

early enough to the camp. You see after six (o'clock) soldiers do not allow people into the camp.

In and out of school girls are also aware of the dangers of exposure to tasks that eventually may expose children to prostitution and AIDS. However it would appear that the situation that has led them to the camp would simply not allow them to keep out of danger and they have to brave the hazards of child labour.

Going to be a house girl denies you the chance of going back to school. There is also sexual harassment from bosses, which leads to unwanted pregnancies.

The study also found cases of children who are facing other serious occupational hazards. For instance girls in Kabarole revealed that drunkards often beat their peers who work in drinking places. The same is true for in the two communities selected in Lira namely, Namasale and Adyel. Some of the common hazards also include early pregnancies and HIV/AIDS. When asked what benefits working girl children bring home, one woman in an FGD replied,

Prostitution to get money is now on the increase. It is dangerous because it leads to death on acquiring AIDS. Prostitution leads to pregnancy and makes the girl suffer when the boy denies being the one who made the girl pregnant.

Selling alcohol and drinking it because it also leads to prostitution and drunkardness. Even for boys selling alcohol in bars is bad.

Camp life is difficult not only for girls but boys as well. The boys end up being thieves, dropping out of school to go and look for work especially grazing other people's cows.

Some boys go to town and end up working as toilet cleaners. Others work as domestic servants when they are supposed to be at school. This is not good but it happens because of circumstances.

Most parents have sex in the "endaki" (camp house) when children are there and it makes the children shy and teaches children bad manners who also practice with each other.

Traumatic experiences of the past are often made worse by the working conditions of children. These children often have to live with their plight, have no one to appeal to and complain only to themselves. The lack of counselling makes their hopeless situation appear inevitable and they grow more bitter with time.

Okello Alfred is a 17-year old boy. He lost both of his parents and the brothers and sisters in the arm conflict in 1999 where they were burnt in the house by Kony's rebels in Opit centre in Gulu district. Since he was left alone, he could no longer stay in Gulu. He decided to join the Boda boda group in Lira district to earn his leaving. He is staying with a friend and they are renting a house. Due to this business, he has developed chest pain and are making him weaker.".... My friend takes me a problem in his home yet we share the cost of everything in the house. I was of the view of finding some one to make me forget about the incident of my family but the way am taken makes me not forget about it if any one day.

In addition, establishment of large IDP camps has led to overcrowding and breaking down important cultural traditions. Young children and adolescents are now sleeping in the same narrow rooms (underground shelters or andakis) with their parents in camps. Here such unhealthy behaviour, as drinking, sex and vulgar language cannot be avoided. Moreover, many people with different cultural backgrounds and different values are mixed together.

Chapter Four:

HIV/AIDS/Armed Conflict effects and Children's Rights

4.1 Conclusion

The high rates of HIV/AIDS related morbidity and mortality has manifested itself into a high proportion of orphans within the child population of Lira and Kabarole Districts. Many of the AIDS orphans in both districts lack the basic care and protection and have to fend for themselves for minimum survival. The number of orphans involved and the fact of general poverty in most families has stretched to the limit the household capacity to cope with the rising mass of AIDS orphans. Government's and other duty bearers bold steps to address some of the constraints to orphans needs such as the UPE programme are increasingly getting challenged by the lack of basic household care and hence the affected children are torn between staying in school and starving. Often the physical condition of the orphans in terms of clothing and non-fees inputs into schooling is a dis-incentive for continued schooling. Inevitably many such children are forced to join the growing mass of job seekers, who are easily exploited by employers.

In Lira and Kabarole districts there has been intermittent insecurity and insurgency for the last 15 and 4 years respectively. This has resulted into mass displacement, extreme poverty, increased food insecurity and inevitability of child labour.

Like HIV/AIDS, armed conflict is increasing the number of single parent children and orphans. The capacity of the extended family system to cope with an increasing number of orphans from AIDS is stretched to the limit when armed conflict occurs. First, the would be caregivers are themselves in need of care after displacement from their means of production. They are also often critically concerned about their own personal survival and that of their immediate family that taking on an additional burden of looking after other children or families in need is difficult. The situation of insecurity, poverty, and food deprivation created by armed conflict makes it difficult to cater for orphans.

Resulting from lack of parents or parents who have no means of supporting, children are forced to work to meet their own needs. Even in those internally displaced person's (IDP) camps where some supplies have been availed by the civic community, the basics are often in short supply leading many

children to have to fend for themselves. Most orphans caught in the spiral of armed conflict cannot easily meet their own basic needs and are at the blink of despair.

Children in areas of armed conflict and AIDS/HIV situation, find their rights like the right to education, CRC 1989, Article 28) seriously abused. The insecurity simply makes it difficult for household to function normally and leave many including children to struggle for their survival. Article like article 15 child labour, 27 sexual exploitation, 22-armed conflict, of the OAU character on rights and welfare of the child (1990) as well as articles 18,7,31,32,34 and 38 CRC (198) are also contravened.

Some of us who do not have parents find it impossible to; think about our rights, we have to work for food and we find we are unable to continue schooling because of lack of school requirements.

Orphans FGD, Kabarole

With regard to the girl child their vulnerability the work environment is particularly dangerous be it from their employers or the persons that are supposed to offer them protection. Guardians and parents faced with extreme situations of poverty as under AIDS and armed conflict often put in place conditions that force these girls into early marriage or the search for work at a vulnerable age. The soldiers in internally displaced camps or guarding villages where whole populations have fled find girls an easy prey to rape or bait with paltry sums of cash. The Local Council System in these situations is either non-functional or under threat from the new power blockers - the soldiers or home-guards. For those that have migrated to towns and fishing villages to seek work, maintenance of their job is sometimes subject to sexual servitude to their employers and any other male relatives, or the clientele. Many cases of the violation of the sexual rights of female employees are never reported and where they are reported little is ever done to punish the culprits. If anything the girls and women end-up being punished through ridicule and/or loss of their jobs. All, the above pose an additional danger of HIV infection or/and unwanted pregnancy for the girls.

4.2 Discussion and Recommendations

The causes of child labour in situations of armed conflict and HIV/AIDS cover a significant proportion of working children in Uganda. They lie at the centre of the failure to realise the rights of the children and will remain a challenge for a long time. Addressing them will require vast amounts of resources in terms of personnel, programming and funds. The following recommendations will go

some way in addressing the problem of child labour in areas affected by armed conflict and HIV/AIDS:

1. While Uganda has a Children's Statute (1996) in place, without a strong implementation mechanism and specific national orphan or/and child labour policy the rights of the children will become difficult to realise. The existing in-explicit policies with regard to child labour, such as UPE, the minimum Age for Marriage and the Uganda Constitution (1995) are constrained or not definitive enough to cover all abuses inherent in child labour especially with regard to the most vulnerable classes of children mentioned above. Uganda is yet to ratify the Minimum Age Convention, 1973 No. 138 and the ILO Convention on the Worst Forms of Child Labour, No. 182. It is important to note that ratification of these will provide the necessary policy framework for legal formulation and implementation of activities.

The development of policies and legal frameworks to safeguard the rights of AIDS widows and orphans, as well as a comprehensive policy framework that protects children in armed conflict and AIDS from exploitation will need to be put in place and enforced. The Government of Uganda and her social partners will therefore need to move fast not only to ratify international Conventions related to Child Labour, but set-up a national framework for implementation of these.

2. Since the primary challenge of addressing the problem of child labour lies in the elimination of poverty, the most vulnerable families such as those suffering the consequences of armed conflict/HIV AIDS will need steps that rather than facilitate charitable actions, ensure development of a solid base for keeping the poverty threat at bay. In addition, vital, albeit, expensive approaches targeting homes of children in armed conflict and HIV/AIDS aimed at reducing the impact of poverty and increase the realisation of children's rights are urgently required.
3. The problem of child labour is a clear manifestation of the society's gaps in the realisation of children's rights. There are many actual and potential players in addressing the inherent gaps of children's rights but the mechanism for co-ordinating these efforts at national, district, community and family levels are weak. This is an asset to build on in the sense that with Child Labour the task is far too wide to be managed by a single or even small group of duty bearers

or organisations. It is therefore recommended that the lead agencies advocating for the realisation of the children's rights strengthen the co-ordination mechanism at all the levels. Addressing the child labour problem in armed conflict and HIV/AIDS situations provides an opportunity for taking the first comprehensive co-ordinated step in the realisation of children's rights among the most vulnerable children. A co-ordinated approach will clearly identify the gaps both in geographical coverage and in terms of the need for inputs.

4. Some of the duty bearers are not aware of their duties. Others do not even know the children's rights or that they are actually violating them. Many children do not even know their rights or how to ensure that they are respected. Where this knowledge exists, the desperate situations created by armed conflict and AIDS together with the break-up of social order entailed in these two situations tends to limit action in this field. The argument that children cannot be protected from child labour because there are no better alternatives only serves to prolong the plight of working children even bring more children into the realm of child labour. It is therefore recommended that as an immediate step a nation-wide strategy for creating awareness on child labour be undertaken by all duty bearers especially at the national and district levels. At the moment, awareness creation in several districts is still lacking and will need to be strengthened. The role of the mass media, the schools, employment organisations and leadership of informal sector activities in this awareness creation strategy cannot be over-emphasised.
5. The majority of the working children in Uganda are in the non-formal sector. The challenge remains in identifying the best strategy for involving the communities in identifying and implementing strategies that will lead to the removal of the demand for child labour. The challenge is even more critical in the environment of HIV/AIDS and armed conflict where child-fostering requirements are as acute as the labour shortage to sustain minimum survival for the children and those forced to be under their care. The triple A (Assessment, Analysis and Action) strategy of UNICEF and its emphasis on working with the communities as well as other duty bearers (Non-government Organisations) should be able to address this intricate problem. However, its success will depend s much on the skills of the implementers as it will on the resources availed for the integration of the elimination of child labour abuses in the existing programmes of UNICEF.

6. The government of Uganda UPE programme has gone a long way in providing alternatives for millions of children who would be prematurely thrown into the situation of work. However, its ultimate success will depend a lot on raising the quality of education, reducing absenteeism and stemming the school dropouts. For the armed conflict areas and communities highly affected by HIV/AIDS possible strategies to effect these include:

- *Sustaining the demand for primary schooling at the household level.* Primary education alone provides limited opportunities for salaried employment and improved household income. Improved access to post-primary schooling will therefore increase the demand for primary schooling. Providing affordable and accessible secondary education through the proposed construction of a day-secondary school in every sub-county will in the long run increase secondary level enrolment and thus reduce child labour. Other measures related to this will include providing tax waivers to private secondary school operators and abolition/reduction of taxes on secondary school inputs.
- *Improving Quality of Schooling.* This will involve a series of pragmatic undertaking by all stakeholders. Measures to make the school environment more conducive than the child labour environment will have to be adopted. Among these enhancing teachers conditions of service (improvement of teachers salaries, prompt payment of the salaries, reduction in bottlenecks in appointment, transfers and promotions; rewards and recognition for serving well in difficult areas, providing accommodation and targeting micro-finance schemes for teachers) are paramount. Others will include reduction in the high pupil to teacher ratio (currently above one teacher to 50 pupils and in excess of 1 teacher to 100 pupils in some schools), increased allocation to learning materials and operating expenses and reducing pupil textbook ratios. In addition, increasing the number of classrooms and furniture, sensitising parents/guardians and communities about the need for improved nutrition and health care for school children, provision of school-child food supplements (such as Vitamin A, iodine etc) in areas severely affected by child malnutrition, and increased inspection of schools especially in areas of armed conflict and high HIV/AIDS mortality rates will encourage children to stay longer in schools.
- *Adopting gender sensitive reforms in education.* Higher rates of absenteeism, inadequate time for homework or leisure, and late coming to school are testimony to child labour and

the relatively higher opportunity costs of girls schooling in particular. In addition the particularly sensitive field of child sexual abuse associated with the school and out of school environment for the orphans and the female children in armed conflict situations. UNICEF is at the forefront of supporting government efforts towards enhancing the participation of the girl child in schooling in Uganda demonstrated in such activities as the promotion of the Sara Communications Initiative and the support to the design of the National Strategy for Girls' Education in Uganda.

The above efforts notwithstanding, there are gender inequalities in persistence and performance in school especially for the orphans and girls in armed conflict areas that will call for measures that go beyond those currently available. Such education gender equalizing reforms as improved food security for these children, enhancing access to auxiliary (non-fees) school in-puts and requirements, parental/guardian sensitization about the benefits of girls' schooling, more flexible time tabling, remedial classes, providing a school-based homework hour will help to improve opportunities for girls' schooling.

7. *Addressing sexual abuse, early pregnancy and marriage for children in armed conflict and HIV/orphans.* If the bold steps towards UPE and attendant protection of children especially girls from premature entry into child labour are to be realised, special targeting is necessary. At the moment the high incidences of sexual harassment as those mentioned in the findings above, coupled with gender insensitive handling of girls approaching puberty and adulthood, high cases of pregnancy, unethical behaviour on the part of teachers currently need to be addressed in schools. Setting-up and enforcing regulations for all schools governing the ethical conduct of teachers, gender awareness training as well as specialised training in counselling and guidance for a senior teacher in every school will help in creating a forum for discussion of the problem and guidance of pupils and teachers. Other measures such as community sensitisation and tougher legislation against offenders are required for re-assuring parents/guardians that their children will not be sexually harassed whilst at school or within the communities.
8. Particularly worrisome in this study was the phenomenon of girl-child marriages and child bearing. This was found to be largely due to the weak community protection system as well as the guardian's desire for dowry. Lack of counselling and guidance, loss of faith in education as

a vehicle for personal advancement and pressure from male dropouts compound the problem. Necessary reforms to address this problem include widening the scope of gender training among all teachers, improving counselling in all schools and setting up the post of senior teacher who should be equipped with skills and motivation to undertake the challenging task. In addition, public sensitisation and media campaigns, increasing opportunities for training women in secondary schools and at higher levels through affirmative action, attaching proportions of tax relief to investments that employ a percentage of women in top positions are needed to sensitise society about the possibilities and need for educating girls rather than exposing them to child labour.

While education on children's rights to protection from sexual abuse needs to be extended to parents/guardians, children, soldiers and other members of the society is important, having an effective mechanism for punishing offenders is equally important. Existing laws on defilement are either unknown or have been ignored by employers, soldiers in internally displaced people's camps, plantation workers, teachers or parents.

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Appendix 1: Working Children's Field Survey Questionnaire

GOU-UNICEF COUNTRY PROGRAM (2001 - 2005)

HIV/AIDS, ARMED CONFLICT AND CHILD LABOUR ASSESSMENT IN UGANDA

Children's Questionnaire

Date of interview: _____ Name of Interviewer: _____

A: IDENTIFICATION

1. District: _____ 2. Sub-County: _____ 3. Parish: _____

4. Village _____ 5. Location: Village [] Township/Trading Centre [] Town []

6. Headship of Household []

- 1. Child headed []
- 2. Mother/Father []
- 3. Mother only []
- 4. Father only []
- 5. Grandparent []
- 6. Other relative []
- 7. Other (specify) []

7. Category of Household []

- 1. Armed conflict affected []
- 2. HIV/AIDS affected []
- 3. Both Armed and AIDS []
- 4. Non-affected []
- 5. Other (specify) []

CODES

1.1.1 B: BACKGROUND

8. Sex 1. Male [] 2. Female [] []

9. Age (in years) _____ [][]

10. Where were you born? []

- 1. Same household as current [] (Go to 11)
- 2. Same village but different household []
- 3. Other village but related household []
- 4. Other village, none relatives household []
- 5. Other (specify) []
- 6. Don't know []

11. Reason for movement to current home []

- 1. Armed conflict []
- 2. Death of parents []
- 3. Education []

d.	Plough			
e.	Motorcycle/scotter			
f.	Hurricane lamp			
<i>How many times is/was</i>				
g	Number of meals eaten per day on average			
h	How many times do you eat meat/chicken/fish in a month			
<i>And you personally do/did you have</i>				
i	Another set of clothing besides this?			
j	Blanket of your own?			
k	Mattress of your own			

[]
[]

27. I would like to ask you about the domestic animals owned currently and before the (AIDS/ARMED CONFLICT) in your household. How many were

Number	Cattle Owned		Goats/pigs/sheep	
	Currently	Before	Currently	Before
None				
Less than 10				
10-20				
More than 20				
Don't know				

28. What is the roof of the house you live in made of? []

1. grass/thatch []
2. corrugated iron/galvanized iron []
3. concrete /tiles/asbestos []
4. other (specify) _____

2

3 29. What is the main source of water in your house? []

1. Well inside compound []
2. Tap inside compound/house []
3. Communal tap/bole hole/protected well []
4. River/stream/unprotected well []
5. Other (specify) _____

4

5 30. How long does it take you to reach your source of drinking water and back? []

1. < 30 minutes []
2. 30 min- 1 hour []
3. > 1 Hour []

6

7 31. What is the main source of fuel for cooking? []

1. Cow dung []
2. Firewood []
3. Charcoal []
4. Kerosene/paraffin []
5. Gas []
6. Electricity []
7. Other (specify) _____

- 8 32. What type of toilet facilities you have at home? []
1. None []
 2. Covered pit latrine []
 3. Uncovered pit latrine []
 4. VIP []
 5. Flush toilet []
 6. Other (specify) [] _____

WORKING BACKGROUND

33. Have you ever been involved in any work to earn money?
 1. Yes [] 2. No []

PROBE FOR WORK HISTORY, UNDERLYING, CAUSES, PROBLEMS AND BENEFITS

34. What tools do you normally use?

35. About how much do you usually earn per week in total ? _____ (amount).

36. What are the reasons that have led you to work ? _____

37. How old were you when you started working for a wage/salary? [][]

38. How are you related to your employer? []
1. Self employed []
 2. Father []
 3. Mother []
 4. Both father/mother []
 5. Brother/Sister []
 6. Other relative []
 7. Friend []
 8. Neighbour []
 9. Other person known []
 10. Other person not known []
 11. Company /organisation []
 12. Other []

38. How many employers have you had in your life? [][]

39. For how long have you worked for your current employer [in months] [][]

40. Why did you change employment? _____

41. Does your employer meet your food requirements? 1. Yes [] 2. No []

42. Have you ever suffered any injury or illness as a result of your work? []
1. Yes [] 2. No [] (go to 47)

43. What type of illness?

44. When was the last episode of illness as a result of your work?

45. Was the illness severe or light? []
1. Severe [] 2. Moderate [] 3. Light []

46. When you were ill, what did your employer do?

For those out of school

47. Have you ever been to school? []
1. Yes [] 2. No [] (go to 47)

48. Last class attended: []
1 [] 2 [] 3 [] 4 [] 5 [] 6 [] 7 []
S1 [] S2 [] S3 [] S4 [] S5 [] S6 []

49. In which year did you leave school? _____ []

50. Why did you leave school? [] [] []
- 1. lack of money to pay for school expenses []
 - 2. lack of interest/difficulties with school work []
 - 3. distance from school/ transport problems []
 - 4. expelled from school []
 - 5. wanted to earn money []
 - 6. needed to work at home /on the farm []
 - 7. illness of self []
 - 8. initiation/menstruation/reached puberty []
 - 9. fear of sexual harassment/pregnancy/marriage []
 - 10. divorce of parents []
 - 11. Nursing a sick person in home []
 - 12. death in the family []
 - 14. armed conflicts/war []
 - 13. other (Specify) _____

51. Would you like to go back to school or get some training? []
1. Go back to school [] 2. Get training [] 3.No []

52. What is preventing you from returning to school?

- 1. lack of money to pay for training expenses
- 2. distance from school/transport problems
- 3. have to earn money
- 4. needed to work at home
- 5. needed to work on the farm
- 6. illness of self
- 7. pregnancy/caring for my child
- 8. no encouragement from school
- 9. no encouragement from parents
- 10. armed conflict
- 11. Caring for the sick
- 12. Death of parents
- 13. Education waste of time
- 14. other (Specify) _____

53. Do you know of any child working who has ever been (defiled, gwebasobyako, sezuually assaulted?)
(probe if more than one)

54. How old was she or he?

G. ACTIVITIES FOR EACH CHILD

8.1 H. ACTIVITIES FOR EACH CHILD

55. Daily Activity Timeline: Please put an X in each cell against the appropriate activity mentioned by the respon
X represents up to 30 minutes. In every column therefore there must be 2 Xs.

ACTIVITY	TOTAL Xs	5:0 AM	6:0 AM	7:0 AM	8:00 AM	9:00 AM	10:0 AM	11:0 AM	12:0 AM	1:00 PM	2:00 PM	3:00 PM	4: P
A: Personal care [includes bathing, dressing and eating]													
B: Domestic duties in the home [includes cooking cleaning and washing clothes running errands, fetching water and firewood for home use etc].													
C: Care for children, sick and elderly													
D: Home construction, repair and maintenance													
E: Helping with subsistence pdtn on family farm or business													
F: Employment outside family [includes wage work such as washing clothes running errands, fetching water and firewood for sale etc or looking for work]													
G: In transit etc.													
H: Social and recreational [includes play, family gatherings, gossip, religious activities, parties, meetings, TV & radio]													
I: Rest/sleep [includes time spent sick]													
Total X's													

Thank you.

Appendix II:

Crosscutting issues to discuss in all Group Discussions with children, parents, local leaders and teachers.

For all issues a gender perspective (boys/girls) and time series (before and after AIDS/Armed Conflict) analysis should be attempted

1. ***Definition of work/labour from the participants perspective.*** Probe for example of what constitutes "acceptable", "normal", "good", work and "excessive" work for children. Note any local terminology and definitions.

2. ***Gender differentiation in:***

- Type(s) of work and labour
- amount of work and labour
- perception and attitudes to work and labour

The moderator should guide the discussion to find out whether there are any differences in the work that boys and girls do, those in school and those out of school, the orphans and non-orphans, those from rich and poor households, those from AIDS afflicted households and non-AIDS afflicted households, conflict and non-conflict communities.

3. ***Push factors for child labour:*** In the event that in the discussion of the first two issues the factors leading children into work have not emerged the moderator will steer the discussion towards identifying the factors (reasons for children to work). These could (but need not necessarily) emerge as economic, displacement, misfortunes, poor quality of education, sexual abuse and pregnancy, orphanhood, AIDS, peer pressure for acquisition of basic needs and luxuries etc. In case issues surrounding AIDS and armed conflict do not emerge from this discussion the moderator will probe about these. Ranking of the significance of these factors leading to children's work and child labour and the magnitude of each in the community will be attempted. Again a historical perspective is important.

4. ***Benefits of working in home/out and related effects***

Assess the positive and negative effects of work on children and find out more specifically the:

- modes of remuneration
- ability to negotiate payment
- seek redress
- who is paid the money
- how is the pay used.
- freedom to leave work
- freedom to change employers.

1. Problems (hazards) associated with children's' work: probe for sexual abuse, harmful work, incidences/dangers of injury, disabilities, constraints to education, access to health services and facilities including payment for services.
2. Attitudes of employers, guardian/parents and the children towards working children, work for boys and girls, too little/too much.
3. AIDS / armed conflict and the effects such as sexual abuse. Probe for effects of these on the age of marriage and changes that have occurred prior to AIDS and now. Probe for how these two have affected the work of children in affected/ afflicted and non-affected/ afflicted households by gender.
4. Awareness of children rights related to labour.

8.2 Additional issues for community leaders

1. Community response and bi-laws regarding child labour and related abuses.
2. Benefits/problems of child labour.
3. Attitudes to possible initiatives to limit child labour and community contribution to these by way of policies, resources and activities.
4. Perceptions of shifts in children's workload type as a result of AIDS and armed conflict.
5. Experiences of incidences of punishment
6. Age at marriage

8.3 Additional issues for teachers

In the schools key informant interviews will be held with school administrators (head-teachers). During these interviews the perceptions of the administration of child labour and its effects on children's schooling will be sought. An annual calendar of when children are usually absent from school will be discussed. The Head-teachers will also be asked permission to review the registers of pupils for absence and the following table will be compiled for each school visited:

Class	P1	P2	P3	P4	P5	P6	P7
Total enrolment boys							
Total enrolment girls							
Boys absent at least once in 2 weeks prior to survey							
Girls absent at least once in two weeks prior to survey							

Thereafter a group discussion will be held with the teachers to discuss the following:

- causes of - dropouts for boys and girls
- absenteeism
- abuse in the classrooms
- sexual harassment
- stigmatisation
- adolescent pregnancy
- rights of children
- lack of interest
- work that is good or bad for children at school
- work as form of discipline(corporal punishment)
- UPE and associated dropouts, child labour
- views on domestic work and effects on children's performance

In-depth Interviews Guide

Participants in in-depth interviews will be drawn during group discussions with the above categories of participants in the FGDs. It is recommended that permission of the leadership of the community to visit these persons and if possible guides be obtained before going to homes of individuals for in-depth interviews.

The Researchers will try to trace the historical context of the problem and obtain a holistic view of the current status of working children or households in which children are working.

Observation checklist

In all working environments, observations mixed with informal interviews should be carried out. In both districts the study team will photograph the working environments of children. All pictures will be properly captioned after development and may be used in the focus group discussions to stimulate discussions. The following observations and/or photographs will be made:

- working conditions
- children working
- clothing
- protective wear
- meal times
- facilities at work like toilets
- physical appearance
- burden of work, volume of loads, tools
- types of activities-for children and adults

- duration hours of work(leisure)
 - gender
 - sleeping conditions
- sources of water

Appendix 3:

Summary of the Policy framework for addressing the problem of Child Labour in Uganda

Convention on the Rights of the Child

As pointed out above, Uganda is a signatory to the UN Convention on the Rights of the Child. The Convention has several articles addressing child labour (see Box Below)

The UN Convention on the Rights of the Child and Child Labour

- Right to non-discrimination, on grounds of ethnic or social origin, birth or other status (article 2)
- The right to be cared by his/her parents (article 7)
- The right to be brought up by parents or guardians whose basic concern is the best interest of the child (article 18)
- The right to protection from physical or mental ill treatment, neglect or exploitation (article 19)
- The right to education (article 28)
- The right to rest, leisure, play and recreation (article 31)
- The right to protection from economic exploitation and from performing any work that interferes with his/her education or is harmful to his/her mental, spiritual or social development (article 32)
- The right to be protected from all forms of sexual exploitation and sexual abuse (article 34)
- The right not to be arbitrarily deprived of liberty (article 37)
- Other forms of violence, abuse and exploitation (articles 33, 37, 39 and 40)

The African Charter on Rights of the Child

The African Charter on the Rights and Welfare of the Child(1990) has in its Article15 the protection of children from Child Labour exploitation. The article points out:

Child Labour

1. Every child shall be protected from all forms of economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's physical ,mental,or social development.

2. State parties to the present charter take all appropriate legislative and administrative measures to ensure the full implementation of this Article which covers both the formal and informal sectors of employment and having regard to the relevant provisions of the International Labour Organisation's instruments relating to the children, States Parties shall in particular:

(a) provide through legislation, minimum wages for admission to every employment;

(b) provide for appropriate regulation of hours and conditions of employment;

(c) provide for appropriate penalties or other sanctions to ensure the effective enforcement of this Article;

(d) promote the dissemination of information on the hazards of child labour to all sectors of the community.

Article 22: Armed conflicts

1. States parties to this Charter shall undertake to respect and ensure respect for rules of international humanitarian law applicable in Armed Conflicts which affect the child.

2. States Parties to the present Charter shall take all necessary measures to ensure that child shall not take direct part in hostilities and refrain in particular, from recruiting any child into the armed forces.

3. States Parties to the present Charter shall, in accordance with their obligations under international law protect the civilian population in Armed Conflicts and shall take all feasible measures to ensure the protection and care of children who are affected by armed conflicts. Such rules shall also apply to children in situations of internal armed conflicts, tension and strife.

It is important to note to what extent the Uganda National Programme of Action for Children and other national policies address the above. Even more important it is important to find out to what extent activities on the ground are leading to the realization of the above rights for the children.

The Uganda Constitution 1995

Article 34, clause 4, 5 and 7 of the Uganda Constitution stipulate the rights of the children which directly apply to child labour as follows:

Clause 4:

Children are entitled to be protected from social or economic exploitation and shall not be employed in or required to perform work that is likely to be hazardous or to interfere with their education or to be harmful to their health or physical, mental, spiritual, moral or social development.

Clause 5:

For the purposes of clause (4) of this article, children shall be persons under the age of 16 years

Clause 7:

The law shall accord special protection to orphans and other vulnerable Children