increase access for women to high-quality health care, social protection and provision of childcare, to reduce the burden of unpaid care and domestic work, including by swiftly adopting the Employment (Establishment of Breastfeeding and Childcare Facilities at the Workplace) Regulations.**

#### **Rural women**

45. The Committee takes note of the efforts made by the State party to lift rural women, who constitute 75 per cent of the female population in the State party, out of poverty and to support entrepreneurship among rural women through various programmes and plans. It is concerned, however, that 39 per cent of the predominantly women-headed households still rely on the subsistence economy, in particular in agriculture, with limited access to the country's rich natural resources and basic services, such as health care and social protection. The Committee is also concerned about the dispossessions of land owned by women and forced evictions of women, who constitute three quarters of the workforce in the agricultural sector, including the violent evictions of communities in the Mubende District to facilitate land transfers to a coffee plantation company in 2001, and the fact that settlement of that incident is still outstanding in court, and reported instances of the brutalization of women in fishing communities during military operations against unlawful fishing.

46. **With reference to its general recommendation No. 34 (2016) on the rights of rural women, and recalling its previous recommendation (CEDAW/C/UGA/CO/7, para. 42), the Committee recommends that the State party:**

(a) **Establish a legal framework to ensure that agro-industrial projects and the activities of extractive industries do not undermine rural women's rights to land ownership or their livelihoods and ensure that such ventures are**

permitted only after gender-impact assessments involving the participation of rural women have been undertaken;

(b) Ensure that evictions are court-ordered and subject to strict procedural safeguards, in line with international standards, and expedite court proceedings for prompt and adequate compensation and rehabilitation in the case concerning the land evictions in Mubende District, while observing the principle of separation of powers;

(c) Ensure that perpetrators of violent acts against women in fishing communities are prosecuted and adequately punished, including through a referral for criminal proceedings through the Leadership Code Tribunal, where appropriate, decriminalize fish smoking and support the development of alternative agroprocessing economic activity for rural women;

(d) Widely disseminate and implement the future findings and recommendations of the Commission of Inquiry into the Effectiveness of Law, Policies and Processes of Land Acquisition, Land Administration, Land Management and Land Registration and provide information on those findings and the dissemination thereof in its next periodic report.

#### **Climate change and disaster risk reduction**

47. The Committee welcomes the commitment to gender-mainstreaming encapsulated in the national climate change policy, 2015, and the national policy for disaster preparedness and management, 2010. It notes the following with concern, however:

(a) That rural women are particularly affected by natural disasters, which jeopardize their livelihoods;

(b) The lack of information on the extent of the implementation of the Gender Mainstreaming Guidelines for the Oil and Gas Sector, in particular the sector's gender mainstreaming efforts.

48. **With reference to its general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, the Committee recommends that the State party:**

(a) Ensure the integration of a gender perspective into national legislation, policies and programmes on climate change and disaster risk reduction, and the participation of women in policymaking and decision-making processes in that regard, and address food security among rural women in the light of the effects of climate change;

(b) Swiftly undertake an assessment of the situation of women affected by the mineral and oil and gas exploration sectors and climate change-related natural disasters, implement gender-responsive programmes for their rehabilitation and for securing their livelihoods and provide information on such measures in its next periodic report.

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

49. The Committee takes note of the recent adoption by Parliament of the Succession (Amendment) Act of 2021, which is awaiting presidential assent, after the Constitutional Court, in the case of *Law Advocacy for Women in Uganda v. Attorney General*, declared provisions of the Succession Act of 1906, relating to the distribution of estates of intestate persons, unconstitutional and discriminatory against women. It notes with concern, however:



(a) The persistence of discriminatory provisions on marriage and divorce, including religious and customary norms that allow for polygamous relationships, leaving women without protection in case of divorce and children born within polygamous unions, including girls, without the same rights enjoyed by children born within legal unions;

(b) The continuing occurrence of child marriage, in particular in traditional, religious and refugee communities, despite the Constitution setting the minimum age of marriage at 18 years of age for both women and men.

**50. With reference to its general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution and the joint general recommendation No. 31 of the Committee/general comment No. 18 of the Committee on the Rights of the Child (2019), and recalling its previous recommendation (CEDAW/C/UGA/CO/7, para. 48), the Committee recommends that the State party:**

(a) **Harmonize its civil, religious and customary laws in the areas of marriage and family relations through the adoption of an inclusive and comprehensive family law, prohibit polygamy under all legal systems in the State party, rigorously enforce the prohibition and ensure that children, including girls, born within polygamous unions have the same rights as children born within legally recognized unions;**

(b) **Enforce the prohibition of child marriage, in particular in rural and remote areas and within traditional communities.**

**Optional Protocol to the Convention and amendment to article 20 (1) of the Convention**

**51. The Committee encourages the State party to ratify, as soon as possible, the Optional Protocol to the Convention and to accept the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.**

**Dissemination**

**52. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official languages of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the parliament and the judiciary, to enable their full implementation.**

**Technical assistance**

**53. The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in that respect.**

**Ratification of other treaties**

54. The Committee notes that the adherence of the State party to the nine major international human rights instruments<sup>2</sup> would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, which it has signed.

**Follow-up to concluding observations**

55. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 10 (a), 16 (b), 46 (b) and 50 (a) above.

**Preparation of the next report**

56. The Committee invites the State party to submit its tenth periodic report, which is due in February 2026. The report should be submitted on time and cover the entire period up to the time of its submission.

57. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see [HRI/GEN/2/Rev.6](#), chap. I).

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<sup>2</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.