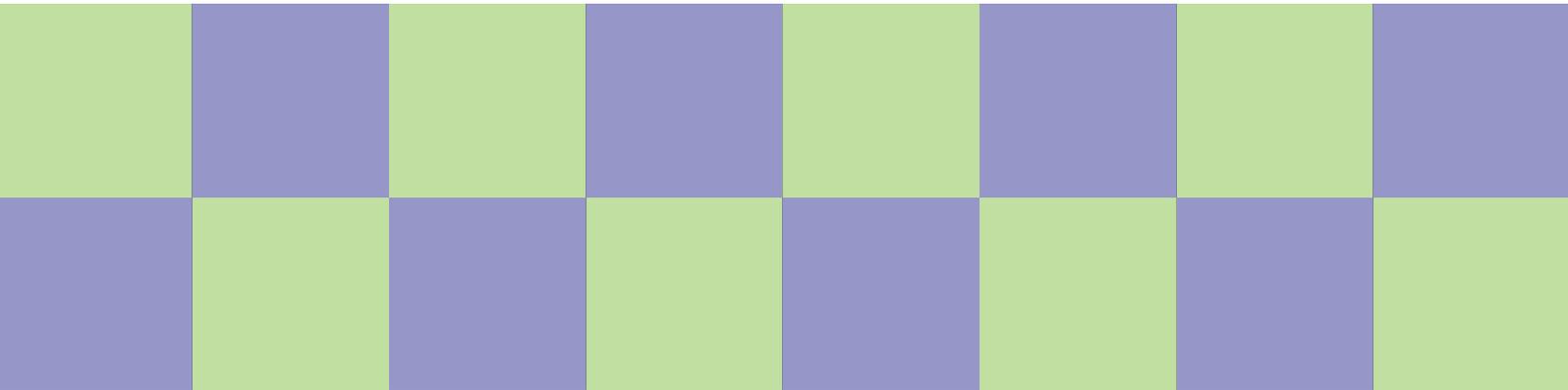


# Ending Child Labour and Ensuring Education in Uganda: An National Overview for Taking Action



Jointly developed by



NATIONAL ORGANISATION  
OF TRADE UNIONS (NOTU)



**GLOBAL MARCH**

Against Child Labour  
Contra el Trabajo Infantil  
Contre le Travail des Enfants

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The project has disclosed some grave realities on the issue of child labour and status of education in Uganda, and thus a need was felt to produce a policy paper that could inform and influence the concerned stakeholders, to take action on the situations described in the paper and eventually contribute in the promotion of quality education for all and ending child labour for good.

The term 'project' in the subsequent pages refers to the project implemented by NOTU with the support of Global March Against Child Labour in Uganda.

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## Introduction

The country prides in embracing Education for All (EFA) which started in the 1990s. This is manifested in the introduction of Universal Primary Education (UPE) and Universal Secondary Education (USE). The expansion of the primary education program which started in 1997, has witnessed a record increase since 2000, by 27.7% (male 23.1%, female 32.6%), which has generally raised the net enrolment rate to 96.0% at primary school level ( UESP, 2010). The launch of the UPE program was to eradicate illiteracy in Uganda by giving each child an opportunity of getting free primary education. As regards USE, government introduced it in 2007 with the aim of increasing access to secondary education targeting the marginalized and poor households located in the rural and peri-urban areas. This program has seen an increase in enrollment at secondary school level by 136%; and there has been a significant improved proportion of girls enrolling at this level (46%). The government of Uganda committed itself to providing equitable, relevant and quality education to Ugandan children not only as their human right but also as a way of equipping learners with knowledge and skills necessary for socio-economic transformation and development.

However, the implementation of the two policies (UPE and USE) has witnessed challenges ranging from inconsistent and insufficient disbursement of capitation grants to cater for the teaching-learning process; the poor school environment and poor feeding program in schools, among others. The resultant effect is that the frustration caused by inadequacies related to teaching-learning, the lack of classroom or dilapidated ones, plus lack of midday meals to majority of learners—all lead to school drop out by some learners.

## Background

Several concerned organisations have raised the issue of child labour and lamented on its effects. Child labour does not only deny children the chance of attending school but also subjects them to hazardous work conditions that lead to detrimental effects on their entire lives. In Uganda, many (51%) children aged 5–17 years have been forced out of school into hazardous child labour (Ministry of Gender, Labour and Social Development report, 2012).

The short and long term impact of child labour on the children raises both national and international concerns. According to International Labour Organization (ILO), child labour is the kind of work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. The Ministry of Gender, Labour and Social Development reports that over two million children aged from 5 to 17 are engaged in various economic activities and 51% of them are working under conditions that are considered illegal, hazardous, or extremely exploitative. The practice of child labour manifests itself in various forms and in different sectors. These include commercial agriculture (e.g. tea and sugarcane plantations), domestic service, the informal sector, hotels and bars, commercial sexual exploitation, child trafficking, construction, fishing, stone and sand quarrying businesses.

The effects of hazardous work on children not only pose negative effects on their physical health but also lead to long damaging psychological, moral and emotional development.

Generally, child labour refers to work that:

- is mentally, physically, socially or morally dangerous and harmful to children; and
- interferes with their schooling by:
  - depriving them of the opportunity to attend school;
  - obliging them to leave school prematurely; or
  - requiring them to attempt to combine school attendance with excessively long and heavy work.

In Uganda, several factors are responsible for the increasing prevalence of child labour. However, discussion in this advocacy document will focus mainly on issues around: school capitation grants, poor school learning environment, poor school feeding program, and the contradicting minimum age of employment in the national laws of Uganda.

The government of Uganda has the duty and responsibility to eliminate the practice of child labour in Uganda. By virtue of its mandate, government can employ any appropriate instrument, institution or measure to take the lead and address the root causes of child labour, especially those stemming from school-related concerns. This will enable the children to get the opportunity to go to school and attain the necessary knowledge and skill so as to improve their future prospects.

# Instruments on Child Labour

## ***International Instruments***

The International Labour Organization (ILO) came up with standards to guard against child labour by instituting Conventions to work as guidelines for different member states that ratified the Conventions. The essence is to abolish all forms of child exploitation, protect children and to give them a chance of attending school, given that it is their right. Below are some few conventions condemning child labour but emphasising child education.

### **1. Convention No. 138: Minimum Age to Employment (1973)**

According to the ILO **Convention No. 138**, governments have the discretion to determine a legal minimum age limit as regards children employment. However, a key feature in this Convention is that the minimum age should not be below 15 years of age. Employment of children aged 13 or 14 is acceptable provided it is not harmful to the health or development of a child, and does not interfere with the child's school attendance.

### **2. Convention No. 182: Worst Forms of Child Labour (1999)**

**Convention No. 182** defines the worst forms of child labour for all children below 18 years of age. This includes:

- i) all types of slavery or practices similar to slavery in nature, such as the sale and trafficking of children, forced labour to pay off a debt as well as any other type of servitude or forced labour, including forced recruitment of children for armed conflict;
- ii) offering children for purposes of prostitution or production of pornographic material/performances;
- iii) Offering children for illegal activities, especially the production or trafficking of drugs, as defined in the respective international agreements;
- iv) Any work by its very nature, or due to the conditions in which it is performed, could damage the health, safety or morals of children.

## ***National Instruments (Legal and Policy Frameworks)***

The Government of Uganda, as a signatory to international instruments against child labour, also developed some legal and policy frameworks as an effort to eliminate child labour and promote education for all school-going children. Below are some of the national instruments addressing child labour and ensuring that children attend school.

### **1. The Constitution of Uganda (1995)**

The Constitution of Uganda (1995) under Article 34 (4) provides for the protection of children from socio-economic exploitation and prohibits them from performing work that is likely to be hazardous or jeopardise their schooling or that may be harmful to their health or physical, mental moral or psychological aspects.

## **2. The Employment Act 2006, and Employment (Employment of Children) Regulations 2012**

The Employment Act 2016 and Employment Regulations 2012 provides various regulations with regard to child labour and children's engagement in work. These include - children under 12 must not be engaged in any type of work, children aged 12-14 can only carry out light work and not during school hours, and a child under 18 cannot work in harmful or dangerous employment. In particular, Section 32(2) of Employment Act states that "a child under the age of fourteen years shall not be employed in any business, undertaking or workplace, except for light work carried out under the supervision of an adult aged over eighteen years, and which does not affect the child's education".

## **3. Children Amendment Act (2016)**

The new Children Amendment Act (2016), clause 8 does not protects children from harmful employment as it say that somebody at the age of 16 is supposed to be employed. This revised Act is not in harmony with the Employment Act 2006. The 2006 legislation prohibits harmful employment, including the worst forms of child labour/hazardous labour. This includes work which exposes children to physical, psychological, sexual abuse, working underground, on dangerous machinery, among others. The Children Amendment Act sets the age of admission to employment at 16 years while the Employment Act, 2006, sets 14 years as a minimum to entry of employment but for somebody to be employed at age 14 must be supervised by an adult and the type of work must be light work which the Children's Act is silent about. There is need to revise the Children's Act (2016) to be in line with the Employment Act (2006).

## **4. The National Child Labour Policy (2006)**

The vision of this policy is a society free of exploitative child labour—a society in which all working children enjoy their right to childhood, education, dignity and full development of their full potential. The overall objective of the National Child Labour Policy is to guide and promote sustainable action aimed at the progressive elimination of child labour, starting with the worst forms.

## **5. The National Action Plan (NAP) on Elimination of the Worst Forms of Child Labour in Uganda (2012)**

This instrument (NAP) is a mainstreaming tool and framework to mobilise the key government actors and the public to intensify the national response on child labour, through awareness raising activities at all levels. In addition, it creates deepened understanding of the risks and consequences of the worst forms of child labour and taking action in combating child labour and enabling children to attend school.

## **6. The Universal Primary Education Policy (1997)**

The Universal Primary Education (UPE) policy provides for free primary education for all school-going children. It forms important preventive strategies in the elimination of child labour. Under UPE policy, tuition fees were abolished to promote access to education by children.

## 7. Education Act (2007)

As per the Education Act, stipulates the principles for UPE. In particular, Section 3 of the Act states the following with regard to primary education:

- (a) primary education shall be universal and compulsory for pupils aged 6 (six) years and above which shall last seven years;
- (b) all children of school going age shall enter and complete the primary education cycle of seven years; and
- (c) Government shall ensure that a child who drops out of school before completing primary education cycle attains basic education through alternative approaches to providing that education.

## ***Brief Analysis of the Instruments***

Whereas Uganda is a signatory to the ILO instruments, there are cases of children who drop out of school and then get engaged in the worst forms of child labour like harvesting tea, sugarcane and commercial sexual exploitation, among others. This is against **Convention No. 182: Worst Forms of Child Labour (1999)**. There are also cases of child trafficking within and outside the Ugandan borders. For instance children are trafficked from the Karamoja region to various places in the country for domestic work, animal herding and so on. Some of these children are on the Kampala streets where they engage in begging, domestic work, commercial sexual exploitation and illicit activities (U.S. Department of State, 2015).

In addition to gaps in implementation and enforcement of laws and policies for addressing child labour and ensuring education, there exist gaps in the legal framework, including the gap between the ages for compulsory education and the minimum age for employment. This is in relation to **Convention No. 138: Minimum Age to Employment (1973)**. The Convention prohibits employment of a child in any hazardous condition and establishes the minimum age for work. As per the Children Amendment Act (2016), this minimum age is set at 16 years.

Yet the Education Act 10(3) (a) clearly states that education is compulsory for children ages 6 and above and lasts 7 years, as mentioned above. So, the law does not take care of children aged 13 above; and they are left vulnerable to the worst forms of child labour, as children are not required to be in school nor are they legally permitted to work in area other than light work.

Therefore, the Children Amendment Act (2016) should be harmonised with other national laws; in particular government should amend the education law and provide for the exact age for receiving the compulsory and free education, in harmony with the minimum age of employment which is 16 years.

# Causes/Situation of Child Labour in Uganda

Child labour still persists in Uganda despite the previous efforts (laws/policies and standards) put in place to eliminate it. Below are some of the factors that are driving children into child labor:

## **1. Low Capitation Grants to Schools**

When government of Uganda implemented the Universal Primary Education (UPE) in 1997, it abolished school fees paying (by parents) and committed it to paying shs 7,560 per pupil each year. By the end of 1999, very many school-going children had enrolled for primary school education, which saw a rise in total enrollment in schools. Although there was a challenge of teacher-pupil ratio (1:200), government worked around it by starting an in-service teacher training program to bring more teachers on board. The UPE program which started with a big hype, later started to see a decline. There came inconsistencies in the amounts of capitation grants sent to UPE schools as reported by school heads and also reports from the media. While the Government is supposed to pay sh7,560 as capitation per pupil per annum, the reality is that the amount paid keeps changing, depending on the available resources. This explains why schools receive inconsistent sums. This also meant that each pupil received only shs 2,520 per term. This money is so low that it cannot meet the school demands in order for the pupil to get quality education. The reduction of the annual UPE grant per pupil from shs.7,560 to shs6,800 sent in yet new shock waves in the school operations. The head-teachers reported having lost track of the exact amount allocated to each pupil, given the unexplained changes. Neither the District authorities nor the Ministry of Education, Science and Technology would give satisfactory explanations.

Statistics also show that financial allocations to the education sector have tended to reduce compared to the figures at the inception of UPE. For example, the total approved budget for the Education sector in FY 2015/16 stood at shs 2,029.07 bn including external financing. And this was out of the total national budget of shs 18,311.37 bn. This means the education sector received 11.08% share. It shows a 2.3% decrease in the sector budget share as compared to FY2014/15, where the sector had a budget share of 13% (shs2,026.63bn) of the total national budget shs15,041.87bn. This is an example of dwindling financial allocations to schools. The implication is that the nominal value has not accommodated inflation and change in market values. Critics say that part of the problem also emanated from low government funding for free primary education allocated to the Education Ministry. Statistics show that government currently has been allocating between sh30bn to sh45bn as capitation grant for the UPE program, every financial year. More statistics show that the Education Ministry did not receive the money it needed for UPE between 2002 to 2012. For instance, according to the education budget of 2006/2007, over sh46bn was required for UPE, but only sh32bn was approved and only sh30bn was released. The cumulative budget shortfall for UPE between 2002 and 2012 was over sh111bn. Therefore, it is the responsibility of the Education Ministry to request for the release of appropriate UPE funds from the Ministry of Finance, Planning and Economic Development (MoFPED). The UPE funds are channelled through Local Governments to schools. While the education ministry is responsible for UPE policy, the Local Governments are responsible for its implementation.

The constitution of Uganda, 1995 (Chapter 11, Article 176(1) provides for a system of decentralisation and local governments. This is further consolidated in the Local Governments Act (1997 Cap. 243). Under decentralisation arrangement, the District (and municipal councils) are responsible for the provision of primary and secondary education, among other services. The Act gives mandate to District Councils to administer, formulate, approve and execute its own development plans. The Education Officer, who heads the District Education Committee, has the power to look into school-related issues and logistics, and then further guide them accordingly. Many primary schools have complained of the inadequacy, inconsistency and lateness in disbursement of government funding to schools. At this point, the Education Officers would be in position to addressing queries and complaints of this nature. If such issues are not within their area of jurisdiction, Education Officers would be expected to channel these emerging issues to the right forum. Otherwise given the system of decentralisation and the devolution of powers, Districts would be expected not only to participate in planning and budgeting for schools but also take decisions given that they are the implementing arm in the structure of government (Stasavage, 2005). Evidence shows that education grants are calculated centrally and then released to the districts. The Districts send to schools capitation grants (under conditional grants) in accordance with their enrolments.

According to Kayabwe & Nabacwa (2014) school grants are useful as they are expected to make a positive contribution to access, quality and equity. Under the UPE program, the school grants were expected to make up for the loss of income due to the abolition of school fees. That is, as the money comes directly to schools the stakeholders would be able to make relevant decisions on how to meet the school needs or priorities. In Uganda, the capitation grants are meant to help in the school operations; the expenditure guidelines indicated that 50% of the grant is supposed to be used on instructional materials; 30% on co-curricular activities (sports, clubs, etc); 15% on school management (school maintenance, payment for utilities such as water and electricity); and 5% on school administration. However, the challenges that have befallen the UPE program have led to pupil school dropout.

Available findings show that no stakeholder at school or local government level (district/municipal level) was consulted before the formulation and implementation of the UPE policy (Kayabwe & Nabacwa, 2014). The stakeholders' argument is that the UPE policy is not working because it did not involve the technocrats or stakeholders but rather was a political decision to fulfill the pledge of the incumbent President, made in 1996 during campaigning for re-election, as a campaign pledge for free education. The study further unveiled that officials from the education ministry admitted that the policy was discussed at high levels among academicians and parliamentarians way back in 1992 before being passed as a government White Paper on Education. The officials added that there was inadequate preparedness in the UPE policy implementation. This then justifies the need for re-thinking, re-planning and re-organization regarding UPE delivery in order to realize the set objectives.

Different stakeholders, including parents have argued that the inconsistencies and inadequacies reflected in the remittance of UPE capitation grants to schools, has negatively impacted on the quality of learning because the funds sent to schools cannot meet the learners' needs. Apparently, schools cannot afford to purchase the required instructional materials that match the school enrollments. Reports also indicate that schools have decided to levy some money from the parents as a way of sustaining the schools, although it is illegal according to UPE guidelines. The frustration caused by inadequate provision of scholastic materials has led to school dropouts.

In fact, after the introduction of the “free” educational policies such as UPE & USE, there came mixed feelings. The general impact is that UPE has registered increased educational attainment but it also registered decline in the quality of education. Uganda Bureau of Statistics (UBOS) and Ministry of Education, Science and Technology and Sports (MoESTS) reported in 2003, that of the pupils who entered school at the start of UPE, only 22% reached P7. This shows that a big number of children are unaccounted for as they might have dropped out of school for some reason. Whereas there have been other reports of improvements on completion rates, the fact remains that that figures remain below the 2008 Sub-Saharan average of 67% and the percentage of Tanzania (83%) and Kenya (72%).

The financial complaints affecting school programs are an on-going cry, and this is happening despite the fact that Uganda made commitments at international forum in relation to education for all. For example, while in the MUSCAT agreement in 2014, Uganda committed to spending 6% of her Gross Domestic Product (GDP) on education sector, only 2-2.5% has been spent in the last five years. And in the past five years (FY 2012/13-2016/17), the percentages of government expenditure on education have also fallen from 22.77% (FY 2012/2013) to 11.98% (FY2016/17). Generally, government education schemes are facing record stagnancy in terms of funding. Another case in point is, the USE program was launched 2007, however 10 years later, the program still receives the same amount of capitation funds per student (shs47,000), and yet government seems to have no plans of revision. Following the financial inadequacies and inconsistencies in the remitting of funds to schools, teaching-learning has suffered, affecting not only performance but also a cause for students to drop out of school. Government needs to seriously reconsider its priorities hence increasing budgetary allocations to schools if this country is to realise its national economic development in the long term.

### ***Recommendations***

Government therefore has a duty of ensuring timely and sufficient disbursement of UPE and USE capitation grants. It also has to increase the money it pays per child per term to enable schools to meet demands of their requirements. This is one way of realising quality education and retaining children in schools.

## ***2. Poor School Feeding Program***

School feeding program is meant to ensure that every child gets at least a meal while at school. The Ministry of Education, Science, Technology and Sports (MOESTS), issued guidelines to be followed in the feeding program in schools. The guidelines dubbed “Parent-led school-feeding” were meant to ensure that each gets at least a hot meal while at school. This arrangement would help promote and improve children’s physiological growth, school enrollment, learning and overall cognition. In addition, the feeding program has been found to enhance learner classroom concentration and overall performance. For schools that fail to implement a feeding program, this impacts negatively on the child’s growth and development plus failure to reach their targeted educational achievement. Consequently, there would be a compromise at family and national levels in terms of human development and economic development (MOESTS, 2016).

Government urged parents to take on the role of feeding their children because it does not have the funds to do so. However, different reports indicated that some parents had not obliged to the government directive. Parents were given three options to choose from regarding the school feeding program. The first option allows them to pay money to the school administration to buy

food for pupils; the next is to pack food for their children and lastly to directly provide food items such as maize and beans to the school administration. However, some parents find difficulty in fulfilling their obligation, an act, which leaves many children hungry throughout the day as they attend school. This affects not only the physical growth of the children but their intellectual ability as they cannot concentrate in class when hungry. It therefore goes a long way to affecting the overall performance of the schools.

Government gave schools a leeway to have discussions with key school actors as to what feeding options would be found fit. Therefore schools and the parents would then agree as to whether the latter pay cash for school meals or contribute food stuffs or take the alternative of packing food for their children.

A number of parents argue that the amount of money the schools ask for feeding their children is too much for them, while others protested the amount of food stuffs they were required to send to school as their contribution. Other parents still argue that due to the food scarcity in the homes coupled with poverty, they cannot afford to pack food for their children.

There have been several media reports concerning pupils starving at school because of failure of parents and school managers to implement the government feeding policy. Among other districts were Kibaale, Kagadi and Kakumiro, where children have no school meals. According to Daily Monitor (February, 16, 2017), a memo signed by the then Permanent Secretary, Dr Rose Nassali (October 31, 2016), the Education ministry expressed concern over poor performance and increasing number of pupils dropping out of schools due to lack of midday meals at schools, among other factors. The memo added, "It has therefore been decided by government that all stakeholders, most especially the parents, are reminded of their cardinal role to ensure that learners are fed at least a meal at school..."

Following the failure of implementation of the school feeding policy, the Education Ministry has asked the communities to "handle" parents who do not want to abide by the policy. Besides, the ministry has not yet finalized the penalties parents risk facing if they do not comply.

Some school heads and teachers have since called for government funding in order to have the school feeding policy implemented, while others say government should sensitize parents to understand that it is their duty to feed children when at school.

Government reiterates that apart from not having the funds for school feeding, it is the duty of the parents to feed their children as government meets the school fees and other school-related requirements. Its role as government is to make and coordinate the school feeding policy. It adds that the school feeding guidelines are issued in conformity with the Education Act (Article 13, sub-section 5(2c), which states that, "The responsibility of parents and guardians shall include providing food, clothing shelter, medical care..." This implies that parents' failure to feed their children at school means breaking their part of the contract under the UPE arrangement of schooling.

Whatever the stifling that exists between the parents and government, it is the children that suffer and end up dropping out of school. Yet the Education Ministry is in agreement with the fact that feeding at school is an essential component of a child friendly school, and that not feeding a child at school is a violation of children's rights under the UN Declaration on the Rights of the Child and other international protocols and conventions to which Uganda is a signatory (Ministry of Education and Sports, 2016). Besides, failure to implement the school feeding

program is like going against the very reasons why UPE was started. Instead of promoting school enrollment and attendance so as to realize high literacy rates, Uganda will be walking backwards to where it was before the advent of UPE.

As a way of embracing the above requirements, NOTU and Global Marchis supporting 1,200 pupils in Mukono district and Mbale district by paying for their midday meals, uniforms, development fees, among others. This kind of support has contributed to ensuring that those children settle and concentrate on their school work. Once children are assured of getting a hot midday meal, they will not loiter around rather they remain in school, they also register high concentration in class and absenteeism is reduced. Ultimately, providing food at school will be one of the ways of eliminating child labour in Uganda, short of which the situation will remain stagnant. Unless some concrete steps are taken by government, instead of promoting school enrollment, attendance and performance so as to realise high literacy rates, Uganda will only be walking backwards to where it was before the advent of UPE.

As alluded to earlier, lack of midday meals have led to many children abandoning school and sometimes dropping out completely. Such a situation has motivated the children to taking to child labour. Evidence is given by the school head of Namulesa Primary school, where child labourers were enrolled and provided with mid- day meal by NOTU & Global March Against Child Labour, who lamented, "...I was puzzled about how to increase school enrolment and retention...pupils had dropped out of school and I knew the children were around loitering and working in people's gardens despite free UPE. Introducing meals at school changed everything".

### ***Recommendations***

There is need for sustainable solutions on food security for children at school. For the good of the country and for purposes of stimulating economic development by building a literate human capital, government will need to adjust its position, work very closely with schools and parents in terms of financial provisions in order for the children of Uganda to benefit from the UPE program. In essence, government has to develop a national school feeding program so as to allow children to realise their right to education and gain opportunity for academic attainment. It also needs to have a clear position on parents' contribution in terms of exact amount to be paid.

### ***3. Poor School Environment That Encourages Drop Out***

A school learning environment ought to be friendly in order to attract and retain children at school. This ranges from the very classroom infrastructure (desks, chairs, tables, etc) to the instructional materials. This implies that learners need to interact with these materials in order to enhance learning. Given the introduction of UPE in 1997, many schools got overwhelmed by the big numbers and yet resources like buildings and other materials are still wanting. Reports show big classes that range between 150 to 200 pupils class yet the seats (desks/chairs) are inadequate. There are instances where pupils are scrambling for the few available desks or chairs, while others literally sit on the mud or dusty floors. A number of UPE buildings and classrooms are characteristic of poorly lit rooms with brick or unpainted plaster walls. In most large UPE classes, children are taught with very few text books, which are shared among 10 and above pupils. Some pupils have been seen writing while placing their exercise book on the lap or on the rugged floor, which hampers some degree of learning. Such schools are not friendly or attractive to learners. Many media reports have captured some pupil attending classes under trees yet some weather conditions cannot allow learning to progress well. Under the UPE

arrangement, it is said that government extends an extra shs100.000 to each school as School Facilitation Grant (SFG). What happens to this money then? However school heads claim and cry about the irregular and inadequate UPE funds disbursement.

The huge classes allow very few opportunities for the learners to interact due to the congestion and very few of them are lucky to observe instructional materials/teaching aids used by the teacher. Many pupils cannot keep up as they have little or no understanding of what is being taught. Reports show that such children contribute to the huge dropout rate of around 75%-80% in primary schools (Sabates et al, 2010).

Media reports have continued to provide information on primary school dwindling performance and resultant drop out of learners. The learning outcomes have remained poor as demonstrated by the NAPE numeracy and literacy tests administered to P.6 and P.3 classes (2003-2009). Further findings indicate that primary schools were characterised by low completion rate (47%) as indicated in the 2007/08 UNEB results. This was happening despite government's set objectives of ensuring access to relevant and quality primary education by all school-going children.

Quoting MOESTS and UNEB, reports indicate a whopping 71% drop out rate, basing on the MOESTS statistics of enrolment of 1,598,636 pupils in P1 in 2006. But the UNEB figures for pupils who sat PLE (enrolled year 2006) was 463, 332, which accounts for only 29%. So what happened to the others? The school dropouts both at primary and secondary school levels in Uganda (UPE & USE) find themselves in child labour, child trafficking and other forms of vulnerable situations that such children are exposed to. Something has to be done to address this dire situation.

Important to note is that School Facilitation Grant (SFG) budget was cut by shs30bn in FY 2006/2007 to facilitate the initial presidential directive of increasing primary teacher's salaries by shs50,000. Since then, the SFG budget has not grown progressively in the other years. Also there seems to be no plan of constructing classrooms in 2017/2018, while countywide there is a classroom deficit of 45,371 classrooms within alongside parishes without primary schools. How then can Uganda expect to attain quality education when the status quo still remains?

As a result of substantial rates of drop out and non-completion of primary school many children are leaving schooling without acquiring the most basic skills. Their brief schooling experience consists frequently of limited learning opportunities in overcrowded classrooms with insufficient learning materials and sometimes under-qualified teachers. Such schooling circumstances, together with personal and family level factors such as ill-health, malnutrition and poverty, jeopardise meaningful access to education for many children. As a result, many children are registered in schools but fail to attend, participate but fail to learn, are enrolled for several years but fail to progress. Such children get frustrated after several attempts of repeating the same class and eventually drop out from school and join the world of work which appears more appealing than attending the boring classes.

In addition, more surveys (Uganda Debt Network) found that some classrooms have been turned into teachers' accommodation, while pupils (girls and boys) shared latrines with their teachers. Such inconveniences bring about frustration among the learners who may not "see" the usefulness of attending school. Therefore, such learning environment-related factors can be a significant contribution to school dropout. Some few, however, have managed to maintain a good standard of learning environment. Some school heads attribute this to the "extra support" from the parents.

## ***Recommendations***

Basing on the above arguments, it is incumbent upon the government of Uganda to ensure an improved school environment that will attract and retain more children than one that becomes a reason for the pupils to drop out of school. Government will also need to have the SFG disaggregated and provide guidelines for proper allocation and monitoring of funds.

## ***4. Contradictions in National Legislations***

According to the new Children Amendment Act (2016), clause 8 does not protect children from harmful employment. The legislation says that children will be employed when they reach the age of 16 years. This revised Act is in not in harmony with the Employment Act 2006 which sets the minimum age of entry to employment to 14. In addition, the Constitution of 1995 of Republic of Uganda, in Action 34 (5) states that, "child shall be a person under the age of 16 years". The ILO Convention 138 sets the minimum age to entry of employment to 14 years. The Employment Act (2006) in Section 32 (3) in line with the ILO Convention 138 also sets minimum age to employments of 14 years. The Employment Act (2006) and the ILO Convention 138 (Minimum Age to Employment) define a child as a person under the age of 18 years. The Employment (Employment of Children) Regulations (2012) goes ahead to define what is "light work" and what "child labor" is. For "light work", a child of 14 can do it and for "hazardous work", the regulations makes this type of work a no go area for all the children (under 18 years).

There is a need therefore to harmonize all the different of legislation in order to protect the children from exploitative labour. For the Constitution of Uganda of 1995 and the Amended Children's Act (2016) do not protect the children from exploitative labor and therefore should be amended if children are to be protected.

## ***5. Pandemic HIV/AIDS Driving Children into Child Labour***

The scourge of HIV and AIDS has led to increasing rates of child labor in Uganda. As parents die, the orphans are compelled to drop out of school due lack of financial resources to support their education. These children leave school in order to work and get some money to support their families, which sometimes, they are forced to head. Girls carry a double burden as they are expected not only to work but also care for sick parent or other family members. Death of both parents has left some orphans on their own. With limited opportunity to attend school and lack of family support, they have suffered indignity and the highest risk of engaging in child labour.

## ***6. Poverty and Unemployment***

Poverty often leads to child labour. The high degree of poverty compounded with unemployment, compels households to use their children for labour in order to improve their chances of attaining basic necessities. Parents regard their children as additional sources of income and hold a common belief that child labour is 'normal'. In some cases children work in order to support themselves in school. Findings from the UNHS 2009/10 Report show that close to 25% (about eight million) of the Ugandan population are poor and about six million of them live in extreme poverty, mostly in the rural areas, pushing more than 2 million children in child labour in Uganda.

# Consequences and Effects of Child Labor

## **1. Denial of Education**

As children are involved in child labour, their education suffers. Lack of education is quite damaging to children's future prosperity in life as it depends on intellectual competence starting with fundamental literacy, numeracy and critical thinking ability. *The report Child Labor and Education—Progress, Challenges and Future Directions*, confirms that child labour not only lowers net primary enrollment and school attendance but also negatively affects literacy rates and of children aged 7-14 years (ILO, 2015). Children who manage to combine work and education, school performance often suffers.

## **2. Psychological, Intellectual and Physiological Impact**

Children face grave consequences as a result of engaging in child labour. Given the hazardous conditions in which children work, there is a negative impact on their physiological, intellectual and psychological aspects of life. Their mental health is compromised; some children may suffer from migraines, insomnia, and irritability, among others.

A study (Uddin, Hamiduzzaman, & Gunter, 2009) indicates that working from an early age impedes the children's physical growth and intellectual and psychological development, and then has negative effects on their long-term health and earning potential. Some of the physical dangers of child labour include injuries and mutilations caused by badly maintained machinery on farms and in factories, machete accidents in plantations and so on. There is also pesticide poisoning (which leads to death) plus long term health problems such as respiratory diseases, asbestos and a variety of cancers due to exposure to dangerous chemicals.

Apart from skin lesions, majority of children in child labour exhibit mental problems like fatigue, depression, impaired memory, and other forms of mental disorders. Some children in Uganda engage in cross border trading carrying heavy loads such merchandise on their heads to and from Uganda. The hazardous work brings about negative effects on the lives of such children restricting their physiological and emotional development. Other examples of child labour include children who work in bars and restaurants, who risk involvement in the worst forms of child labour. Isolated media reports show that some of these children are already engaged in commercial sexual exploitation at very tender ages. This practice exposes these youngsters to sexually transmitted diseases, including HIV/AIDS. How much longer should government wait to make intervention? What kind of future generation does Uganda hope to have with such grave child labour occurrences?

## **3. Poverty**

At the household level, child labour increases the depth of child poverty and household income insecurity. This in turn affects the long-term national economic and social development goals of sustainable employment, productivity and decent work for adults by creating cycles of intergenerational poverty.

#### **4. Low Economic Growth**

As children drop out of school at lower levels, there will be lack of opportunity for higher education, which deprives the nation of developing higher skills and technological capabilities that are required for economic development and transformation. This will keep many individual in the web of small incomes, hence the country registering low economic growth.

#### **5. Violence in Society**

Once people have no or very little income, it means they are unable to meet their basic needs. Such frustration tends to lead to frequent violent occurrences in communities.

## **What Government Must do to Eliminate Child Labour**

1. Government of Uganda has to ensure there are measures instituted to enforce legislations and policies for ending child labour and education. That is available legal and policy frameworks need to be put to action. Gaps within the legal framework have to be addressed. Gaps within the different legal frameworks have to be addressed.
2. The Ministry of Finance, Planning and Economic Development has to ensure adequate and timely release of funds to schools to cater for the different scholastic materials and other school needs. This will help address the issue of UPE hidden costs that prevent children from poor families from attending school. If addressed, more children will stay in school and complete the primary school level.
3. The Ministry of Education, Technology and Science and Sports has to ensure provision and implementation of an appropriate and friendly school curriculum and environment. This will help children see meaning in attending school and be motivated to remain in school. This Ministry has to also push for the increase of the education budget, to, among others, increase support for school inspection and provision of scholastic materials plus the school infrastructure.

## Conclusion

Child labour in Uganda does not only deprive children of their basic rights to education, development and freedom but to a big extent accounts for the children enslaved under different forms of exploitation. Government can do this by addressing the different school-related concerns that drive children out of schools. Providing a school-friendly environment will not only attract children but will definitely retain them. The provision of adequate and appropriate learning materials will also promote retention in schools. A friendly environment will also include ensuring that every pupil at school get some meal to keep them through school time.

Government has to enforce laws that ensure that children are kept out of the labour market and be kept in school. This will enable them concentrate on their education, hence attaining cognitive skills, which will lead them to apply in and obtaining better paying jobs as they reach adulthood.

**Remember, CHILDREN ARE OUR FUTURE!**

## **References**

Bharti, S. & Agarwal, S. (2013). Physical and Psychological Hazards faced by Child Labour—A Review article. *Journal of Humanities and Social Science* Vol, 13, issue 6, pp 29-33

Kayabwe, S. & Nabacwa, R. (2014). *The Use and Usefulness of School Grants: Lessons from Uganda*. International Institute for Educational Planning Paris, France

Ministry of Gender Labor and Social Development (2006). *Child Labor Policy*

Ministry of Gender Labor and Social Development (2012), *National Action Plan on Elimination of the Worst Forms of Child Labor in Uganda: 2012/13 - 2016/17*

Ministry of Education and Sports (2016), *Guidelines on School Feeding and Nutrition Intervention Program*

Onyemachi, T. U. (2010). Children, Status and Law in Nigeria, *An International Multi-disciplinary Journal, Ethiopia*; Vol. 4 (3a) pp 3378-398

Uddin, M. N., Hamiduzzaman, M. & Gunter, B. G., 2009) indicates that working from an early age impedes the children's physical growth and intellectual and psychological development, then also has negative effects on their long-term health and earning potential.

United Nations Development Program (2012), *Seeing Beyond the State: Grassroots Women's Perspectives on Corruption and Anti-Corruption*. Institution: UNDP

Sabates, R. Akyeampong, K., Westbrook, J., & Frances Hunt, F. (2010). *School Dropout: Patterns, Causes, Changes and Policies*; Background paper prepared for the Education for All Global Monitoring Report 2011

Government of Uganda (2016). *The Children Act Amendment April 2016*



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Against Child Labour  
Contra el Trabajo Infantil  
Contre le Travail des Enfants

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