



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

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## Committee on the Elimination of Discrimination against Women

### List of issues and questions in relation to the combined eighth and ninth periodic reports of Uganda\*

#### Visibility of the Convention

1. Please provide information on measures taken to raise public awareness of the Convention and the rights of women thereunder, the Optional Protocol to the Convention and the Committee's general recommendations, including among rural women, older women, women with disabilities and refugee and asylum-seeking women, and on efforts to translate the Convention into local languages.

#### Women's rights and gender equality in relation to the pandemic and recovery efforts

2. In line with the Committee's guidance note on the obligations of States parties to the Convention in the context of the coronavirus disease (COVID-19) pandemic, issued on 22 April 2020, please indicate the measures implemented by the State party: to redress long-standing inequalities between women and men and to give a new impetus to the implementation of gender equality by placing women at the centre of recovery as a strategic priority for sustainable change, in line with the Sustainable Development Goals; to meet the needs and uphold the rights of women and girls, including those belonging to disadvantaged and marginalized groups and women in situations of conflict or other humanitarian emergencies; and to ensure that, in the context of lockdown measures, whether partial or total, and in post-crisis recovery plans, women and girls are not relegated to stereotypical gender roles. Please indicate the measures in place to ensure that all COVID-19 crisis response and recovery efforts: effectively address and are aimed at preventing gender-based violence against women and girls; guarantee the equal participation of women and girls in political and public life, decision-making, economic empowerment and service delivery, particularly in the design and implementation of recovery programmes; and are designed so that women and girls benefit equally from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic. Please explain how the State party is ensuring that measures taken to contain the pandemic, such as restrictions on freedom of movement or physical distancing, do not limit the access of women and girls, including those belonging to disadvantaged and marginalized groups, to justice, shelters, education, employment and health care, including sexual and reproductive health services.

\* Adopted by the pre-sessional working group on 5 March 2021.



**Legislative and policy framework**

3. In the light of the Committee's previous recommendation that the State party accelerate its law review process (CEDAW/C/UGA/CO/7, para. 12), please explain the reasons for the persistent delay in eliminating legal provisions that are discriminatory against women, including through the enactment of the sexual offences bill, the marriage and divorce bill, the Muslim personal law bill, the legal aid bill, the succession (amendment) bill, the employment (amendment) bill, the market (amendment) bill, the evidence (amendment) bill and the Penal Code (amendment) bill. Please indicate the time frame envisaged for the enactment of these bills, especially in the light of the negative impact of the COVID-19 pandemic on the lives of women and girls. Please also provide information on the outcome of the review of the five laws related to sexual offences mentioned in the report (CEDAW/C/UGA/8-9, para. 11)<sup>1</sup> and on the measures taken to review and substantially revise legislation adopted since 2010 that is discriminatory against women, such as the Anti-Pornography Act of 2014.

**Access to justice**

4. Please provide specific data and examples of complaints about gender-based discrimination against women handled by the Equal Opportunities Commission, including their outcome, and judgments in which the provisions of the Convention were directly applied, invoked and/or referred to, or judgments in which national legislation was interpreted in line with the Convention. Please explain the reason for the delay in the enactment of the legal aid bill and clarify the expected timeline for its enactment and implementation. Please also describe the measures taken to:

(a) Establish a special division of the High Court to handle cases of gender-based violence, following the pilot project of 2018 (para. 177);

(b) Assess the impact of the Gender and Equity Compact for the Justice, Law and Order Sector for the period 2016–2020 (para. 178);

(c) Raise awareness among women about the legal remedies available to them to submit claims about the violation of their rights;

(d) Strengthen the gender responsiveness and gender sensitivity of the justice system.

5. Please provide information, including data, where possible, on the measures taken to provide relief and redress, including appropriate compensation, to victims of sexual and gender-based violence, including abduction and sexual slavery, committed in the conflict-affected areas of northern Uganda and to implement the transitional justice policy. Please also describe the measures taken to implement policies to counter sexual harassment in educational institutions and establish mechanisms for adjudication with appropriate penalties. Please report on the measures taken to conduct public advocacy, in collaboration with women's organizations, aimed at increasing the knowledge of women and girls of their rights, in both rural and urban communities, among religious groups and in schools and educational institutions, using all available media, including radio, television, social media and print.

**National machinery for the advancement of women**

6. Please explain how the Ministry of Gender, Labour and Social Development coordinates the implementation of the Convention across the various national institutions, in line with the Sustainable Development Goals, and how the findings of

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<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to the combined eighth and ninth periodic reports of the State party.

the 2019 national review on the implementation of the national action plan on women (para. 185) are informing new and revised strategies, policies and programmes on women's rights. Please also provide information on any capacity-building programmes for government officials at the national and local levels on gender analysis, gender mainstreaming and gender budgeting, as well as evaluations of their success, and on the role of the Ministry in monitoring the implementation of legal provisions related to women's rights and gender equality.

### **Women human rights defenders**

7. Please advise on specific legislative measures in place to protect the rights of women human rights defenders who face consistent harassment, discrimination, risk and gender-specific threats and violence, and whose reputation and sexuality are targeted. Please also advise on responses to complaints received regarding these discriminatory practices.

### **Temporary special measures**

8. Please provide information on plans to adopt temporary special measures, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, to accelerate the achievement of substantive equality between women and men in areas in which women are disadvantaged or underrepresented, including for rural women, women with disabilities, women in regions where there are high levels of gender-based violence against them, such as the northern and eastern regions of the country and the districts of Kampala, Wakiso, Mukono, Iganga, Rakai and Mbale, and women from ethnic minorities, especially in the light of the impact of COVID-19 measures.

### **Stereotypes and harmful practices**

9. Please describe the measures taken to:

(a) Adopt a comprehensive strategy to eliminate discriminatory stereotypes and harmful practices, including through formal and popular education, the review and formulation of legislation and the establishment of goals and timetables;

(b) Monitor and enforce laws prohibiting female genital mutilation, child sexual abuse (defilement) and child marriage;

(c) Track cases of female genital mutilation, child marriage and bride price payment, especially in rural communities in the east of Uganda, including the Sebei region;

(d) Provide redress and rehabilitation programmes and support services in rural and urban areas to girls who have been subjected to female genital mutilation, sexual abuse (defilement) and child marriage;

(e) Undertake an assessment of the impact of measures aimed at eliminating discriminatory stereotypes and harmful practices;

(f) Raise awareness among traditional and religious leaders, parents, teachers, women and the general public about equality between women and men, as well as about the criminal nature and negative impact of harmful practices on women and girls.

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

10. Please provide information on the measures taken or envisaged to: (a) assess the impact of the national policy and action plan on the elimination of gender-based violence (para. 49); (b) ensure that shelters for women and girls who are victims of

gender-based violence are adequately resourced; (c) investigate and launch prosecutions in relation to all cases in the past five years that involved the abduction and murder of women or the “child sacrifice” of girls, and take steps to prevent any reoccurrence; and (d) adopt a national action plan for the implementation of Security Council resolution 1325 (2000) on women and peace and security. Please indicate whether the national gender-based violence database (para. 50) includes data, disaggregated by age, nationality, type of disability and relationship between the victim and the perpetrator, on the number of reported cases of violence against women, the number of prosecutions and convictions and the number of sentences imposed on perpetrators. The State party notes that the prevalence of sexual violence remains high (para. 52), and, according to information before the Committee, there are convictions in only 14 per cent of the sexual violence crimes registered with the police. Please describe the measures taken or envisaged to:

- (a) Ensure that all allegations of domestic and sexual violence against women and girls, including sexual assault and rape, are duly investigated, with the perpetrators, including law enforcement officers, prosecuted and sanctioned, and that victims have access to appropriate redress, including compensation;
- (b) Institutionalize the Special Court as a permanent feature of gender justice (para. 53);
- (c) Criminalize marital rape;
- (d) Increase the number of shelters providing counselling and rehabilitation services to women who are victims of sexual violence (para. 55);
- (e) Develop mechanisms aimed at prevention, such as changes to the culture of masculinity, the provision of anti-violence education in schools and religious institutions, especially in rural and marginalized communities, and support for the inclusion of women’s and gender studies in academic programmes.

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

11. In the light of the Committee’s previous recommendations and its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, please provide information on the measures taken to:

- (a) Ensure prosecution, with stiffer penalties, for the exploitation of women engaged in prostitution;
- (b) Provide health services for women engaged in prostitution, with a view to combating HIV, provide social reintegration support to women who wish to leave prostitution and protect them from discrimination and stigmatization;
- (c) Strengthen international, regional and bilateral cooperation with countries of origin, transit and destination to improve the prevention of trafficking and the prosecution of perpetrators;
- (d) Strengthen the collection and analysis of data on trafficking and the exploitation of women in prostitution;
- (e) Ensure the effective implementation of the Prevention of Trafficking in Persons Act;
- (f) Establish mechanisms for the early identification and referral of victims of trafficking;
- (g) Ensure effective inter-agency coordination between institutions involved in combating trafficking.

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

12. Please provide information on the implementation of the gender strategy of the Electoral Commission. Recalling the Committee's previous recommendations (CEDAW/C/UGA/CO/7, para. 30), please describe the measures taken to:

(a) Adopt temporary special measures, such as quotas, to accelerate progress towards the equal representation of men and women, including women with disabilities and indigenous women, in political and public life, in particular at high levels of decision-making, with a view to reversing the current trend and achieving gender parity by 2030;

(b) Raise awareness about the importance of women's participation in decision-making;

(c) Provide targeted training and mentoring programmes for women candidates and women elected to public office;

(d) Assess the effectiveness of measures to accelerate women's full and equal participation in public and political life.

### **Education**

13. Please describe the measures taken to: (a) monitor the implementation of the "guidelines on teenage pregnancy and HIV that provide for the readmission of girls into their respective school communities after pregnancy" (para. 88) and ensure the gender sensitization of parents and teachers; (b) provide adequate sanitation facilities in schools and ensure the accessibility and affordability of sanitary pads for girls; (c) ensure access to high-quality education for refugee and asylum-seeking girls; and (d) introduce mandatory and age-appropriate comprehensive education on sexual and reproductive health and rights in school curricula and provide training to teachers thereon. Please provide statistics on the enrolment rates of girls with disabilities in mainstream schools and special schools and the measures taken to ensure their access to high-quality and inclusive education. In view of the high rates of sexual violence against girls in schools, please provide information on the impact of the reporting, tracking, referral and response guidelines on violence against children in schools (para. 87) and on the number of cases reported, the number of investigations, prosecutions and convictions, and the penalties imposed, in cases of sexual violence against girls in schools. Please also explain what mechanisms exist for young mothers to continue education after bearing a child and to have access to safe and free or affordable contraception, especially in the post-pandemic context.

### **Employment**

14. Please provide information on the measures taken to address horizontal and vertical occupational segregation and sex discrimination in employment, close the gender pay gap, ensure the availability of childcare facilities and promote the equal sharing of family responsibilities between women and men, such as through flexible working arrangements. In view of the fact that over 95 per cent of women work in the informal sector and constitute 48 per cent of employees in informal businesses (para. 107), please explain whether there is a regulatory framework in place to provide women in the informal sector, including refugee women, with access to social security and other benefits. Please clarify whether the right to fair remuneration under the national employment policy (para. 101) is based on the principle of equal pay for work of equal value, in line with the Equal Remuneration Convention, 1951 (No. 100), of the International Labour Organization (ILO), and the extent to which this is implemented and monitored. Please also advise on measures taken to improve

the working conditions of domestic workers and on whether consideration has been given to ratifying the ILO Domestic Workers Convention, 2011 (No. 189).

15. Given that the majority of businesses in Uganda are exempt from the requirement to establish measures against sexual harassment, please clarify what measures have been taken to revise the Employment (Sexual Harassment) Regulations and other relevant legislation to ensure that women employed in businesses with fewer than 25 employees have access to complaint mechanisms and appropriate procedures for reporting sexual harassment. Please also provide data on the number of allegations of sexual harassment in the workplace that have been investigated and on the outcome of those investigations.

### **Health**

16. Providing data where possible, please describe the measures taken to: (a) enact the national health insurance bill; (b) assess the impact of the national strategic plan for cervical cancer prevention and control for the period 2010–2014 and adopt a new strategy, with a view to reducing the high rate of cervical cancer in Uganda; (c) strengthen access to health-care services for older women, women with disabilities, refugee and asylum-seeking women and girls, and indigenous women, including Batwa women; (d) address the high rate of early pregnancy; (e) combat the brain drain of medical and health personnel to third countries; and (f) collect data on the mental health situation of women. Please also provide information on the incidence of unsafe abortion and its impact on women's health, including maternal mortality, and the measures taken to ensure that women and adolescent girls have access to safe abortion, post-abortion services, family planning services and affordable modern forms of contraception and to raise awareness among women about the instances in which abortion is legal.

### **HIV/AIDS**

17. Please provide information on the measures taken to:

(a) Assess the impact that the criminalization of HIV transmission under the HIV/AIDS Prevention and Control Act has on women's access to HIV testing and on the stigmatization of women living with HIV;

(b) Conduct awareness-raising activities aimed at eliminating discrimination and stigma against women living with HIV;

(c) Ensure that health workers have the capacity for the clinical management of rape services for women and children who are victims of violence and that essential supplies to prevent unintended pregnancies and the contraction of HIV and other sexually transmitted infections, such as through emergency contraceptive pills, post-exposure prophylaxis and drugs against sexually transmitted infections, are always in stock.

### **Economic empowerment of women, including rural women**

18. Please provide information on the measures taken to ensure that initiatives aimed at promoting the economic empowerment of women, such as the Uganda Women's Entrepreneurship Programme and the Social Assistance Grants for Empowerment Programme, are adequately resourced, are provided with information and communications technology and training, and are made available in all regions. Please also indicate the measures taken to ensure that women have access to agricultural financial services, including loans and financial credit. In view of the low proportion of agricultural land owned by women, the prevalence of forced evictions and the fact that land issues account for the largest number of complaints received by

the Equal Opportunities Commission, please provide information on the number of cases involving women that have been reviewed by the Commission on Inquiry into Land Matters, including their outcomes, and the number of land disputes involving women that have been resolved under the alternative dispute resolution mechanisms of the Peace, Recovery and Development Plan and the third northern Uganda social action fund (para. 60). Please describe the measures taken to assess the impact of and, if necessary, revise, the Land Act and other relevant laws and policies to prohibit discrimination against women in respect of land ownership and use of land and ensure the protection of women's land rights. Please also describe the measures taken to implement awareness-raising campaigns on land issues at the grass-roots level for disadvantaged groups of women. Please advise on initiatives to support the agricultural production of rural women, including through their specific inclusion in agricultural development policies and plans, including for fisheries.

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

19. Please explain how a gender perspective has been integrated into the national climate change policy of 2015 and related programmes on climate change and national disaster risk management, relief and recovery strategies. In relation to oil exploration, please describe the mechanisms in place, including legislation, State monitoring and standards, to hold oil companies accountable for their carbon dioxide emissions, which contribute to the climate crisis, increase the risk of disasters with deleterious effects on the economy and the rural and urban poor, in line with the Committee's general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change. Please advise on measures taken to ensure women's leadership in the design and implementation of national policies and programmes on climate change, and on progress made by Uganda to achieve its pledge to reduce greenhouse gas emissions by 22 per cent by 2030.

### **Lesbian, bisexual, transgender and intersex women**

20. The State party has reported that there are no data indicating that women have been discriminated against on the basis of their sexual orientation and gender identity (para. 162), and yet, according to information before the Committee, lesbian, bisexual and transgender women, including refugees, continue to face extreme stigma, discrimination and violence and are subject to arbitrary detention and harassment by law enforcement officials. Please explain the measures taken or envisaged to implement the Committee's previous recommendations ([CEDAW/C/UGA/CO/7](#), para. 44) to provide effective protection from violence and discrimination against women based on their sexual orientation and gender identity and prohibit and combat all forms of discrimination against women on account of their sexual orientation and gender identity, including through public awareness-raising and the provision of training to relevant actors, including law enforcement officials. In view of the fact that same-sex relations and marriages remain illegal under the Penal Code, please clarify what steps are being taken to revise this provision.

### **Rural and disadvantaged groups of women**

21. Please specify any measures taken to ensure that all services, including health, education and social services, are available to rural and other disadvantaged groups of women, including indigenous women, to ensure the participation of women in decision-making processes related to local development, agriculture, land management and resources management. Please also specify any measures taken to collect, analyse and use data, disaggregated by sex and disability, on social protection programmes to ensure the access of older women and women with disabilities, in

particular at the district and community levels. Please also indicate whether there is a legal framework in place to ensure that women and gender concerns are taken into account in agro-industrial projects and that the activities of extractive industries, including oil development, do not undermine the rights of rural women to land ownership, clean and safe drinking water and their livelihoods.

**Older women, women with disabilities, and refugee and asylum-seeking women**

22. Please update the Committee on the status of the implementation of the senior citizens grant scheme and whether it has been rolled out to all older women in all districts (para. 165). Please also describe the measures taken to:

(a) Expand social protection measures for refugee and asylum-seeking women and women with disabilities;

(b) Prevent gender-based violence against older women and women with disabilities;

(c) Ensure the accessibility of education programmes, buildings and infrastructure for women and girls with disabilities in both urban and rural areas;

(d) Promote disability inclusion audits, training and programmes in the Government, civil society and the private sector.

**Marriage and family relations**

23. Given that the marriage and divorce bill has not been enacted and that the Muslim personal law bill has not been amended, please provide a time frame for this, and for bringing all existing marriage legislation into a single act and raising the age of marriage to 18 years for women and men without exception, in line with joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices. In addition, please describe the measures taken to ensure that the current legislation on marriage and family relations does not have a discriminatory effect on women and girls. Please also provide information on the measures taken to eliminate polygamy and bride price payment, ensure that women and girls enjoy equal inheritance rights and remove the discriminatory priority in the order of succession accorded to men under the Succession Act.