



# CHILDREN'S RIGHTS AND BUSINESS PRINCIPLES UGANDA



© UNICEF/UNI313507/Abdul

## INTRODUCTION

UNICEF, the United Nations Global Compact and Save the Children developed the Children's Rights and Business Principles (CRBP) in 2012 as a guide for businesses to adequately consider, promote and protect the rights of children in all sectors especially high-risk sectors like extractives and mining.

Gold mining in Busia district in eastern Uganda is a primary source of livelihood for the communities, particularly in the three sub counties of Busitema, Buteba and Sikuda. During an exploratory visit to the district in 2019, child rights violations, including child labour, were noted, highlighting the need for awareness and implementation of the CRBPs to improve the wellbeing of children in Busia. Consequently in August 2020, UNICEF, in partnership with two non-governmental organisations; Environmental Women in Action for Development and Solidaridad, conducted a two-day CRBP orientation for the district leadership and artisanal and small-scale miners (ASM) associations. The facilitators utilised a UNICEF child rights in mining toolkit, which highlights best practices for addressing children's rights in large-scale mining with the key discussions, findings and recommendations as follows.



**FAIRPHONE**

**Solidaridad**

**unicef**   
for every child

# KEY ISSUES AND RESOLUTIONS

The discussions and resolutions revolved around four areas of child rights; child protection, child participation, child survival and child development as follows,

## TOOL I: RESETTLEMENT

A weak compensation framework has led to dispute between Wagagai Mining (U) Ltd, the investor, and the community as the latter feels aggrieved over the resettlement terms. There is evident need for stakeholder engagement and dialogue especially in resettlement and compensation planning.

## TOOL II: IN-MIGRATION

Migrant children face rights violations such as criminal acts, limited access to social infrastructure as well as exposure to HIV infection. The expectation is that the national water installations will reduce the water, sanitation and hygiene challenges and the establishment of a police post will reduce the crime rats on the area.

## TOOL III: ENVIRONMENT

Land degradation, destruction of social infrastructure particularly schools and health centres, pollution and waste management were cited among the key issues under environment management. The primary resolutions centred on ensuring compliance with the Environmental Act as well as pollution control.

## TOOL IV: SECURITY

Hazardous materials, child sacrifice based on cultural beliefs, and illegal detention by untrained security personnel are some of the risks children face. Critical in the response plan is the development of a child focused security management system that details the rights, responsibilities and actions of every stakeholder in keeping children safe.

## TOOL V: HEALTH AND SAFETY

Children are exposed to several risks including pollution, open pits and health issues resulting from mercury use. There is need to review, align and enforce the laws on health and safety in mining.



# “Because of poverty, children are subjected to various forms of abuse including ritual sacrifice.”

## TOOL VI: WORKING CONDITIONS

are unfavourable for the parents and caregivers, which in turn affects the children's wellbeing. Working with other stakeholders, the mineral police is expected to enforce requirements such as use of safety gear, protection from hazardous material and all aspects of the Minamata Convention on Mercury.

## TOOL VII: PROTECTING CHILDREN FROM SEXUAL VIOLENCE

In spite of an existing legal structure for prevention and litigation, sexual violence is prevalent in the community with limited enforcement of justice, primarily due to fear, undue influence wielded by perpetrators and cultural factors. As a result, Tiira Parish, the primary mining area has become a hotspot for HIV infection. There is thus a critical need for multi-stakeholder sensitisation to ensure awareness, protection and enforcement of justice.

## TOOL VIII: SOCIAL INVESTMENT

Though corporate social investment is a viable means of addressing child rights issues, the mining companies are not forthcoming. There thus is need to orient both the mining company and the community, to create awareness of and demand for critical social services such as education and health.

## TOOL IX: IMPACT ASSESSMENT

Conduct impact assessments to establish the extent and significance of mining operations on child rights issues in Busia.

## TOOL X: STAKEHOLDER ENGAGEMENT

There is need for dialogue and engagement between the community, the ASM associations, the district and national leadership throughout the project lifecycle, especially at the planning stage, to effectively identify and address all issues pertaining to children, their families and other vulnerable groups.



© UNICEF/UNI813514/Abdull





© UNICEF/UNI313499/Abdul

## CONCLUSION

A key policy implementation challenge was highlighted as the communication gap between the district local government and the ASM communities in Busia, which affects the relevance and impact of planned actions. Resultantly, a three-tiered approach is very critical to the achievement of these resolutions as follows;

- Engagement between the central and local government and the investor, especially at planning, monitoring and evaluation and enforcement.
- Engagement between the local government and the ASMs at all stages of the project.
- Engagement between the local government and the community, particularly at implementation, compensation and resettlement planning, and monitoring and evaluation.

UNICEF is spearheading the formation of Joint Management and Coordination Committee comprising ASM and district leaders to lead implementation of the proposed actions and reconvene all stakeholders by December 2020, to establish progress on operationalizing children's rights in Busia's mining sector.

*The full report can be accessed at [www.unicef.org/uganda](http://www.unicef.org/uganda) or by email request to [kampala@unicef.org](mailto:kampala@unicef.org).*