



Convention on the Elimination of All Forms of Discrimination against Women

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**Committee on the Elimination of Discrimination
against Women**
Pre-session working group
Forty-seventh session
4 – 22 October 2010

List of issues and questions with regard to the consideration of periodic reports

Uganda

The pre-session working group considered the combined fourth, fifth, sixth and seventh periodic report of Uganda (CEDAW/C/UGA/7).

General

1. According to paragraph 12 of the report, consultations were undertaken with Government ministries, non-governmental organizations and United Nations agencies in the preparation of the report. Please provide further information on the process of preparing the report, including which Government ministries and institutions were involved and whether the report was adopted by the Government and presented to Parliament. Please provide information on the nature and extent of the involvement of non-governmental organizations, particularly women's organizations, in this process. Please also indicate whether the concluding observations adopted by the Committee upon the consideration of the third periodic report of Uganda were translated into the main local languages and how and to whom they were disseminated in order to make the people of Uganda, in particular Government officials and politicians, aware of the steps required to ensure de jure and de facto equality of women and men.

2. The report (para. 38) indicates that the State party has generated sex disaggregated data in health, education, access to productive resources and employment. Please provide updated information on the statistical data disaggregated by sex pertaining to the main areas and provisions of the Convention. Please indicate what steps have been taken to establish regular collection and analysis of data to capture the real situation of women, including those belonging to disadvantaged groups, especially rural women, older women, women with disabilities, and refugee women.

Legal status of the Convention, legislative and institutional framework

3. Please indicate what steps have been taken to incorporate the Convention into domestic law and to make it applicable in national courts. Please also indicate whether the definition

of discrimination in the State party's constitution encompasses both direct and indirect discrimination, in line with article 1, and extends to acts of discrimination by public and private actors, in accordance with article 2, and whether it includes gender-based violence against women.

4. Paragraph 23 of the report indicates that the Constitutional Courts have declared some provisions in laws on divorce, succession and the penal code (adultery) as unconstitutional. Paragraph 24 of the report indicates that the amended provisions on adultery and divorce will be contained in the draft Bill on Domestic Relations. Please provide information on the steps taken to enact this bill into law and reasons for the delay. Further, please provide information on the steps taken to enact the Sexual Offences Bill into law.

5. Paragraph 34 of the report states that despite the steps taken by the State party to facilitate women's improved access to information on their constitutional rights through the creation of inter alia Voluntary Action Groups and district human rights desks, the severe challenges faced by some women, and which prevent them from enforcing their rights, are high poverty levels, low literacy rates, negative cultural practices and institutional weaknesses in law enforcement agencies. Please provide information and disaggregated data on this group of extremely challenged women and outline the measures in place to try and reach them in order to create awareness and help them to access and enforce their rights.

6. Paragraph 22 of the report refers to the enactment of the Equal Opportunities Commission. The establishment of this Commission was also referred to in the State party's third periodic report, submitted in 2000 (CEDAW/C/UGA/3). Please provide updated information on the steps taken to operationalize this Commission, and if operational, any data or statistics or cases that it has handled.

National machinery for the advancement of women

7. Please provide updated information on the Ministry of Gender, Labour and Social Development, including its resources and its authority to advise on the impact on women of all Government policies, to monitor the situation of women comprehensively, to help formulate new policies and to effectively carry out strategies and measures to eliminate discrimination.

8. The report refers to the adoption of the first National Action Plan for monitoring the implementation of CEDAW for the period 2007-2010 (para. 28), as well as the National Action Plan on Women 2006-2010 (para. 47). Please provide information on the assessment of these action plans, as well as their impact with regard to the practical realization of equality between men and women in all areas covered by the Convention.

Stereotypes and cultural practices

9. The report gives an overview of progress made in eliminating gender stereotyping (paras. 63-69). Please elaborate on the measures taken to change social and cultural patterns that lead to stereotyping or reinforcing the idea of the inferiority of women, including through the portrayal of women in the media. Please also indicate the impact of these measures.

10. According to paragraph 175 of the report, a proposed law has been drafted and presented to Parliament on the prohibition of female genital mutilation (FGM). Please elaborate on the draft Bill, including on the prosecution of offenders and protection of victims, and the time frame for its entry into force. Please also provide information on any vocational training provided to women who practice FGM in order for them to find alternative income-generating activities.

11. Please provide information on the practice of ritual sacrifice of children, in particular girls, as well as on any legislation criminalizing this practice. Please elaborate on the persistence of other harmful traditional practices, including early marriage, and on the impact of the initiatives and programmes in place aimed at eliminating such harmful practices.

Violence against women

12. The report indicates that a draft Domestic Violence Bill seeks to criminalize the different forms of domestic violence (para. 168). Please elaborate on this Bill, including which forms of violence it will cover and the corresponding sanctions, and the time frame for its enactment into law. Further, bearing in mind the Committee's general recommendation No. 19, please describe steps taken to develop a comprehensive strategy to combat all forms of violence against women, including prosecution of perpetrators, provision of assistance to victims and implementation of capacity-building and awareness-raising programmes for various groups (such as the police, lawyers, health and social workers, and the judiciary) as well as the public at large.

13. The report indicates (para. 20) that the Sexual Offences Bill 2004 recognizes the criminal offence of marital sexual assault and also compensation and protection for victims of sexual assaults. In its previous concluding observations adopted in 2002, the Committee recommended the speedy enactment of this Sexual Offences Bill (A/57/38, para. 130). Please indicate the time frame for its enactment into law, and state the reasons for the delay. Please elaborate on the Bill, including which forms of violence it will cover, in particular if it includes rape of prostitute women. Please also indicate any measures taken to improve the access to justice for women victims of sexual violence even before this bill is enacted into law.

14. In its previous concluding observations, the Committee was concerned that many women and girls in conflict areas had been victims of violence, including abduction and sexual slavery (A/57/38, para. 155). The report indicates (para. 173) that the incidence of sexual and gender-based violence in these areas is still extremely high. Please elaborate on the current situation and the efforts undertaken to protect women and girls in conflict areas from all forms of violence.

Trafficking and exploitation of prostitution

15. The report indicates (para. 80) that the country currently has no law on trafficking. However, the Prevention of Trafficking in Persons Bill has been tabled before Parliament. Please provide updated information on the status of the Bill, and a time frame for its enactment into law. Please also indicate whether a coordinating agency to deal with trafficking-related issues has been established or is envisaged. Please provide statistics, if available, on the number of women and girls who are victims of trafficking for purposes of sexual and economic exploitation.

16. In its previous concluding observations, the Committee expressed concern that sexual exploitation of women and girls was increasing (A/57/38, para. 145). The report (para. 75) indicates that there are a number of initiatives focusing on creating alternative income-generating activities for women engaged in prostitution, mainly implemented by civil society organizations. Please provide statistics, if available, on the number of women and girls engaged in prostitution and elaborate on measures adopted to prevent and punish the exploitation of prostitution, as well as measures taken to provide rehabilitation and support for social integration of women who wish to leave prostitution.

Political participation and participation in public life

17. The table provided in the report (para. 85) shows that, while the participation of women in parliament (30 per cent) and top civil service (38 per cent) is rather high, the cabinet only has 19 per cent of women, and in local Government the percentages are extremely low, with only 1.4 per cent of women as district chairs and vice chairpersons. Please indicate if the effectiveness of the measures taken to increase women's participation in public and political life has been evaluated. Please also provide information on any specific measures taken or envisaged to increase the very low participation of women at local level, such as the establishment of a quota system.

Education

18. The report indicates that the high dropout rate for girls in school is due to, inter alia, early marriages, pregnancies, absence of gender-sensitive sanitation facilities, preferential treatment to boys in accessing education, family responsibilities and sexual harassment (para. 117). The report further refers to the National Strategy on Girl Child Education to improve the rates of school retention of the girl child (para. 119). Please indicate if this Strategy addresses all the above-mentioned reasons for girls dropping out of school, and please indicate if the effectiveness of the Strategy has been evaluated. Further, please provide information on steps undertaken or envisaged to increase the number of female students in secondary and higher education, in particular in rural areas. Please also provide information on the availability of career and vocational guidance for girls.

19. The report (paras. 65-67) indicates that the Ministry of Education is developing a handbook to guide primary school teachers on how to create a gender responsive learning environment, and that the Uganda Human Rights Commission has developed a human rights reader for primary schools. Please provide information on the impact of the measures taken by the State party with respect to the elimination of stereotypical attitudes about the roles and responsibilities of women and men in textbooks, curricula and teacher training.

Employment

20. The report refers to the National Employment Policy which is currently being formulated (para. 129). Please elaborate on this policy, including its scope and timeframe for its adoption and implementation. The report (para. 125) indicates that women in the informal sector are not covered by social security, but efforts are underway to transform the entire system to increase coverage. Please provide updated information on the efforts to provide social security to women who work in the informal sector. Please also provide information on efforts made to close the wage gap between men and women.

21. Paragraph 122 of the report lists the provisions of the Employment Act that protect the rights of women. Please explain how the compliance with the Employment Act is monitored, particularly its prohibition of discrimination based on sex, the prohibition of sexual harassment in employment, and the right to return to the same job after maternity leave. Please also provide information on any plans to extend its application to the informal sector and on extending the scope of sexual harassment in order to cover sexual harassment committed by an employee of equal or inferior rank.

Health

22. Please provide information on the access of women to health services in the State party during all their life-cycle, including in rural areas. The report indicates that there exists a persistently high maternal mortality rate (para. 133). Please indicate what measures have been taken to ensure that maternal health is prioritized, including by addressing the main causes of high maternal mortality, such as clandestine abortions. The report also refers to

the high unmet need for family planning resulting in an increase in unplanned births (para. 145). Please elaborate on measures in place to enhance family planning initiatives. Please also describe the extent of girls' awareness of sexual and reproductive health issues, including their knowledge of how to protect themselves from sexually transmitted infections (STIs).

23. According to paragraph 156 of the report, statistics indicate that HIV prevalence among women is higher than that of men, and that there is a rise in the number of discordant couples (5 per cent) where 3/5 of infected partners are men and that this posed a serious risk to married women who because of low couple counselling and testing and limited negotiation power for condom use are continuously exposed to HIV infection. Please elaborate on measures and programmes introduced to increase public awareness of the risk and effects of HIV/AIDS, and indicate whether any of these measures are aimed specifically at women and girls. Please indicate any measures taken to ensure that the HIV/AIDS Prevention and Control Bill does not impact negatively on women. Please also indicate whether the planned mandatory HIV-testing will only apply to women (para. 158).

24. According to the report, late diagnosis of cervical cancer is the leading cause of cancer deaths in the country (para. 162). The report also indicates that high costs and inaccessibility of services have weighed down the fight against cervical cancer (para. 163). Please elaborate on the efforts undertaken to increase awareness for the need for regular pap smears and to provide cervical cancer screenings for women, including women in rural areas.

Economic empowerment

25. In its previous concluding observations, the Committee was concerned that customs and traditional practices, prevalent in rural areas, prevent women from inheriting or acquiring ownership of land and other property (A/57/38, para. 151). The report indicates that the amendment of the Land Act increases protection of the rights of women to own, use and inherit land (para. 15). However, according to paragraph 177, women have limited access to land and capital, and that there are legal and administrative obstacles that constrain their level of entrepreneurship. It further explains that efforts are underway to increase women's access to credit (para. 180). Please elaborate on what measures have been taken to support women's entrepreneurship, including their access to land and capital, and more generally to enhance the situation of women in the informal sector, and the impact of these measures.

Rural women, vulnerable groups

26. According to the report (para. 198), rural women constitute 79 per cent of the agricultural labour force. Please elaborate on the measures undertaken or envisaged by the State party to improve the situation of rural women, including their access to justice, standard of living, education, health and their participation in decision-making process at all levels. Please also provide information on the availability of the Village Savings and Loans Association described in the report (para. 200).

27. The report is silent on the situation of older women, women with disabilities, widows, refugee and migrant women and girls. Please provide such information, in particular the economic and social situation and measures in place to support these groups of women. Please also provide information on the human rights situation of internally displaced women and girls in relation to access to education, employment, safe water and health services as well as protection from violence.

Marriage and family life

28. In its previous concluding observations, the Committee noted with concern the continued existence of legislation, customary laws and practices on inheritance, land ownership, widow inheritance, polygamy, forced marriage, bride price, guardianship of children and the definition of adultery that discriminate against women. It urged the State party to amend the laws and prohibit such practices (A/57/38, para. 153). It also recommended the speedy enactment of the Domestic Relations Bill (para. 130). The report indicates that this Bill seeks to reform and consolidate the laws relating to marriage, separation and divorce (para. 18). However, the enactment of this bill into law has been slowed following protest from sections of society. Please elaborate on the contents of this Bill relating to all the above concerns, and provide updated information on the time frame for its enactment into law. Please also provide information on the Muslim Personal Law Bill, and how this will affect women's rights concerning, inter alia, marriage, divorce, custody of children and inheritance. Please also provide information on the age of consent to marry for women in customary marriages.

Optional Protocol and amendment to article 20, paragraph 1

29. Please indicate any progress made with regard to the ratification of the Optional Protocol to the Convention. Please also indicate what progress has been made towards acceptance of the amendment to article 20, paragraph 1, of the Convention pertaining to the Committee's meeting time.
