

In 2016, Uganda made a significant advancement in efforts to eliminate the worst forms of child labor. The Government approved the Children (Amendment) Act, which criminalizes the use of children for commercial sexual exploitation, and launched a National Social Protection Policy that targets child laborers. The labor inspectorate conducted 220 inspections, an increase from 45 inspections in 2015. The Anti-Human Trafficking National Taskforce conducted awareness campaigns in communities vulnerable to child trafficking. In addition, the Government expanded its cash transfer program to an additional five districts to allow more children to stay in school. However, children in Uganda are engaged in the worst forms of child labor, including in the mining of gold and commercial sexual exploitation. Inadequate funding, training, and resources hamper the capacity of law enforcement agencies to conduct child labor inspections and investigations. Gaps in the legal framework persist, including contradicting laws regulating the minimum age for employment.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Uganda engage in the worst forms of child labor, including in the mining of gold and commercial sexual exploitation. (1-9) Table 1 provides key indicators on children's work and education in Uganda.

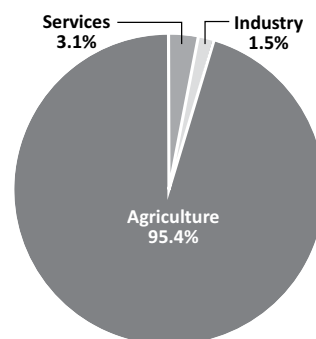
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	30.9 (3,034,126)
Attending School (%)	5 to 14	88.7
Combining Work and School (%)	7 to 14	34.4
Primary Completion Rate (%)		53.1

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(10)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Labor Force Survey, 2011–12.(11)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Cultivating and harvesting cocoa, coffee, corn, tea,† tobacco,† rice,† and sugarcane,† and acting as scarecrows in rice fields (3, 4, 7, 9, 12, 13)
	Production of vanilla and palm oil (7, 14)
	Herding cattle (3, 12, 15)
	Fishing,† including catching, smoking, and selling fish, and paddling† and loading boats† (2, 3, 7, 12, 16)
	Producing and carrying charcoal (12, 17)
Industry	Construction, including making and laying bricks (3, 7, 18)
	Quarrying stone† and mining gold, sand,† and salt (2, 3, 7, 12, 19-25)
	Manufacturing, including in steel rolling mills and carpentry workshops (12)

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Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Services	Domestic work (1-3, 5, 6, 26)
	Street work, including vending, † begging, † car washing, working as porters, † scavenging, † and collecting and selling scrap metal (5-7, 12, 14, 15, 17, 27, 28)
	Working in hotels, † restaurants, † bars, † and video halls† (3, 6, 7, 12, 27)
	Collecting firewood for sale (29)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (5, 6, 8, 14, 27)
	Forced labor in agriculture, bars, begging, brick making, cattle herding, mining, stone quarrying, street work, and domestic work, each sometimes as a result of human trafficking (8, 30, 31)
	Use in the production of pornography (32)
	Use in illicit activities, including smuggling, sometimes as a result of human trafficking (6, 12, 14, 33)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Children from the Karamoja region are trafficked and willingly migrate to Kampala where they engage in begging, street vending, domestic work, and commercial sexual exploitation.(5, 8, 14, 17) In some cases, Ugandan children have been trafficked to East African countries for commercial sexual exploitation and forced labor in agriculture.(8)

Although the law provides for free, compulsory education, the cost of school supplies, uniforms, and other materials often prohibits children from attending school.(2, 34-36) Furthermore, research found that children often experience physical and sexual abuse at school by teachers and classmates.(32, 36)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Uganda has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Uganda’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	16	Section 7 of the Children (Amendment) Act (37)
Minimum Age for Hazardous Work	Yes	18	Section 7 of the Children (Amendment) Act; Sections 32(4) and 32(5) of the Employment Act; Regulation 5 of the Employment (Employment of Children) Regulations (37-39)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Regulation 6 and the First Schedule of the Employment (Employment of Children) Regulations (39)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Forced Labor	Yes		Section 5 of the Employment Act; Sections 3–5 of the Prevention of Trafficking in Persons Act (38, 40)
Prohibition of Child Trafficking	Yes		Sections 3–5 of the Prevention of Trafficking in Persons Act (40)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 8 of the Children (Amendment) Act; Section 3 of the Prevention of Trafficking in Persons Act; Sections 131, 136–137, and 139 of the Penal Code; Section 14 of the Anti-Pornography Act (37, 40–42)
Prohibition of Using Children in Illicit Activities	Yes		Article 5(d) of the Prevention of Trafficking in Persons Act (40)
Minimum Age for Military Recruitment			
State Compulsory	Yes*		
State Voluntary	Yes	18	Article 52(2)(c) of the Defense Forces Act (43)
Non-state Compulsory	Yes	18	Section 5 of the Prevention of Trafficking in Persons Act (40)
Compulsory Education Age	No	13 [‡]	Section 10(3)(a) of the Education Act (34)
Free Public Education	Yes		Section 10(3)(a) of the Education Act (34)

* No conscription (43)

‡ Age calculated based on available information

In 2016, the Government approved the Children (Amendment) Act, which establishes 16 as the minimum age for work and criminalizes use of a child for commercial sexual exploitation.(37) The Government is developing implementing regulations for the Act and is reviewing the Employment Act, which sets the minimum age for work at 14.(44) The law's minimum age protections do not apply to children working without a formal employment relationship.(38)

Children in Uganda are required to attend school only up to age 13. This standard makes children ages 13 to 15 vulnerable to child labor because they are not required to attend school but are not legally permitted to work.(34)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Gender, Labor, and Social Development (MGLSD)	Enforce labor laws throughout the country.(29) The Child Labor Unit works with partners to implement national awareness campaigns and serves as a resource to labor inspectors, including occupational safety and health inspectors.(45) The Industrial Court makes judgments on labor dispute cases, which are referred to the court by labor officers.(12)
Ministry of Internal Affairs	Enforce criminal laws on the worst forms of child labor.(46) The Uganda Police Force's Child and Family Protection Unit (CFPU) investigates forced labor cases, the Special Investigations Division and the Anti-Human Trafficking Desk investigate cases related to human trafficking and the use of children in illicit activities, and the Sexual Offenses Desk investigates commercial sexual exploitation.(12) Liaison officers handle child labor complaints and overall child protection issues at police posts that do not have a CFPU officer.(46) The Immigration Department assists in identifying potential human trafficking victims.(47)
Ministry of Local Government	Oversee district labor officers who refer cases to the Industrial Court.(12) Deploy community development officers at the district level when district labor officers are not available.(29)
Directorate of Public Prosecutions in the Ministry of Justice and Constitutional Affairs	Prosecute criminal cases related to the worst forms of child labor that are referred by the Uganda Police Force.(45)

In 2016, the Industrial Court did not hear any child labor cases; research found that coordination among the various agencies responsible for child labor law enforcement remained an issue because labor officers are under the district

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governments' authority instead of the Ministry of Gender, Labor, and Social Development (MGLSD).(44) The Industrial Court, however, is advocating for MGLSD to supervise district labor officers with the hope that it will increase the number of child labor case referrals.(12) The Industrial Court remains limited in its ability to hear labor dispute cases due to the low number of judges.(14, 44)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Uganda took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	\$170,000 (32)
Number of Labor Inspectors	55 (12)	53 (32)
Inspectorate Authorized to Assess Penalties	Yes (12)	Yes (32)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Yes (32)
Training on New Laws Related to Child Labor	N/A	Yes (32)
Refresher Courses Provided	Yes (12)	Yes (32)
Number of Labor Inspections	45 (48)	220 (32)
Number Conducted at Worksite	Unknown	100 (32)
Number Conducted by Desk Reviews	Unknown	120 (32)
Number of Child Labor Violations Found	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
Number of Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (12)	Yes (32)
Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Yes (12)	Yes (32)
Unannounced Inspections Conducted	Unknown	Yes (32)
Complaint Mechanism Exists	Yes (12)	Yes (32)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12)	Yes (32)

The number of labor inspectors is insufficient for the size of Uganda's workforce, which includes over 19 million workers. According to the ILO's recommendation of 1 inspector for every 40,000 workers in less developed economies, Uganda should employ roughly 476 inspectors.(32, 49-51) Enforcement of child labor laws remains challenging due to the lack of resources for inspections.(32)

During the reporting period, inspectors carried out child labor-specific inspections on 10 infrastructure projects.(32) Labor inspectors refer children found during inspections to NGOs for temporary shelter and support services.(32) Officials withdrew 11 children from work in gold mines and stone quarries as a result of labor inspections. The children were reunited with their families.(32)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Uganda took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (12)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Unknown

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Refresher Courses Provided	Yes (12)	Yes (52)
Number of Investigations	76 (12)	Unknown
Number of Violations Found	66 (48)	Unknown
Number of Prosecutions Initiated	Unknown (48)	0 (32)
Number of Convictions	0 (12)	0 (32)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (12)	Yes (32)

According to the Government, there is not a sufficient number of criminal law enforcement officials responsible for investigating child labor, including its worst forms.(12) Training is insufficient, and some criminal law enforcement officials were not aware of key human trafficking laws, and some police officers did not understand the evidence needed to prosecute child labor cases.(8, 12, 33)

Research found that street children, including potential human trafficking victims, are routinely arrested and detained by police. Some of these children are held for up to 3 months at a MGLSD juvenile detention center before they are returned to their families.(6, 8) Although children received food, medical treatment, and other services, some children were required to clean the detention facilities.(8)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee on the Elimination of Child Labor	Coordinate child labor issues and implement the National Action Plan on the Elimination of the Worst Forms of Child Labor. Led by MGLSD and includes members from several ministries, trade unions, development organizations, civil society, and media agencies.(53)
Stop Child Labor Partners Forum	Coordinate, monitor, and evaluate child labor-related programs and policies in Uganda. Led by the National Council for Children (NCC), with representatives from several ministries, CFPU, and civil society groups.(53)
Coordination Office to Combat Trafficking in Persons (COCTIP)	Coordinate, monitor, and oversee implementation of the Prevention of Trafficking in Persons Act.(29)
Anti-Human Trafficking National Taskforce	Coordinate government efforts on human trafficking. Led by COCTIP, includes 30 members from government agencies and civil society.(53, 54) In 2016, the taskforce conducted awareness campaigns in communities vulnerable to child trafficking.(31)
National Child Protection Working Group	Monitor the quality of services provided to orphans and vulnerable children. Led by MGLSD, includes members from five government agencies and civil society organizations.(12)
NCC's Inter-Ministerial Coordination Mechanism	Work to ensure that member organizations integrate child labor concerns into their policies and budgets. Members include 10 government agencies.(12)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[†]

Policy	Description
National Action Plan on the Elimination of the Worst Forms of Child Labor (2012/2013–2016/2017)	Aims to reduce the worst forms of child labor in Uganda by 2017.(4) In 2016, the Government worked with the ILO to develop implementation guidelines for district labor offices. The Government also began reviewing the plan in preparation of its expiration.(44)
National Action Plan to Combat Human Trafficking	Guides the Government's efforts to combat human trafficking.(55)
National Social Protection Policy	Aims to reduce poverty and socioeconomic inequalities for inclusive development by targeting vulnerable people, including child laborers.(56)

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Table 9. Key Policies Related to Child Labor[‡] (cont)

Policy	Description
National Strategy for Girls' Education in Uganda (2015–2019)	Promotes girls' education and identifies child labor, particularly domestic work, as a key barrier to girls' access to education.(57)

‡ The Government has other policies that may have addressed child labor issues or had an impact on child labor.(58-60)

Research found that implementation of the National Action Plan on the Elimination of the Worst Forms of Child Labor remains limited due to limited resources.(44)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
USDOL-Funded Projects	<u>Country-Level Engagement and Assistance to Reduce Child Labor Project (CLEAR)</u> (2013–2017), implemented by the ILO in 11 countries; and <u>African Youth Empowerment and Development Initiative (AYEDI)</u> (2013–2017), \$3 million project implemented by World Education, Inc.(61, 62) For additional information about USDOL's work, please visit our Web site .
Decent Work Country Program (2013–2017)	ILO-implemented program that outlines strategies for promoting decent work in Uganda. Priorities include youth employment and improved social protection for both formal and informal workers; also includes a focus on the prevention and elimination of the worst forms of child labor.(63)
Combating Child Labor in Tobacco Growing (2015–2018)	Eliminating Child Labor in Tobacco Growing Foundation-funded program implemented by the ILO that improves the capacity of the Government and social partners to develop and implement policies to combat child labor in agriculture.(64, 65)
Realizing Livelihood Improvement Through Savings and Education	NGO-implemented program in partnership with the Government that provides technical assistance and capacity building to the MGLSD and National Steering Committee on the Elimination of Child Labor.(32)
Uganda Social Assistance Grants for Empowerment [†]	\$49 million, donor and Government-funded project implemented by MGLSD that provides direct income support of approximately \$8 per month to poor and vulnerable households in 24 districts to allow children to stay in school.(12, 53)
Youth Venture Capital Fund [†]	Government program that aims to reduce youth unemployment through enterprise development, job creation, and business skills training.(12)

† Program is funded by the Government of Uganda.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(17, 66, 67)

Although Uganda has programs that address child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in agriculture and commercial sexual exploitation.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Uganda (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2016
	Harmonize provisions related to the minimum age for work in the Children (Amendment) Act and Employment Act.	2016
	Ensure that all children are protected by law, including children who do not work under a formal employment relationship.	2016
	Ensure that the law requires free, compulsory education up to age 16 so that it is commensurate with the minimum age for work.	2009 – 2016
Enforcement	Ensure coordination between MGLSD and the Ministry of Local Government so that labor dispute cases are referred to the Industrial Court. Also ensure that the Industrial Court has a sufficient number of judges.	2015 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on the number of child labor violations found, number of penalties imposed, number of penalties collected, routine targeted inspections, as well as training for criminal law enforcement officials, the number of criminal investigations conducted, and violations found.	2013 – 2016
	Increase the number of labor inspectors to provide sufficient coverage of the workforce.	2009 – 2016
	Ensure sufficient funding, training, and resources for law enforcement agencies so that child labor inspections and investigations can be properly conducted.	2013 – 2016
	Develop mechanisms for referring street children, including potential human trafficking victims, to social services, and prevent these children from being detained by the police.	2015 – 2016
Government Policies	Ensure that sufficient resources are provided to the National Action Plan on the Elimination of the Worst Forms of Child Labor to allow adequate implementation.	2015 – 2016
Social Programs	Ensure that all children are able to attend school regardless of their ability to purchase school materials. Ensure that students are protected from physical and sexual abuse by teachers and classmates.	2012 – 2016
	Expand existing social programs to address the scope of the child labor problem, particularly in agriculture and commercial sexual exploitation.	2009 – 2016

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48. U.S. Embassy- Kampala official. E-mail communication to USDOL official. March 3, 2016.
49. Central Intelligence Agency. *The World Factbook*, CIA, [online] [cited January 19, 2016]; <https://www.cia.gov/library/publications/the-world-factbook/fields/2095.html#131>.
50. ILO. *Strategies and Practice for Labour Inspection*. Geneva, Committee on Employment and Social Policy; November 2006. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>. Article 10 of ILO Convention No. 81 calls for a "sufficient number" of inspectors to do the work required. As each country assigns different priorities of enforcement to its inspectors, there is no official definition for a "sufficient" number of inspectors. Amongst the factors that need to be taken into account are the number and size of establishments and the total size of the workforce. No single measure is sufficient but in many countries the available data sources are weak. The number of inspectors per worker is currently the only internationally comparable indicator available. In its policy and technical advisory services, the ILO has taken as reasonable benchmarks that the number of labor inspectors in relation to workers should approach: 1/10,000 in industrial market economies; 1/15,000 in industrializing economies; 1/20,000 in transition economies; and 1/40,000 in less developed countries.
51. UN. *World Economic Situation and Prospects 2012 Statistical Annex*. New York; 2012. http://www.un.org/en/development/desa/policy/wesp/wesp_current/2012country_class.pdf. http://www.un.org/en/development/desa/policy/wesp/wesp_current/2012country_class.pdf. For analytical purposes, the Development Policy and Analysis Division (DPAD) of the Department of Economic and Social Affairs of the United Nations Secretariat (UN/DESA) classifies all countries of the world into one of three broad categories: developed economies, economies in transition, and developing countries. The composition of these groupings is intended to reflect basic economic country conditions. Several countries (in particular the economies in transition) have characteristics that could place them in more than one category; however, for purposes of analysis, the groupings have been made mutually exclusive. The list of the least developed countries is decided upon by the United Nations Economic and Social Council and, ultimately, by the General Assembly, on the basis of recommendations made by the Committee for Development Policy. The basic criteria for inclusion require that certain thresholds be met with regard to per capita GNI, a human assets index and an economic vulnerability index. For the purposes of the Findings on the Worst Forms of Child Labor Report, "developed economies" equate to the ILO's classification of "industrial market economies," "economies in transition" to "transition economies," "developing countries" to "industrializing economies," and "the least developed countries" equates to "less developed countries." For countries that appear on both "developing countries" and "least developed countries" lists, they will be considered "least developed countries" for the purpose of calculating a "sufficient number" of labor inspectors.
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