

Uganda Country Profile

Compiled by Transform Alliance Africa

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Uganda Country Brief and Fact Sheet



Laws, Policies and Guidelines Related to Care for Children

Key international policy instrument	Country response
United Nations Convention on the Rights of the Child (1989)	Ratified, 1990, enacted 1996
The UN Convention for the Suppression of the Trafficking in Persons and of the Exploitation of Prostitution of Others (1949)	
The Optional Protocol Prohibiting the Sale of Children, Child Prostitution and Pornography (2000)	
The Optional Protocol on Involvement of Children in Armed Conflict (2000)	
The Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (1993)	Not ratified
African Charter on the Rights and Welfare of the Child (ACRWC) (1990)	Signed 1992, ratified 1994, deposited 1994
The East African Community (EAC) Child Policy (2016)	Signed 2016
The UN Convention on the Rights of Persons with Disabilities (UNCRPD) (2007)	Signed 2007
The African Youth Charter (2006)	
The ILO Convention concerning the prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor 182 (1999)	
United Nations (UN) Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules) 1985	
The UN Convention on the Rights of Persons with Disabilities (UNCRPD)	Ratified 2008 (without reservations)

Key national legislation, policy instruments and frameworks

The Constitution of the Republic of Uganda (1995) is the overriding national legal framework for ensuring that the rights of children and the general population are protected.

The Children's Act, Cap 59 (Amended, 2016) provides the overarching legal framework, articulating constitutional provisions on children and emphasising the rights, protection, duties and responsibilities as contained in the UNCRC and the ACRWC. Other legislation that relates to and affects children's issues includes:

- The Persons with Disabilities Act (2006)
- The Penal Code (Amendment) Act (2007)
- The Education Act (2008)
- The Prevention of Trafficking in Persons Act (2009)
- The Domestic Violence Act (2010)
- The Prohibition of Female Genital Mutilation Act (2010)
- The Computer Misuse Act (2011)
- The Children (Approved Homes) Rules (2013)
- The Anti-Pornography Act (2014)
- The Registration of Persons Act (2015)
- The Immunisation Act (2016)

Other child related policies:

- Universal Primary Education (UPE) Policy (1997)
- National Orphans and Other Vulnerable Children Policy (2004)
- National Adolescent Health Policy for Uganda (2004)
- The National Child Labour Policy (2006)
- National Policy on Disability in Uganda (2006)
- Universal Secondary Education (USE) Policy (2007)
- The Second National Health Policy (2010)
- Special Needs and Inclusive Education Policy (2011)
- National Framework for Alternative Care (2012)
- The Uganda National Land Policy (2013)
- National Social Protection Policy (2015)
- The Uganda Integrated Early Childhood Development Policy (2016)
- National Youth Policy and Action Plan (2016)

The National Child Policy (2018) and Implementation Plan (yet to be presented to Parliament) replaces the OVC (Orphan and Other Vulnerable Children) Policy. It brings together and updates all other related policies and plans into a single policy for the care and protection, health, education and participation of all children in Uganda.

Key Figures and Statistics

Uganda has a young population; with over 56% of its population under the age of 18 and about half (48.7%) under the age of 15 (UBOS, 2016). More than half of the children under five in Uganda live in poverty, and many more experience multiple dimensions of poverty (MoGLSD, UNICEF, & EPRC, 2014). Health and survival, general well-being and safety, development and learning, and child participation remain critical challenges given that nearly all children in the country can be classified as “vulnerable.”¹ There are also new and emerging challenges such as online safety and mounting disquiet about the increasing vulnerability of children due to climate-related hazards and urbanisation (Republic of Uganda & UNICEF, 2017). Children under five years of age are particularly vulnerable with significant death rates mostly from preventable and treatable diseases including pneumonia, malaria and diarrhoea. According to the 2016 Uganda Demographic and Health Survey (UDHS) the under-five mortality rate is currently at 64 per 1,000 live births (UBOS & ICF International, 2017). Infant mortality rates also remain high at 43 per 1,000 live births (UBOS & ICF International, 2017)

Since the 1990s, Uganda has seen a significant increase in the number of children that are temporarily or permanently living in Residential Care Facilities (also often known and defined as ‘Orphanages’, ‘Child Care Institutions’, ‘baby/children’s homes’, and ‘children’s villages’). By 2012, the Ministry of Gender, Labour and Social Development (MGLSD) were alarmed at the explosion in the number of Child Care Institutions in the country and the number of children entering facilities (Riley/MGLSD, 2012²). This increase reflected the fact that institutional care had become the default solution and the ‘first resort’ response without consideration of family-based options. It is estimated that up to 50,000 children live in over 800 Child Care Institutions throughout Uganda; although this number is considered by many to be a significant underestimate given that many go unregistered and are often completely unknown. Only a handful of institutions have licenses to operate as per The Approved Homes Rules.

In 2010 a task force was established to address the high number of institutions and it has made significant progress in ensuring the legal and policy frameworks are in place to address the problem of high numbers of Child Care Institutions in the country. This has been recognised with Uganda adopting the United Nations Guidelines on Alternative Care (2009) through the development of a Ugandan Alternative Care Framework (2013), which, through a continuum of care, prioritises strengthening of families and family-based alternative care. The National Child Policy for Uganda (2017) prioritises the scaling up of the provisions, improving access to family strengthening and support services for vulnerable families (strategy 1) and improving the quality of alternative care services for children living outside family care (strategy 2). The policy and implementation plan will develop and enforce a comprehensive deinstitutionalisation strategy and clear guidelines and protocols for closure and/or transformation of Child Care Institutions.

In 2017 Uganda, with the support of The United States Agency for International Development (USAID) Displaced Children and Orphans Fund (DCOF), started a MEASURE evaluation process (MEASURE evaluation, 2017) that focuses on strengthening child welfare and protection policies and programs and also developing and operationalising

¹ A compound measure of child vulnerability developed by Kalibala & Lynne (2010) takes into account several indicators including family structure, household characteristics, parental status, child’s school attendance, child’s health and nutrition, child’s disability status and access to basic material needs.

² Riley, M. (2012) Summary of the Child Care Institution Baseline Study, unpublished report, Kampala, June 2012.

the local systems needed to sustain program efforts to intensify country leadership in advancing national efforts on behalf of children who lack adequate family care.

In 2017 a number of key civil society organisations in Uganda joined the Transform Alliance Africa (transformallianceafrica.org, 2017). The Alliance aims to provide communities and Governments with suitable solutions to respond to children's needs and circumstances so that residential Care Facilities can be replaced with sustainable child protection systems through networking, advocacy, policy development and programming support.

These advancements in policy in Uganda are in line with global evidence and research on the negative impacts of institutionalisation on children's health, development, relationships and social interactions. While much progress has been made the number of children in Child Care Institutions is still a reality and the over-emphasis and over-investment into institutional care is limiting the progress that could be made in wider child welfare reforms. The 2014 Baseline Study, undertaken by Makerere University as a part of the Terre des Hommes 'Strong Beginnings' programme (Walakira, E. J., Dumba-Nyanzi I, & Bukenya B., 2014), found significant problems with Child Care Institutions and that they had become a default solution for families exposed to disruption and poverty. Many institutions were found to be masquerading as "free" boarding schools.

In spite of great progress, new Child Care Institutions are proliferating at an alarming rate. These Child Care Institutions, often founded as money making enterprises, put further strains on the system and initiatives to regulate the sector, pulling vulnerable children from their families and communities and harming initiatives which focus on family preservation or family-based alternative care.

Recommendations

- The government should enhance oversight, monitoring and coordination of child protection systems to ensure that children receive proper care and protection.
- The government should prioritise the collection of data on all residential care facilities and provide disaggregated data of children accommodated in those facilities; this includes recording gender and numbers of children with disabilities. The information collected about these children should also detail what services they are accessing, e.g. education, health, nutrition, social services etc.
- The government should place and enforce a moratorium on the building of new or the expansion of any new facilities.
- Enhance social protection services to vulnerable children and families to prevent separation, abandonments and related problems.
- There is a need to enhance alternative family and community based care responses for children without parental care and those at risk of separation, by developing minimum quality standards for all alternative care services and

ensuring better monitoring of service providers. These services include kinship care, foster care and local adoptions.

- Enhance the legal and policy framework to prevent unnecessary family separation.
- Engage with donors to redirect funding away from institutional care and towards family-based care.
- Raise awareness among the general population in Uganda and globally of the damage of 'voluntarism' to Child Care Institutions in Uganda.
- Disseminate guidelines, tool and policies.
- Better Coordination between government and civil society on Alternative Care to deliver the Child Policy which includes deinstitutionalisation.
- Review the Alternative Care Framework, Approved Homes Rules and ensure compliance and that they reflect and provide comprehensive legal oversight for deinstitutionalisation.
- Support the government so that they can adequately respond to abuses within CCI settings in a prompt and child-centred approach.
- Develop and enhance the social welfare workforce to implement the policy and guidelines.



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These Country Fact-Sheets developed by Transform Alliance Africa (TAA) Members are a snapshot of important national information relevant to care reform. They provide an overview of key policy and legislative frameworks, alternative care approaches and social protection, and latest developments in the sector. Note that the fact-sheets will be updated after every 6 months. If you have information relevant to care-reform please send an email to the Coordinator stephen@transformallianceafrica.org. We will consider the information in our next update.