

CHILD ABUSE IN CENTRAL UGANDA

A CASE OF SELECTED SLUMS IN KAMPALA

BY

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DECLARATION

I, Elizabeth, declare that this is my original work and that it has not been presented to any other institution of higher learning for the award of any academic qualification.

Signed.....*AK*..... Date. *11/6/2013*.....

TUHAISE ELIZABETH

DEDICATION

To my dear Mother Mrs. B. Wamara who did her best as a woman to encourage me even when she knew things were bad and to pay for my school fees after the death of my father. To my children: Takule Didus Katungi, Nyaketcho Vanessa Leonie and Odoi Louis who were most affected as they got used to my coming home late daily from group discussions together with Mr. Odoi Joseph for his unending all round support and to my group members, this is a job well done,

KEEP IT UP AND NEVER GIVE UP.

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I am indebted to a number of contributors and wish to express my gratitude, am grateful for the invaluable financial assistance of Mr. Odoi Joseph. I acknowledge with appreciation the insurmountable guidance from my supervisor, Mr. Mundane Robert, my colleagues, friends and my discussion group members.

I thank you all. May God bless you

ABBREVIATIONS

AIDS	Acquired Immune Deficiency Syndrome
AU	African Union
CPA	Concerned Parents Association
CRC	Convention on the Rights of the Child, 1989
CAT	Convention Against Torture
DRC	Democratic Republic of Congo
ECOMOG	Economic Community Monitoring Group
GOU	Government of Uganda
GUSCO	Gulu Support the Children Organisation
HSMF	Holy Spirit Movement Front
ICC	International Criminal Court
ICRC	International Committee of the Red Cross
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic Social and Cultural Rights
IGAD	Inter-Governmental Authority on Development
ILO	International Labour Organisation
IRIN	Integrated Regional Information Networks
IOM	International Organisation for Migration
NGO	Non-Governmental Organisation
NRA	National Resistance Army
NRC	Norwegian Refugee Council
NRM	National Resistance Movement
NURP	Northern Uganda Reconstruction Programme
OPM	Office of the Prime Minister
UN	United Nations
UNDHR	Universal Declaration on Human Rights
UN OCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children Emergency Fund
UPDF	Uganda People's Defence Forces
WFP	World Food Programme
WHO	World Health Organisation

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CHAPTER ONE

1.0. Background To The Study

The effect of child labour to the individual, the community and the nation at large is becoming more and more apparent. It is for this reason that the Government of Uganda places the elimination of child labour high on its national development agenda¹. Uganda's population has continued to grow rapidly over time. It increased from 9.5 million in 1969 to 24.2 million in 2002. Between 1991 and 2002, the population growth rate was 3.2 percent. The population is projected to have increased to 32.9 million by mid 2011 (UBOS, 2013), of which the number of children form an approximate value of 10,090, 200; aged between 5 years to 14 years.².

Uganda adopted The Children Act, Chapter 59 of the Laws of Uganda on August 1, 1997. Under this Act, Local Councils (LCs) are responsible for child protection. (§ 10) If these local government councils cannot resolve a child protection case, it is brought before the family and children court. (§ 13) Section 16 provides that “the child shall have a right to legal representation” in all matters before the family and children court. The Act does not provide any additional information about the responsibilities or duties of the legal representative for the child, nor has the family and children court been funded by the government.

There are two key issues Uganda faces in implementing the provisions in The Children Act, specifically Section 16. First, Uganda does not have the institutions or financial resources to fully implement the provisions in the Act. In its own initial report to the UN Committee on the Rights of the Child, it reports: “In the case of child abuse for instance, the Probation Officer in the present circumstances cannot do much. The officer has no ready place to take the child. Existing children's institutions

¹ UBOS: 2011-Baseline Survey

² http://www.ubos.org/onlinefiles/uploads/ubos/pdf%20documents/Popn_T4_2011.pdf, Accessed on 25th February 2013

are inadequate, formal fostering is still not developed owing to cultural and economic limitations. The greater problem is that Probation and Welfare Officers have no resources, they are few and therefore cannot adequately solve the problems of the child's family and those of the child.”³ Moreover, three of the five concerns mentioned in the NGO report to the UN Committee on the Rights of the Child also concern a lack of funding and other resources.⁴ Second, customary law is a powerful force in Uganda and at times, it conflicts with certain provisions of the CRC. The tragedy of internal displacement reflects a breakdown within a society in which both fundamental human rights, freedoms, economic and social development are gravely compromised, and the affected communities are severely disrupted, with long-term political and economic consequences⁵.

The situation of slum children typifies the crisis of displacement in Africa today and due to the magnitude of the problem, most countries are party to the international, regional and national legislations that protect children from child abuse. such include, the 1945 Universal Declaration of Human Rights (UDHR)⁶, the 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR)⁷, the 1966 International Covenant on Civil and Political Rights (ICCPR)⁸, the Covenant Against Torture (CAT)⁹, the 1989 Covenant on the Rights of the Child¹⁰, the 1990 African Charter on the Rights and Welfare of the Child¹¹, the 1996 Uganda Children Act¹² and the 1995 Constitution of Uganda¹³.

³ Arvind, Verma (1999) *Journal: Policing: An International Journal of Police Strategies and Management*

⁴ UNICEF, “Central Uganda Humanitarian Situation Report, June 2010

⁵ Roberta Cohen and Francis M. Deng (eds.): *The Forsaken People: Case Studies of the Internally Displaced*, Brookings Institution Press, Washington, D.C., 1998, Chapter One, pp.1-2. Available online at <http://brookings.nap.edu/books/0815715137/html/1.html#pagetop>, Accessed in 10th January 2013

⁶ The 1945 Universal Declaration of Human Rights (UDHR)

⁷ The 1966 International Convention on Economic, Social and Cultural Rights (ICESCR)

⁸ The 1966 International Convention on Civil and Political Rights (ICCPR)

⁹ The Convention Against Torture (CAT)

¹⁰ The 1989 Convention on the Rights of the Child

¹¹ The 1990 African Charter on the Rights and Welfare of the Child

¹² The 1996 Uganda Children Statute

¹³ The 1995 Constitution of Uganda

1.1. Statement of the problem

Inferring from the facts in the Kampala district development plan, 2007-2010, most families have experienced unfavourable socio-economic conditions, population pressure, and natural disaster. It further submits that HIV/AIDs scourge, moral degradation, civil strife, poverty and broken families/Irresponsible parenthood have subsequently contributed to the increasing number of child abuse victims in central Uganda. It is estimated that 40.4% of all the children of Kampala district are child abuse victims i.e. 272997 child abuse victims of the 675,734 children in Kampala district. These are a consequence of HIV, moral degradation, irresponsible parenthood and civil strife. Within the seven slums, community's research has registered a high number of orphans and vulnerable children. These children are living without clothes, food, medical care and shelter. It is also noted that there are many child headed homes, children in conflict with the law, those who are out of school, child abuse & trafficking, the orphaned and the neglected. These children are suffering and hopeless, the government has many commitments and does not seem to be addressing their social needs. Despite government strategies to address the problem of child abuse and trafficking in slum communities, it can be observed with keen interest that the social needs of the child abuse victims are still wanting. This research therefore presupposes to address this fundamental problem in by identifying child abuse victims in slums of Kampala and establish causes to their status quo.

1.2. Purpose of the Study

The general purpose of this study is to examine causes of child abuse in selected slums Central Uganda.

1.3. Specific objectives of the Study

- i. To establish the forms of child abuse in selected slums and establish the causes and effects of child abuse in selected slums in Uganda

- ii. To provide information on policies, international, regional and national instruments that protect children.
- iii. To propose recommendations to district leaders, the slum community and GoU to recognize the urgent need to develop strategies for intervention and provide protection so that children are treated with respect and dignity.

1.4. Study questions

- i. What are the forms, causes and effects of child abuse in selected slums in Uganda?
- ii. What information is needed on policies, international, regional and national instruments that protect children?
- iii. What are the possible recommendations to district leaders, the slum community and GoU to recognize the urgent need to develop strategies for intervention and provide protection so that children are treated with respect and dignity?

1.5. Justification of the study

This study is intended to generate specific data regarding forms, causes and the effects of child abuse in selected slums Central Uganda. A lot of research has been carried out in Central Uganda, but available research does not include selected slums on child abuse, and how district leaders, NGOs dealing with children and slum community have responded. It is envisaged that the findings of this thesis will provide information to NGOs and institutions that are engaged in the study of slum issues, thus adding data to the already existing wealth of knowledge on the protection of rights of slum children in relation to child abuse. This thesis will also provide useful and relevant information to stakeholders and serve as a reminder to the Government of Uganda (GoU) of its obligations under existing international laws that pertain to slum children protection to which they were the signatories. For the slums, the findings will serve as an advocacy tool to urgently intervene and provide protection to slum children.

Many civil society organizations have concentrated in the northern part of Uganda, which has been vulnerable to civil war. However, we cannot rule out the fact that Kampala being the country's capital is facing serious rural Kampala slums migration, HIV/AIDS and abject poverty among the slum dwellers. Many people from war ravaged, disaster hunger, disease (HIV/AIDS) and poverty-stricken areas storm Kampala with children who are needy and end up living in slums. These factors have been key drivers for the increased number of orphans and vulnerable people who are suffering in Kampala. The Uganda government and its society have an obligation to ensure that Ugandan children are brought up in a humane and dignifying manner to help them develop and identify their potential in order to live as responsible adult citizens in future.

Due to the limited resources by the Government of Uganda to address the social needs of the poor, there has been a trend of ignoring the unplanned settlement populations in the social programmes that in one way has also lead to the continued suffering of the child abuse victims in the slums of Kampala.

More so, the increment of child abuse victims in Kampala has culminated into an increase in child abuses like child housemaids, child abuse and trafficking, defile, child sexual workers, and high number of children in conflict with the law. That is why it is imperative that an organized social intervention to change the lives of the orphans and vulnerable children who are suffering is undertaken to address this social problem and also fill the vacuum left by the government. The implementations of this project contribute immensely the chances of achieving some of in the millennium development goals.

1.6. Scope of the study

This study was conducted in Central Uganda, with the interest of Kampala District while giving focus to selected slums, which are one of the most affected by human rights violations and child abuse in Uganda.

The research was mainly focus on the forms, causes and effects of child abuse. It was also focused on the laws that protect children and the roles of stakeholders in the

promotion of human rights of slums children in Uganda. The data for research was gathered from Kampala District leaders, teachers, schoolchildren, parents, and field staff of NGOs, religious leaders, UN staff and the community at large.

CHAPTER TWO

Literature Review

2.0. Introduction

This chapter discusses the definitions of child abuse from various scholars and attempts to address the research objectives, which this study was set to investigate. The chapter discusses the forms, causes and effects of child abuse by highlighting international, regional and national laws that protect children in slums.

2.1. Definition of key terms

Children: according to Uganda Children's Act, A child is a person below the age of eighteen years.

Child maltreatment: This refers to physical, emotional mistreatment, sexual abuse and neglect of children.

Community: A social group of any size whose members reside in a specific locality, share government and often have a common culture and historical heritage and rendering mutual assistance to each other.

Child abuse: is any voluntary action that causes or may cause physical, emotional or mental harm to a child.

Children's rights: These are entitlements due to children as human beings. Rights of children refer to achievement of physical development in all areas of a child's social, spiritual, moral wellbeing, physical and mental health.

Rape: Forcibly having sexual intercourse with someone, male or female, against his/her will.

Human rights: These are entitlements due to human beings by virtue of being human.

Survival rights: These are the basic needs that children are entitled to get for proper growth and development.

Obligation: law, moral pressure, promise that forces one to do what is right

Violation: The failure of duty holders to fulfil obligations to respect, protect and fulfil human right.

Feerick, M. M., Knutson, J. F., Trickett, P. K., & Flanzer, S. M. (2006), Dan Williams (2007), the World Health Organization (1999) and Bromfield, 2005; Christoffel, et al., (1992) define child abuse as, “any harmful, offensive and contact on a child’s body which humiliates, shames and frightens a child”. They further describe child abuse as malicious intended physical injury cruelly inflicted upon the child¹⁴. Physical or emotional pain is thrust upon children against their will or knowledge. It can take the form of any unwanted intrusion upon their senses. Child abuse can include acts of physical or emotional harm, emotional maltreatment, neglect, and sexual abuse, witnessing family violence, failure to nurture or bring up children. Such behaviour may be intentional or unintentional. Child abuse therefore refers to any act of violence or threat including coercion or other deprivations of liberty directed at a child based on their gender.

Violence against children cuts across boundaries irrespective of race, class, religion and culture. It occurs in homes, communities, schools, on streets and in care and detention centres. It is a major obstacle to gender equality and is never justifiable, yet violence against children is entirely preventable. When children are uprooted from their homes, they are often deprived of basic needs such as education, shelter, food and health services, and as a result, many suffer from profound physical and psychosocial trauma.

The situation of slums typifies the crisis of displacement in Africa today. Although many governments’ commitment towards slums constitutes an important step in acknowledging state responsibility, the indicators from the global overview shows that, most governments are often less willing to fulfil their obligations to protect and assist slum children. Due to the magnitude of child abuse in slums in Africa, most countries

¹⁴Fredrick, M. M., Knutson, J. F., Trickett, P. K., & Flanzer, S. M. (2006). *Child abuse and neglect: Definitions, classification, & a framework for research*. Baltimore, MD: Paul H. Brooks Publishing Company.

are party to the international and national legislations that protect children such as: Universal Declaration of Human Rights (UDHR)¹⁵, International Covenant on Economic, Social and Cultural Rights (ICESCR)¹⁶, International Covenant on Civil and Political Rights (ICCPR)¹⁷, Covenant Against Torture (CAT)¹⁸, 1989 Covenant on the Rights of the Child¹⁹, the African Charter on the Rights and Welfare of the Child (1990)²⁰. Uganda has also domesticated the above international laws into national laws. Uganda's domestic framework in the protection of slum children is the 1996 Children's Act²¹, the 1995 Constitution of Uganda²² and the National slum Policy²³.

The 1989 Covenant on the Right of the Child places a comprehensive duty on states to ensure that the rights of children are protected from all forms of abuse, exploitation and violence. This implies that a state can be held responsible for its failure to respond to the requirements of the CRC to prevent child abuse. Articles of the CRC relate specifically to exploitation of children and its consequences. Countries that have ratified the Covenant are required to take appropriate action to protect children from all forms of physical or mental violence, injury and abuse, including sexual abuse by parent(s), guardian(s) or caretaker(s).²⁴ The protection from inducement or coercion of a child to engage in unlawful sexual activity and from the abduction of, sale of or trafficking in children for any purpose²⁵ is an obligation of member states.

The African Union (AU) has a specific and comprehensive mandate to respond to the protection and assistance needs of displaced persons as a whole. In that respect, the AU enacted a slum Covenant in October 2009²⁶. In addition, the member states of the

¹⁵ Universal Declaration of Human Rights (UDHR)

¹⁶ International Convention on Economic, Social and Cultural Rights (ICESCR)

¹⁷ International Convention on Civil and Political Rights (ICCPR)

¹⁸ Convention Against Torture (CAT)

¹⁹ 1989 Convention on the Rights of the Child

²⁰ 1989 UN Convention on the Rights of a Child and the African Charter on the Rights and Welfare of the Child (1990)²⁰

²¹ The 1996 Children's Statute

²² The 1995 Constitution of Uganda

²³ The National IDP Policy

²⁴ Convention on the Rights of the Child opened for signature Nov. 20, 1989, 28 I.L.M. 1456, 1577 U.N.T.S 3 [herein after CRC].

²⁵ Ibidem

²⁶ African Union was launched in Durban, South Africa, 9 July 2002. In general, The African Union objectives are different and more comprehensive than those of the OAU. The OAU served its mission and was due for replacement by a structure geared towards addressing the current needs of the continent. For more information, see the aims of the OAU and the objectives of the African Union, as contained in the Constitutive Act.

International Conference on the Great Lakes region, which includes the major slum hosting countries in December 2006, signed a Pact on Security, Stability and Development of the Great Lakes Region, which includes a protocol on protection and assistance of slums²⁷. The AU, however, are not accustomed to dealing with humanitarian emergencies and massive displacement. The AU lacks experience and expertise in addressing emergencies such as conflict prevention and the problem of mass displacement and it has resulted in an increase in cases of child abuse.

2.2. Forms of child abuse

According to Amnesty International Uganda (2000), Child abuse is the situation where a child or children are oppressed by their parents, guardians, individuals and institutions or organizations. In Uganda however, the threat of child abuse has mainly been practiced by parents (step mothers and fathers) and guardians. There are many factors and situations under which children are mistreated in Ugandan families taking all circles of life that is socially, economically and politically.

An Analytical Report of the Secretary General on Internally Displaced Persons (2000) indicate that Divorce is so big here in Uganda, couples stay in a marriage for 5 or less years and after having two (2) or more children, they part away from each other and when the wife goes, she leaves the children behind which in the due course after the man getting another wife, these children will be mistreated by the step mother for she is not concerned and she claims these are not her children.

IPPF and the Forum on Marriage and the Rights of Women and Girls(2006) concurs that This is a two way traffic situation that even when the divorced woman goes with the children, she will get married to another man who will also mistreat these children also claiming that they are not his children. Divorce has not only created such but also children grow with no parental love which makes them lack responsibility when they become of age. Step mothers and fathers have been key in

²⁷ African IDP hosting countries signed a Pact on Security, Stability and Development of the Great Lakes Region, which includes a protocol on protection and assistance of IDPs on December 2006

abusing the rights of children; they have given children heavy punishments to serve like burning their hands because of stealing small amounts of money like one hundred shillings, caning them heavily in public for committing minor offences like not fetching water.

There is also much child abuse; many children in Uganda don't go to schools, they are ever on streets selling sweets and other small commodities, in villages you find them in sugar cane plantations cutting sugar canes with a purpose of earning a little coins for survival and all this has been caused by lack of responsibility by the parents, community and the local authorities. Children are being used by reach men to serve in their homes in improper ways.

According to UN report on Child mothers and marriage(1996), children are left at home doing garden work, house work and in the long run they will end up becoming thieves, gamblers, since they are illiterate hence they will have no use to the society they will be living in. Some children are not given scholastic materials like books, pens, sets and others because of simple reasons for example not performing well in class, jealous from the step mum and Dad about the child's good performance than those of the step mother or father.

According to Human Rights Focus report (2002) Some biological parents especially fathers fall into sexual intercourse with their daughters, there by impregnating them, old men and women keep using young girls and boys sexually making them infected with Sexually Transmitted Infections which is a child abuse and ashamed to the society, creates neglect and misunderstandings.

According to Human Rights Watch (2003) some parents tend to show unequal love to the children in that they take much care on some of the children than others.

Given all the above forms of child abuse, there is much that needs to be done on our communities to kick child abuse out. Parents, guardians, human rights bodies, religious leaders and other people should join efforts to protect children. Communities should be sensitized on children rights, parents and guardians should

become responsible and have the children taken to schools and also take care of them by giving them scholastic materials.

2.1.1. Physical child abuse

Women's Commission for Refugee Women and Children in slums (2005) report discussed forms of child abuse in slum slums. The report noted that emotional violence, physical abuse, sexual abuse, child neglect, child abuse, early and forced marriages, discrimination, forced prostitution, child trafficking and female genital mutilation constitute forms of child abuse that can result in actual harm to the child's health, survival, development and dignity.

Arata, Langhinrichsen-Rohling, Bowers, & O'Farrill-Swails, 2005; Higgins & McCabe, 2000; Ney, Fung, & Wickett, 1994, argue that "some acts of violence against children involve multiple maltreatment subtypes. For example, an adult who sexually abuses children may simultaneously isolate or terrorize them"²⁸.

Physical abuse is dangerous to slum children and involves: shoving, punching, throwing, slapping, pinching, hitting, beating, kicking, biting, burning, choking, suffocating, strangling, pulling a child's hair or ear violently. Shaking the baby roughly to make the baby stop crying by a frustrated caregiver is also dangerous because it can rupture blood vessels and nerves that may cause brain damage that often leads to severe neurological problems and even death. Signs of physical abuse can be swelling, bruises, hand and finger marks, broken bones, injuries to parts of the body, which the child cannot explain, human bites, scalds and burns and lack of growth.

Other factors that may increase the likelihood of physical abuse are stress, possibly caused by financial problems and difficulties in the parents' relationships. This can

²⁸ Arata, C. M., Langhinrichsen-Rohling, J., Bowers, D., & O'Farrill-Swails, L. (2005). Single versus multi-type maltreatment: An examination of the long-term effects of child abuse. *Journal of Aggression, Maltreatment & Trauma*, 11(4), 29-52.

reduce some adults' ability to control aggressive feelings towards their children. For example, low income, inadequate housing or being discriminated against because of ethnicity, religion, disability or sexual orientation. All of these factors could affect parents' ability to care for their children. Mental illness, substance abuse and domestic violence could also have a damaging effect on parents' ability to meet children's needs.

2.1.2. Psychological or emotional child abuse

Garbarino, Guttman & Seeley, 1986; WHO, (2006) describe forms of psychological or emotional abuse as: verbal, mental, psychological maltreatment, isolating and stopping a child from normal social experiences, preventing the child from forming friendships, failure to provide a child with adequate love, nurture and food, intimidating, scaring, threatening, terrorizing, confining or tying a child on a chair or bed in a dark room for long hours, ridiculing, damaging a child's reputation by constant belittling, humiliation, excessive demands and criticism, degrading, blaming, shaming, rejection and destruction of a child's personal belongings, preventing a child from forming friendships, verbally assaulting the child, calling names, withholding communication, making negative comments, yelling at the child, bullying and constantly telling a child he or she is "no good" "worthless" or "a mistake"²⁹. These acts can damage a child's self-esteem and social competence leading to serious behavioural, cognitive, emotional, or mental disorders in children. It can make the children believe that they are alone in the world.

Witnessing family violence is a form of emotional abuse and causes psychological torture because the child is exposed to seeing and hearing while a parent or sibling is subjected to physical abuse, sexual abuse or psychological maltreatment. As a result, a child is visually exposed to the damage caused to persons or property by a family

²⁹Garbarino, Guttman & Seeley, 1986; WHO, (2006) *chronic child maltreatment in an Australian Statutory child protection sample*. Published by Deakin University, Geelong

member's violent behaviour, which can disrupt their psychosocial wellbeing and can exhibit similar behaviour to other abused or neglected children. In addition, psychological strain on children may cause aggressive behaviour towards other children.

The Covenant Against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment (CAT) describes torture as: “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person³⁰”. Article 7 of the ICCPR³¹, prohibits actions that amount to torture and requires governments to take affirmative steps to protect everyone under their authority from relevant risks.³² This is illustrated by the American case of *Rivas v. Salvador*³³ in which Rivas; a 14-year-old girl was tortured and sexually harassed while under detention. The Inter-American Commission of Human Rights found the government of Salvador responsible for the lack of due diligence to prevent the violation or to respond to it as required by the Covenant.³⁴

In light of the challenging circumstances characterized in child abuse, it is possible to make a case to stop child abuses because they constitute a form of torture, and therefore, if member states do not adopt stronger measures to eliminate child torture, they are responsible for violation of CAT.

Summerfield (1999) observed that brutality is often systematically used as a means of control of slum population, especially where abductions, extra-judicial executions,

³⁰ Convention Against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment

³¹ International Convention on Civil and Political Rights Article 7

³² James C. Hathaway, *The Rights of Refugees under International Law*; Cambridge University Press, 2005, pg 453. (“It is the duty of the state party to afford everyone protection through legislative and other measures as may be necessary against the acts prohibited by article 7, whether inflicted by people acting in their official capacity, outside their official capacity or in a private capacity”); UN Human Rights Committee, “General Comment No. 20: Prohibiting torture, or other cruel, inhuman or degrading treatment or punishment” (1992), UN Doc. HRI/GEN/1/Rev.7, May 12, 2004, at 150, para 2.

³³ *Hernandez Rivas v. El Salvador, Inter – American Commission on Human Rights*, (1994) Case 10.911, Report No. 7/94, Inter-Am.C.H.R. OEA/Ser.L/V/II.85 Doc. 9 rev. at 188.

³⁴ American Convention on Human Rights, Nov. 22, 1969, 1144 U.N.T.S. 123 (entered into force July 17, 1978).

torture, sexual violation, crime against children are committed. However, Summerfield fell short of suggesting intervention strategies³⁵.

2.1.3. Child neglect

ANPPCAN Uganda Chapter (2007) defines child neglect as any voluntary action that causes physical, psychological harm to a child. Child neglect is concerned with a child's welfare and is generally considered to be criminal behaviour. Child neglect is the most frequent form of child abuse that endangers a child's physical and psychological well-being. It is an act of omission that deprives minors of the attention and supervision necessary for their well being and development³⁶. In addition, the report examined that child neglect is the most frequent forms of child abuse in slum slums. It involves parents' or caretakers' failure to provide a child with basic needs such as education, medical care, food, shelter, clothes, safety and protection. It includes abandonment, expulsion from the home or refusal to allow a runaway child to return home³⁷. Signs of a neglected child are: very dirty clothes, constant bad hygiene, very dirty unwashed hair and physical injuries. The situation of child neglect in the slum can be worse when children are not staying with their parents. Separation or divorce of the child's parents has an impact on the child's behaviour and it is a cause of juvenile delinquency. The situation of the child can also be worse when they are subjected to harsh conditions by the stepparents.

Article 3 of the CRC emphasizes the best interests of the child principle, which should be a primary consideration. Article 19 stipulates the right to protection from all forms of physical or mental violence, injury or abuse, exploitation and sexual abuse, while in the care of parents, guardian, or any other person". Article 24 provides for the right to health; access to health services; and protection from harmful traditional practices, Article 34 provides for the right to protection from all

³⁵ Summerfield, D (1999). "Assisting Survivors of War and Atrocity: Psychosocial issues for NGO Workers" in *From Conflict to Peace in a changing World: Social Reconstruction in Times of Transitional*. Oxford: Oxford Publications

³⁶ ANPPCAN Uganda Chapter Report on Child Abuse and Neglect May 2012

³⁷ *Ibidem*

forms of sexual exploitation and Article 36 provides for the right to protection from all forms of exploitation prejudicial to any aspect of the child's welfare. However, despite these provisions for the protection of children, children in slum slums may continue to face abuse and sexual exploitation.

Article 34 (1) of the 1995 Uganda Constitution states that children shall have a right to know and be cared for by their parents. The right creates an obligation on the part of parents to ensure that their children enjoy rights to education, immunization, adequate diet, clothing, shelter and medical attention and the best interest of children must be ensured³⁸. However, The Uganda Human Rights Commission (UHRC) report (2004) noted that parents in slum slums are reluctant to meet their obligations.

Parents may neglect their children if they abuse drugs or alcohol. Some parents may not be able to cope with the stress and may have trouble in caring for their children. They may also sell food meant to feed the children and the money used to buy alcohol or spent on other sexual partners. As children grow up, often times the parents are too busy to pay any attention to them, thereby allowing them to do whatever they want and to, be with whomever they please. The next thing they realize their children on the cover of the local newspapers or on television for dealing in drugs or shooting people on the street or breaking into people's houses and shops. All these come from parents who do not give their children enough attention.

2.1.4. Child sexual abuse

Child prostitution is the most dominant form of Commercial Sexual Exploitation of Children. Country studies conducted by ECPAT (2000:35) in East Africa point out with regard to Uganda's case that girls are often hired in pubs as cleaners or domestic workers but later encouraged or promoted to become prostitutes.

³⁸ Article 34 (1) of the 1995 Uganda Constitution

Several documents show that prostitution is prevalent in all major regions of the world. ILO (2000) estimates that over 1.8 million children around the world are involved in prostitution. As in many countries around the world (India, Jamaica and Russia), it is noted that the demand for children in the sex industry is growing not only for tourists but also inhabitants and that more and more children are being forced into the trade. Child prostitution is considered by the International Labour Organisation to be the worst form of child abuse (Legislation Covenant 182). Article 34 of The Covenant on Rights of Children, ratified by the Government of Uganda in 1990, further protects children from sexual abuse and exploitation including prostitution. Estimates derived from qualitative data (Uganda Youth Development Link, 2000) indicate that there are between 7000 and 12000 children in Uganda affected by the problem. The majority of the victims are girls who are the victims of HIV/AIDS, poverty and wars.

Kampala City takes the biggest portion, Tomison (1995) and Broadbent & Bentley (1997) describe child sexual abuse as “the use of a child for sexual gratification by an adult or significantly older child. It is any act which exposes and involves a child in, sexual processes”. Forms of child sexual abuse include fondling breasts or a child's genitals, making the child fondle the adult's genitals with intent to use children to create sexual arousal; it involves having sexual intercourse, incest, rape, sodomy, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object. It involves sexual exploitation through prostitution and involving the child in pornography³⁹. These criminal acts are aggressively prosecuted and severely punished by international and domestic laws in the legal system. Article 2 and 4 of Covenant on the Rights of the Child prohibit child sexual abuse and exploitation. Article 7 obliges state parties to rehabilitate and socially integrate all child victims, including those who have been sexually exploited in conflict.

UNICEF (2005) report in Pabbo slum in Kampala District revealed that: “girls, some as young as four years old were sexually assaulted, threatened and humiliated by

³⁹ Tomison, A. M. (1995). *Update on child sexual abuse* (Issues Paper No. 5). Melbourne: National Child Protection Clearinghouse, p. 2

men". The report further said girls were unaware that sexual attacks were crimes. UNICEF noted that the high incidences of child abuse in slums were due to lack of knowledge on children's rights by the districts officials, police officers and the slum community⁴⁰. Signs of sexual abuse can be pregnancy, swelling, bleeding in the genital area, sexual transmitted diseases. The child may find trouble sitting, standing and may have blood stained or torn underclothes⁴¹.

UNHCR (2003) reports glaring forms of child abuse in slum slums in Uganda. The report revealed that in many slum slums women and girls are often targeted for rape, sexual abuse forced marriages and major atrocities by aid workers, rebels, peacekeepers, slum commandants, the military, nationals and the slum residents themselves⁴².

Okoth (2001) noted that soldiers grossly violate children's rights by engaging in acts such as rape and defilement. He also noted that cases of abductions, limited relief and resources, land disputes and intimidations are not adequately dealt with. He stressed the need to create awareness of the state's obligations to the right and policies in favour of slum children⁴³ to provide them with hope and confidence. Okoth (2001) also noted that Uganda was not prepared for disasters as it lacked capacity and resources to respond to child abuse⁴⁴. This is an indication that there has been no response on child abuse by the stakeholders who are supposed to protect children in slums. The report also indicated girls' powerlessness and vulnerability to child abuse, which often authorities may take advantage of to sexually abuse children.

⁴¹UNICEF (2005) report "*Suffering in Silence*". Rape rampant in largest northern IDP camps. A project of the UN Office for the Coordination of Humanitarian Affairs

⁴²UNHCR (2003), *Sexual and Gender - Based Violence against Refugees, Returnees and Internally Displaced Persons. Guidelines for Prevention and Response*, May 2003,p.7, 15 and 18.

⁴³ Okoth, I (2001), "Soldiers rape in protected camps' says rights body", The Daily Monitor, No. 130. Kampala, Thursday May 10th, 2001

⁴⁴ Okoth (2001), "Government lacks capacity to handle disasters". The Daily Monitor, No. 129, Kampala, Wednesday May 09, 2001.

Oloka Onyango (1998) underscores the conceptual and practical difficulty in dealing with the rights of slums. He observed that state sovereignty and the process of nation – state transformation, govern the African context of dealing with their fundamental human rights. He called for the development of normative and institutional mechanisms to address the slum situation and to conceptualize it in a broader spectrum of human rights imperatives⁴⁵.

ANNPCAN 2007 reports child sexual abuse as the most rampant form of crime against children in Uganda. This is caused by government failure to speed up the prosecution of the suspected offenders. The report further noted that although the reported defilement cases dropped by 29%, 97.2% of the suspected offenders were not tried. Although the amended section (12) of the Penal Code Act provides for a death penalty to the person found guilty of defilement, most of the offenders have walked free. Local NGOs say this is due to unfriendly justice system in the country. In addition, most child survivors of abuse are required to give evidence in the strange and often intimidating court environment without prior preparation of the child about the court proceedings. This, the report argues, puts children in very difficult procedures to deal with the intrusive defence lawyer and prosecutors who are ill-trained to communicate with the children.

The Rome Act of the International Criminal Court (ICC), 1998⁴⁶ has jurisdiction for war crimes and crimes against humanity. Included in the crimes against humanity is enslavement, which includes trafficking and rape, sexual slavery, forced prostitution or any form of sexual violence of comparable gravity if knowingly committed as part of a wide spread systematic attack. Ultimately, the power of the Court lies in its jurisdiction over the most serious crimes of concern to the international community. Hence, it is significant that the Court by its definition of enslavement has included widespread or systematic sexual exploitation of children in this categorization.

⁴⁵ Oloka Onyango. J. (1998) "Forced Displacement and the situation of Refugee and Internally Displaced Women and Children in Africa" in the East African Journal of Peace and Human Rights Vol. 5. No. 1. 1998. Kampala: HURIPPEC. Makerere University

The 1949 Geneva Conventions and their two additional protocols of 1977 implicitly and explicitly condemn rape and other forms of sexual violence as serious violations of humanitarian law in both international and internal conflicts.⁴⁷ Although its provisions outrage upon personal dignity in particular humiliating and degrading treatment, common Article 3 implicitly condemns sexual violence,⁴⁸ which is a major element in child abuse among the slums.

These treaties being particularly applicable for slum protection, place an obligation on states to observe and protect rights that accrue to slums as any other citizen especially the children. In this regard, the states have a duty to prevent, investigate, punish and remedy human rights violations committed by private actors.

IRIN - In - Depth (2004) reports that wherever there has been conflict - whether in Darfur, DRC, Algeria, Myanmar, Sudan, Uganda, Sierra Leone, Bosnia, East Timor or Kosovo, girls are the main victims because of their vulnerability and, as a result of their being physically weaker to boys⁴⁹. However, boys can also suffer various forms of child abuse such as abductions, forced recruitment into the rebel forces and child abuse. Sexual assault of boys by boys or women may exist but it is very rarely reported, as doing so is considered unmanly.

2.1.5. Forced and early marriage

John Mbiti (1977) observed that child marriage in slum slums is “forced” and is a major factor for the violations of human rights of girl children. He examined that the majority of early marriages in slum slums are typically arranged by parents or guardians as a response to sexual relationships between young people. He observed

⁴⁷ Protocol Additional to the Geneva Conventions of August 12, 1949, and relating to the Protection of Victims of International Armed Conflicts, 1125 U.N.T.S. 3 (entered into force Dec. 12, 1977).

⁴⁹ IRIN In- Depth Report - Our Bodies – Their Battle Ground- Gender Based Violence in Conflict Zones Africa – Asia – Gender Based Violence, A silent, Vicious Epidemic UN Office for the Coordination of Humanitarian Affairs (September 2004).

that many times marriage is forced upon the child due to poverty and to enable the family to meet its economic demands⁵⁰. Many times forced early marriages spring from traditional customs but do not amount to full marriage since it lacks many dimensions of marriage.

Incidences of forced and early marriage have been common in Central African Republic, Sudan, Chad, Cote d'Ivoire, DRC, Liberia and Uganda as reported by the Norwegian Refugee Council⁵¹. Girl children particularly suffer as victims of war in conflict situations since many of them are often abducted by the rebels and sexually exploited resulting into early marriage. Evidence suggests that families in slum slums in Burundi, for example, protect their culture by marrying their daughters off as early as possible⁵². In addition to the above, reports from Iraq also indicate that early marriage is rising there in response to poverty inflicted by the post-Gulf War sanctions⁵³, and in Afghanistan, war and militarization have led to an increased number of forced marriages of young girls⁵⁴.

Although the Koran allows Muslims to marry off a girl of 14 years, it contradicts the 1995 Uganda Constitution, the Covenant on the Rights of the Child and the Children's Act, which stipulate the age of consent as 18 years. Article 16.1 of the UDHR, states that men and women of full age have the right to marry and are entitled to equal rights in marriage. Article 16.2 provides that marriage should only happen with the free and full consent of the intending parties. The African Charter on the Rights and Welfare of the Child (1990) significantly prohibits marriage of persons below eighteen years. It provides that: "Child marriage and betrothal of girls and boys shall be prohibited". It does not provide for exceptions based upon the consent of a local authority or the parents of the children concerned and contains no

⁵⁰ Mbiti J (1977) *African Religion and Philosophy*, Heinemann London, Educational books

⁵¹ Lomo Z. A. *The Struggle for Protection of the Rights of Refugee and IDP in Africa: Making the Existing International Legal Frame Work*, (2000) 18 *Berkeley J. Int'l L.* 268.

⁵² World Vision International (1996), 'The Effects of Armed Conflict on Girls', A Discussion Paper prepared for 'The Impact of Armed Conflict on Children', Report of Graca Michael, Expert of the Secretary-General of the United Nations. See also: Black, Maggie (1998) 'Girls and War: An Extra Vulnerability', in *People and the Planet*, vol 7, no 3, London.

⁵³ *Clearing a Path for Girls* (1998), NGOs Report from the Field on Progress since the fourth World Conference on Women, Beijing. NGO Working Group on Girls, New York and Geneva.

⁵⁴ Pourzand, Niloufar (2000), UNICEF Kabul, personal communication.

exceptions for local religious and other cultural practices. It is therefore necessary to turn to judicial precedent to decide which rules of customary international law are applied and approved, but not the Koran or the Bible, which are not international treaties as a means to legally deal with forced and early marriages.

UNICEF (2005) statistics report on Early Marriage and Harmful Traditional Practices show that: In Asia and Africa, more than 30% of girls are married by the age of 18⁵⁵. Up to 45% percent of girls are married before the age of 15 in Bangladesh⁵⁶. Some of the factors in determining a girl's risk of being married as a child include; poverty, protection of girls from premarital sex, fear of loss of virginity before marriage and related family honour, and the provision of stability during unstable social periods⁵⁷. Statistics show that child marriage is most common among the poorest groups in society involving children that lack the choice or capacity to give their full consent⁵⁸. Child marriage must therefore always be considered forced marriage because valid consent is absent and often considered unnecessary.

A number of provisions in the 1989 Covenant on the Right of the Child apply to child marriage although it contains no explicit provision on the subject by specifically prohibiting the practice of child marriage. The Universal Declaration of Human Rights (UDHR)⁵⁹ adopted in 1948 by the United Nations General Assembly resolution is not a binding instrument but is a basis for human rights treaties with the status of customary international law⁶⁰ or as a general principle of law.⁶¹ This reinforces the conviction that all governments have an obligation to ensure the

⁵⁵ UNICEF, Early Marriage, a Harmful Traditional Practice. Statistical exploration, 2005.

⁵⁶ UNESCO Case studies, Bangladesh: Demographic Characteristics of Adolescents, available at <<http://www.unescobkk.org/ips/arh-web/demographics/bangladesh2.cmf>> (accessed on the 26th 08, 2012).

⁵⁷ WHO'S RIGHT TO CHOOSE? ('For many communities the loss of virginity in girls before marriage is the worst shame that can be brought upon a family'); see also CHILD SPOUSES, see n 25 above at 6-7 (noting that many parents will go to great lengths to keep girls from interacting with men outside the family).

⁵⁸ Ibidem

⁵⁹ G.A Res. 217, U.N . GAOR, 3d Sess., U.N. Doc. A/810/(1948).

⁶⁰ Barrey E. Carter & Phillip R Trimble, International Law 848 (3rd ed. 1999)

⁶¹ Thomas Buergenthal, Dinah Shelton and David Stewart, International Human Rights in a Nut Shell (2004); See also Sohn, "The New International LAW: Protection of the Rights of Individuals Rather than States," 32 Am. U. L Rev.1, 16-17 (1982); L. Henkin. The Age of Rights 19 (1990); Simma & Alston, "The Source of Human Rights Law: Custom, Jus Cogens, and General Principles," 12 Australian Y. B Int'l L. 82 (1992).

enjoyment of rights the Declaration proclaims.⁶² Article 16.1 of the UDHR, men and women of full age have the right to marry and are entitled to equal rights in marriage. Article 16.2 provides that marriage should only happen with the free and full consent of the intending parties. These provisions do not give a ray of hope compared to other treaties because of the difficulty of enforcement of the UDHR. Other international sources could provide sanctuary to the problem of child marriage because the sexual abuse of children through the practice of early marriage is a fundamental violation of their rights.

However, given the horrific consequences of child marriage already discussed, it is worth attempting to challenge the practice as in breach of some CRC provisions. For example, article 24.3 stipulates that 'state parties shall take measures to abolish 'traditional practices prejudicial to the health of children. Although this provision does not mention child marriage, it can be the best clause to invoke against child marriage because of the health risks associated with child marriage.

Some areas of CRC provide guidance on aspects of the problem of child marriage in slum settings and guarantee the protection of children from discrimination or punishment based on their status, activities, expressed opinions or belief of their parents or family members.⁶³ The Covenant on Consent to Marriage proposes some admirable goals towards the problem of child marriage with a better source of protection for children. The CRC further requires that both the public and private actors consider the children's best interest when making decisions regarding them.⁶⁴ This is relevant to the child marriage issues because it is generally harmful to

⁶² Shelton & Stewart , *International Human Rights in a Nut Shell*, 2004; See also Humphrey, " The Universal Declaration of Human Rights: Its History, Impact and Juridicia Character," in B. Ramcharan (ed.), *Human Rights: Thirty Years After the Universal Declaration 21*, at 28-37 (1979).

⁶³ ('State parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.')

⁶⁴ above art.62 ('In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interest of the child shall be a primary consideration.')

children who are victims in the slum communities where it occurs regularly,⁶⁵ and requires proper enforcement and implementation by state parties.

The African Charter on the Rights and Welfare of the Child (1990)⁶⁶ was adopted by the Organization of the African Unity in Nairobi on 27th June 1981 with fifty-three state parties. Compared to other international treaties, the African Children's Charter significantly prohibits marriage of person's below eighteen years. It provides; "Child marriage and betrothal of girls and boys shall be prohibited, and effective action including legislation shall be taken to specify the minimum age of marriage to be eighteen years."⁶⁷ This is the most explicit provision in comparison to the other treaties discussed above. It sets a minimum age of marriage at eighteen and contains no exceptions for local religious and other cultural practices, it also does not provide for exceptions based upon the consent of a local authority or the parents of the children concerned. Mikhail argues that the African Children's Charter is a true reflection of changes in attitudes towards child marriages. However, the only setback to the charter is the fact that only a few states are parties to it.

Under Ugandan law, sexual intercourse, both consensual and non-consensual with a girl under the age of 18 is a crime of defilement regardless of the age of the male involved⁶⁸. The Constitution of Uganda also provides that men and women of 18 years and above have the right to marry⁶⁹. However, the years of conflict in Uganda have weakened the rule of law and victims of early marriage have few opportunities to access appropriate legal services for redress. Furthermore, the Covenant on Consent to Marriage⁷⁰ ensures that marriages are the result of consent by adults and in particular to eliminate 'child marriage and the betrothal of young girls before the

⁶⁵ Minnesota Advocates for Human Rights, Effects of Domestic Violence on Children, available at <<http://www.stopvaw.org/>> (accessed on the 03 October, 2012).

⁶⁶ Organization of African Unity: Banjul Charter on Human and Peoples' Rights, 21 I.L.M. 58, 59 (1982) (entry into force Oct. 21, 1986).

⁶⁷ African Children's Charter See n 167 above Art. XXI (2).

⁶⁸ ⁶⁸ Ugandan Penal Code Act, Cap 106, Section 123.

⁶⁹ The 1995 Constitution of the Republic of Uganda, Article 31(1).

⁷⁰ Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, Nov. 9, 1962 U.N.T.S 231 [herein after Marriage Convention].

age of puberty.⁷¹ Article 1 of the Marriage Covenant requires the full and free consent of both parties before marriage occurs. However, as discussed earlier, a young girl cannot give reasonable consent to be married since she is not in a position to understand its implications. This therefore leaves the girl vulnerable to family and cultural demands against her interests. The marriage Covenant evidently does not go far enough in giving the meaning of ‘consent’ and its determining factors. This omission creates doubt especially when interpreted to the effect that the Marriage Covenant targets people whose consent is a result of manipulation.

Article 2 of the Marriage Covenant requires state parties to specify in domestic legislation, a minimum age for marriage. This provision creates an exception to the age requirement where a, “competent authority has granted a dispensation as to age, for serious reasons, in the interest of the intending spouses. This creates a lacuna in establishing who falls under the category of competent authority and the proof of age of a child because of absence of reliable birth records.

The Marriage Covenant also contains no monitoring or reporting requirement that makes it very complicated to ascertain the level of its effectiveness in preventing child marriages. Consequently, this Covenant cannot be effective in combating the practice of child marriage because of its failure to impose a mandatory requirement on the age of marriage, which should be at 18 years and above as proposed in the working definition of child marriage in Chapter Two of this research.

2.3. Causes of child abuse

There is no single known cause of child maltreatment. Nor is there any single description that captures all families in which children are victims of abuse and neglect. Child maltreatment occurs across socio-economic, religious, cultural, racial, and ethnic groups. While no specific causes definitively have been identified

⁷¹ The preamble though not binding declares that ‘states should take the appropriate with a view to abolish such custom, and ancient laws and practices by ensuring complete freedom in the choice of a spouse, eliminating completely child marriage and the betrothal of girls before the age of puberty...’).

that lead a parent or other caregiver to abuse or neglect a child, research has recognized a number of risk factors or attributes commonly associated with maltreatment. Children within families and environments in which these factors exist have a higher probability of experiencing maltreatment. It must be emphasized, however, that while certain factors often are present among families where maltreatment occurs, this does not mean that the presence of these factors will always result in child abuse and neglect. The factors that may contribute to maltreatment in one family may not result in child abuse and neglect in another family. For example, several researchers note the relation between poverty and maltreatment, yet it must be noted that most people living in poverty do not harm their children. Professionals who intervene in cases of child maltreatment must recognize the multiple, complex causes of the problem and must tailor their assessment and treatment of children and families to meet the specific needs and circumstances of the family.

Risk factors associated with child maltreatment can be grouped in four domains: Parent or caregiver factors, Family factors, Child factors and Environmental factors

It is increasingly recognized that child maltreatment arises from the interaction of multiple factors across these four domains.

A greater understanding of risk factors can help professionals working with children and families both to identify maltreatment and high-risk situations and to intervene appropriately. Assessment of the specific risk factors that affect a family may influence the prioritization of intervention services for that family (e.g., substance abuse treatment). Moreover, addressing risk and protective factors can help to prevent child abuse and neglect. For example, prevention programs may focus on increasing social supports for families (thereby reducing the risk of social isolation) or providing parent education to improve parent's age-appropriate expectations for their children

2.3.1. Inadequate protection

The Refugee Law Project (2003) research reports lack of protection as a major cause of child abuse in Central Uganda. Other causes of child abuse include sexual violence, poor slum structure and management, poverty, ignorance of the laws, harmful traditions and customs, alcohol and drug abuse⁷². The Uganda National slums Policy (2004) was developed to ensure security to all slums throughout all phases of displacement and to provide maintenance of law and order in the slum slums. This duty is delegated to the UPDF, Uganda Police Force and other security agencies.⁷³ However, the police and security personnel have not yet clearly defined their roles and responsibilities, and thus have not prioritized the slum children protection leaving them exposed to child abuse.

2.3.2. Poor slum structure and management

Lamwaka (1998) was concerned about the design and structure of slums that may inadvertently increase vulnerability of slum children to other grave violations like child abuse and may contribute to the protection problems. She argues that overcrowding, little space, and communal latrines, poor lighting, inadequate night patrols, lack of protection and privacy may render children more vulnerable to sexual abuse and abductions in the slum⁷⁴.

Sexual violence may increase against slum girls as they go to collect firewood, water, grass or building poles, which are far from the slums. The enforced idleness, boredom and despair that permeate many slum slums are breeding grounds for child abuse and there is likely to be little recourse to justice, and those charged

⁷²Refugee Law Project Working Paper No. 11 BEHIND THE VIOLENCE: Causes, Consequences and the Search for Solutions to the War in Northern Uganda. Available on www.refugeelawproject.org

⁷³ The National IDP Policy, 2004.

⁷⁴ Lamwaka. C H. Clara (1998). "Civil War and the Peace Process in Uganda 1986-1987": in the East African Journal of Peace and Human Rights. Vol. 4. No. 2. 1998. Kampala: HURIPEC, Makerere University.

with responsibility for dealing with child abuse may themselves be implicated in abuse.

2.3.3. Poverty

GUSCO (2008) report reveals poverty is a cause of child abuse and is forcing girls as young as 14 years into early marriage and sex work in Gulu and Amuru slum slums and other parts of Central Uganda affected by the war⁷⁵. A large number of orphans, child-headed households and the high mobility of internally displaced families are among the factors that have led to girls being subjected to engage in sex work. The reports further examined that many girls, struggling to keep themselves fed and clothed, have taken to hanging around local bars, hoping to be picked up by soldiers or businesspersons for sex in exchange for money. In addition, large numbers of girls, working illegally as barmaids under the age of 18, were reportedly sexually abused by inebriated customers. The above research found that the perpetrators of child sex abuse included aid workers, businesspersons, farmers, teachers, relatives and armed personnel, such as members of the LRA and soldiers of the national Uganda People's Defence Forces. The report further said that many times these cases were reported to police who have not prosecuted perpetrators for child abuses

The Foundation for Human Rights Initiative (FHRI) country human rights (2001) report on Uganda observes that the children in the slum slums live in abject poverty, unhygienic conditions with improper accommodation, face severe food shortages, lack proper sanitation, lack adequate medical facilities and found difficulties in accessing the Uganda Primary Education (UPE) system and are sexually abused. The report therefore calls upon the governmental and NGOs to analyse intervention gaps and proceed to speedily rectify the situation⁷⁶.

⁷⁵ Gulu Support the Children Organisation (GUSCO), June 2008, Abused: Child Sexual Abuse in Northern Uganda

⁷⁶ Foundation for Human Rights Initiative (2001), A Country Human Rights Report On Uganda for 1999, Period, Kampala: FHRI Publications

Sinden and Stephens (1999) examined that the police's role in dealing with complaints of child abuse in slum slums is of limited intervention because police cannot arrest the accused even when there is evidence of crime⁷⁷. The author noted that police are reluctant to investigate arrest or prosecute child abuse perpetrators. Police also can side with abusers who buy their way out of the police cells. For example, Arvind Verma (1999) observed that the level of corruption in the police force in India is common and has reached an alarming level where bribes are considered normal.⁷⁸ Therefore, police become part of the problem rather than solution⁷⁹. Furthermore, the victims may decide to withdraw their complaints due to lack of faith in the justice system, pressure from family members and the stressful impact of delays with the case. These arguments tend to reflect a greater understanding of the difficulties child victims go through while pursuing the legal system.

2.3.4. Harmful traditional practices

Ellsberg (2001) examined that in many countries, children in slum slums fall victims of traditional practices that violate their human rights. She noted that child abuse is caused by psychologically harmful customs, which are deeply rooted in the tradition and culture of the society such as the current rampant child sacrifice and female genital mutilation in some parts of Africa⁸⁰. For example, culturally, the Acholi believe in the early marriage to acquire bride wealth. They also believe that a girl should produce children at early age so that by the time she is 40 years, she would have more children, yet this is dangerous to the girl's health development.

⁷⁷Barcari and Nilsen (2002) *A Practical Approach to child abuse: A Programme Guide for Health Care Providers and Managers** January 31st-February 2, 2002.

⁷⁸ Arvind Verma (1999) *Journal: Policing: An International Journal of Police Strategies and Management* ISSN: 1363 – 951X (1999) Vol: 22 Issue: 3 p. 264 – 279.

⁷⁹ Sinden, B. Joyce Stephens (1999). *Police Perception of domestic violence: the nexus of victim, perpetrator, event, self and law*. Published by MCB UP Ltd p. 313 – 327. J

⁸⁰ Mary Ellsberg, in *Researching Domestic Violence against Women: Methodological and Ethical Considerations*, 2001

2.3.5. Ignorance of international and traditional Laws

Ignorance of the international human rights framework and national laws, and their application on child abuse issues and poor administration of justice, are causes of child abuse in the slum slums. District leaders, NGOs, local leadership in the slum slums are the first contact of slums and children yet they are ignorant of the laws that protect children. This has a general impact on how they deal with human rights and child abuse in slums. As a result, most slums and victims themselves do not know the proper procedures to follow in case their children are abused because of fear to report these cases. In addition, slums themselves are not aware that child abuse cases must be reported to the police for investigation and prosecution.

2.4. Effects of child abuse

An estimated 905,000 children were victims of child abuse or neglect in 2006 (U.S. Department of Health and Human Services, 2008). While physical injuries may or may not be immediately visible, abuse and neglect can have consequences for children, families, and society that last lifetimes, if not generations.

The impact of child abuse and neglect is often discussed in terms of physical, psychological, behavioral, and societal consequences. In reality, however, it is impossible to separate them completely. Physical consequences, such as damage to a child's growing brain, can have psychological implications such as cognitive delays or emotional difficulties. Psychological problems often manifest as high-risk behaviors. Depression and anxiety, for example, may make a person more likely to smoke, abuse alcohol or illicit drugs, or overeat. High-risk behaviors, in turn, can lead to long-term physical health problems such as sexually transmitted diseases, cancer, and obesity.

This factsheet provides an overview of some of the most common physical, psychological, behavioral, and societal consequences of child abuse and neglect, while acknowledging that much crossover among categories exists.

2.4.1. Effects of physical child abuse

The immediate physical effects of abuse or neglect can be relatively minor (bruises or cuts) or severe (broken bones, hemorrhage, or even death). In some cases the physical effects are temporary; however, the pain and suffering they cause a child should not be discounted. Meanwhile, the long-term impact of child abuse and neglect on physical health is just beginning to be explored. According to the National Survey of Child and Adolescent Well-Being (NSCAW), more than one-quarter of children who had been in foster care for longer than 12 months had some lasting or recurring health problem (Administration for Children and Families, Office of Planning, Research, and Evaluation [ACF/OPRE], 2004a). Below are some outcomes researchers have identified:

Shaken baby syndrome. Shaking a baby is a common form of child abuse. The injuries caused by shaking a baby may not be immediately noticeable and may include bleeding in the eye or brain, damage to the spinal cord and neck, and rib or bone fractures (National Institute of Neurological Disorders and Stroke, 2007).

Impaired brain development. Child abuse and neglect have been shown, in some cases, to cause important regions of the brain to fail to form or grow properly, resulting in impaired development (De Bellis & Thomas, 2003). These alterations in brain maturation have long-term consequences for cognitive, language, and academic abilities (Watts-English, Fortson, Gibler, Hooper, & De Bellis, 2006). NSCAW found more than three-quarters of foster children between 1 and 2 years of age to be at medium to high risk for problems with brain development, as opposed to less than half of children in a control sample (ACF/OPRE, 2004a).

Poor physical health. Several studies have shown a relationship between various forms of household dysfunction (including childhood abuse) and poor health (Flaherty et al., 2006; Felitti, 2002). Adults who experienced abuse or neglect during childhood are more likely to suffer from physical ailments such as allergies, arthritis, asthma, bronchitis, high blood pressure, and ulcers (Springer, Sheridan, Kuo, & Carnes, 2007).

Guedes, C. Alessandra (1998), describes the effects of physical child abuse in slum children as: severe abdominal pains, psychological trauma, physical under

development and female genital mutilation victims suffer extensive injuries⁸¹. He noted that the abused child's behaviour might become aggressive, disruptive, sad, withdrawn or depressed. They may have trouble sleeping or show fear of certain adults. They lack confidence and have low self-esteem, and may use drugs or alcohol. Children who are physically abused are likely to receive bone fractures and may have a higher risk of developing cancer. For some children, these difficulties can continue into adulthood and often end up abusing their own children. In other words, any person who has been reared in an environment of violence is more likely to inflict violence on others.

2.4.2. Effects of psychological or emotional child abuse

The immediate emotional effects of abuse and neglect— isolation, fear, and an inability to trust— can translate into lifelong consequences, including low self-esteem, depression, and relationship difficulties. Researchers have identified links between child abuse and neglect and the following:

Difficulties during infancy. Depression and withdrawal symptoms were common among children as young as 3 who experienced emotional, physical, or environmental neglect. (Dubowitz, Papas, Black, & Starr, 2002).

Poor mental and emotional health. In one long-term study, as many as 80 percent of young adults who had been abused met the diagnostic criteria for at least one psychiatric disorder at age 21. These young adults exhibited many problems, including depression, anxiety, eating disorders, and suicide attempts (Silverman, Reinherz, & Giaconia, 1996). Other psychological and emotional conditions associated with abuse and neglect include panic disorder, dissociative disorders, attention-deficit/hyperactivity disorder, depression, anger, posttraumatic stress disorder, and reactive attachment disorder (Teicher, 2000; De Bellis & Thomas, 2003; Springer, Sheridan, Kuo, & Carnes, 2007).

Cognitive difficulties. NSCAW found that children placed in out-of-home care due to abuse or neglect tended to score lower than the general population on measures of

⁸¹ Guedes, C. Alessandra (1998), Addressing gender violence in a reproductive and sexual health program in Venezuela

cognitive capacity, language development, and academic achievement (U.S. Department of Health and Human Services, 2003). A 1999 LONGSCAN study also found a relationship between substantiated child maltreatment and poor academic performance and classroom functioning for school-age children (Zolotor, Kotch, Dufort, Winsor, & Catellier, 1999).

Social difficulties. Children who experience rejection or neglect are more likely to develop antisocial traits as they grow up. Parental neglect is also associated with borderline personality disorders and violent behavior (Schore, 2003).

Brennenstuhl S. (2009) argues that, all victims of child abuse in slum slums experience psychological trauma and they manifest cognitive impairment including identity problems, self-esteem and self-blame. They feel paralyzed by terror, experience physical and emotional pain, intense self-disgust, powerlessness, hopelessness, worthlessness, apathy, denial and inability to function in their daily lives because their levels of functioning is often compromised. In the worst cases some children experience deep depression leading to chronic mental disorders and suicide⁸².

Research by Tomison (2000) examined that: psychological or emotional child abuse in slum creates a climate of fear and distancing themselves from the abuser, makes the child believe that the world is hostile; deprives a child essential stimulation and responsiveness, deprives emotional growth and intellectual development. He observed that the above description stimulates the child to engage in destructive anti-social behaviour, reinforces deviance and makes the child unfit for normal social experience. Tomison also noted that, these descriptions encourage children to lie, resent and retaliate, instead of loving, trusting and listening⁸³.

⁸² Brennenstuhl S (2009). "Making a link between childhood, physical abuse and cancer: results from a regional representative survey"

⁸³ Tomison, A. M. (1995). *Update on child sexual abuse* (Issues Paper No. 5). Melbourne: National Child Protection Clearinghouse, p. 2

2.4.3. Effects of child neglect

Not all victims of child abuse and neglect will experience behavioral consequences. However, behavioral problems appear to be more likely among this group, even at a young age. An NSCAW survey of children ages 3 to 5 in foster care found these children displayed clinical or borderline levels of behavioral problems at a rate of more than twice that of the general population (ACF, 2004b). Later in life, child abuse and neglect appear to make the following more likely:

Difficulties during adolescence. Studies have found abused and neglected children to be at least 25 percent more likely to experience problems such as delinquency, teen pregnancy, low academic achievement, drug use, and mental health problems (Kelley, Thornberry, & Smith, 1997). Other studies suggest that abused or neglected children are more likely to engage in sexual risk-taking as they reach adolescence, thereby increasing their chances of contracting a sexually transmitted disease (Johnson, Rew, & Sternglanz, 2006).

Juvenile delinquency and adult criminality. According to a National Institute of Justice study, abused and neglected children were 11 times more likely to be arrested for criminal behavior as a juvenile, 2.7 times more likely to be arrested for violent and criminal behavior as an adult, and 3.1 times more likely to be arrested for one of many forms of violent crime (juvenile or adult) (English, Widom, & Brandford, 2004).

Alcohol and other drug abuse. Research consistently reflects an increased likelihood that abused and neglected children will smoke cigarettes, abuse alcohol, or take illicit drugs during their lifetime (Dube et al., 2001). According to a report from the National Institute on Drug Abuse, as many as two-thirds of people in drug treatment programs reported being abused as children (Swan, 1998).

Abusive behavior. Abusive parents often have experienced abuse during their own childhoods. It is estimated approximately one-third of abused and neglected children will eventually victimize their own children (Prevent Child Abuse New York, 2003). Children who have been neglected can develop rebellious behaviours such as profound detachment from the parents, poor relationships with other people, poor interactive skills with other children or at times inappropriate attachment to anyone

who will pay attention to them. Many neglected children feel unworthy to interact with peers, may isolate themselves, and may encounter peer rejection. These abnormal behaviours in young children continue, as they get older and can transform into other personality or mental disorders that can be difficult and impossible to treat.

2.4.4. Effects of sexual abuse

While child abuse and neglect almost always occur within the family, the impact does not end there. Society as a whole pays a price for child abuse and neglect, in terms of both direct and indirect costs.

Direct costs. Direct costs include those associated with maintaining a child welfare system to investigate and respond to allegations of child abuse and neglect, as well as expenditures by the judicial, law enforcement, health, and mental health systems. A 2001 report by Prevent Child Abuse America estimates these costs at \$24 billion per year.

Indirect costs. Indirect costs represent the long-term economic consequences of child abuse and neglect. These include costs associated with juvenile and adult criminal activity, mental illness, substance abuse, and domestic violence. They can also include loss of productivity due to unemployment and underemployment, the cost of special education services, and increased use of the health care system. Prevent Child Abuse America estimated these costs at more than \$69 billion per year (2001).

C. J. Newton (2001), was concerned with the behavioural sexual abuse effects on slum children that included: HIV/AIDS infection, Sexual Transmitted Diseases, mutilated genitalia, unwanted pregnancy, stillbirth, premature delivery, miscarriage, abortion, menstrual disorder, grief, depression, post-traumatic stress disorder, anxiety, extreme dependency, mistrust, anger, hostility, isolation, aggression, bullying, paranoid behaviours, running away, shame and guilt, nightmares, regressive behaviours, bedwetting, attempted or completed suicide; feeling of insecurity, alcohol and drug abuse ⁸⁴. Other effects include psychosomatic

complaints of stomachaches and headaches, unwillingness to participate in social activities and anti-social behaviour, long absence from school, self harm including cutting and burning, pre-occupation with sex, aggressive sexual behaviours⁸⁵. The literature review revealed that many times children who have been abused become abusers themselves. Sometimes children remain silent after suffering rape and sexual abuse in order to avoid bringing in shame, violence, hostility, rejection and humiliation upon themselves or being blamed by their parents, family members and communities if they reported cases of sexual abuse to which they had been subjected.

2.4.5. Effects of forced and early marriage

Erica Royston and Sue Armstrong (2000) argue that high maternal deaths following too many pregnancies is a result of child marriage because young girls who get married are forced into sexual intercourse with their much older husbands. Girls are at higher risk because their older husbands may already be infected with HIV/AIDS or Sexually Transmitted Diseases in previous sexual relationships. This has severe negative health consequences, as the girl is often not psychologically, physically and sexually mature. Compared to her age, inexperience, and vulnerability, she is faced with the dominance and controls of her husband, who is empowered to keep her as a prisoner. This is a common phenomenon in the slum slums where the men are idle most of the time and maintain several sexual partners⁸⁶.

2.5. Conclusion

Much research has been done about the possible consequences of child abuse and neglect. The effects vary depending on the circumstances of the abuse or neglect, personal characteristics of the child, and the child's environment. Consequences may be mild or severe; disappear after a short period or last a lifetime; and affect the child

⁸⁵ C.J. Newton "Child Abuse: An Overview" Mental Health Journal, April 2001

⁸⁶ Erica Royston, Sue Armstrong. Preventing Maternal Deaths. WHO. 1989: 11

physically, psychologically, behaviourally, or in some combination of all three ways. Ultimately, due to related costs to public entities such as the health care, human services, and educational systems, abuse and neglect impact not just the child and family, but society as a whole.

Several authors in the literature review discussed forms, causes and effects of child abuse, which this study pursued during the fieldwork in selected slums Central Uganda. The major gap that the literature review indicated was a widespread and grave violation of human rights that children experience in the slum slums such as: inadequate protection and poor response on the child abuse cases by the police and district leaders. This inadequate response needs improvement so as to protect the vulnerable children from child abuse in the slum slums. In this light, legal framework is a useful means of stimulating relevant actors to protect slum children from being abused. This study therefore, emphasizes that better implementation of international framework and existing domestic law is the obligation of government to ensure protection of slum children. To this end, a major challenge is to ensure that the international framework, domestic laws and slum Policy should be widely disseminated to the stakeholders, so that internally displaced people, organisations working on their behalf and government officials can address human rights violations and child abuse problems in the slums in Uganda.

Recognition must therefore be made of the need to balance requirements of ending conflict in Africa, with the need to attend to the immediate phenomenon of child abuse and sexual harassment of children who are caught up in conflict. The dilemma lies in the heart of conflict, and is one that civilians, state officials, NGO workers and numerous actors have to deal with until conflicts come to an end in Africa.

CHAPTER THREE

RESEARCH METHODOLOGY

3.0. Introduction

This chapter discusses research design, area of study, population of study, sample size, sampling procedures, methods and instruments of data collection, data analysis, quality control and problem that were encountered and how they were overcome.

3.1. Research design

The research will employ qualitative in-depth interviews with the stakeholders. Case study methodology was selected because it is a particular method of qualitative research that involves in-depth examination of a single instance or event.

In this research design, the following tasks was accomplished: identification of the forms, causes and effects of child abuse in the slum; identification of the challenges faced by the local councils, community members, religious leaders, parents and NGOs and their responses to child abuse in the slum. Most importantly, the researcher explored how the laws regarding human rights and child abuse are employed to ensure children's protection.

The strength of this case study provided a systematic way of looking at events in the slum, collecting data, analyzing information, and reporting the results. As a result, the researcher gained a sharpened understanding of forms, causes and effects of child abuse.

3.2. Study Population

The study population constituted some community members in selected slums and key stakeholders such as district leaders, local council officials, NGOs dealing with children, parents, children, teachers and religious leaders.

3.3. Areas of study

The study was conducted in Central Uganda, Kampala District, in selected slums. The current operational areas include 7 (seven) slums of Kampala District namely Wandegeya (Katanga), Katwe I, Kisenyi II, Nakulabye, Naguru II, Wabigalo and Kibuli.

3.4. Sample selection

The researcher employed purposive sampling technique during the study because this was a small study where the population samples required a limited but significant number of people whose responses meet the objectives of the study.

3.5. Sample size

The sample included 50 respondents and key stakeholders to fill in the structured questionnaires.

3.6. Data collection

3.6.1. Primary sources

Data for this research was generated from observation of the conditions of slum children in selected slums. Informal interviews were conducted among the illiterate community members. Administering questionnaires to them facilitated the method better. More responses were solicited through the in-depth interviews with the key informants such as the slum leaders and local councils. This strategy helped to generate in-depth information with respect to forms, causes and effect of child abuse. Focus group interviews were also conducted to generate data from the teachers and parents of some abused children. This method was useful because the researcher was able to get responses from different parents and children in different schools. Data was also collected from vulnerable groups such as the elderly, youth, persons with disabilities and the women in the slum community.

3.6.2. Secondary sources

Data was generated from other sources, which was facilitating the review of literature: Kampala International University Library, Refugee Law Project Library, Uganda Human Rights Commission Library, Kampala District Administration offices, Kampala Human Rights Focus and Prime Minister's Office. Information got included district strategic plans, textbooks, government policies, workshop and seminar reports and journals.

3.7. Research instruments

3.7.1. Questionnaires

Self-administered questionnaire was administered to district leaders such as the police, District Health Officer, religious leaders, local councils, teachers, and UN staff of NGOs operating in the slum. The structured questionnaire was used to conduct interviews with the parents and children in schools.

The respondents selected were leaders in high offices who have substantial knowledge of human rights and child abuse. The researcher was able to get detailed information because of the open-ended nature of the questionnaire, where the respondents who could read and write may prefer.

3.7.2. Interview schedule

The use of the interview schedule was important for this study because of the need to have detailed and in-depth information about the abused children in selected slums in Central Uganda. The structured interviews were administered to the selected respondents in the slum who was found to be knowledgeable of the problem under investigation.

3.7.3. Interview guide

The researcher used interview guide for unstructured interviews to facilitate in-depth interviews and the focus group discussions. The target groups were comprised youth, women and elders. This was a suitable method for the research because of its

flexibility and advantage of helping the researcher to capture specific information from those who was interviewed. The method also gave the researcher full freedom to ask questions in whatever manner she may desire. It also allowed and facilitated interaction on controversial issues with key informants on important issues that had not been raised in the questionnaire.

3.8. Data analysis

This research was informed by the analytic techniques described by Blanche and Kelly (1999) by which a thorough description of the characteristics, processes, transactions and contexts that constitute the phenomenon being studied, as well as an account of the researcher's role in constructing this description. The data generated from the observations, interviews schedules, interview guides and questionnaires as well as from the documentary reviews was transcribed, grouped and categorised into coding frames indicative of the themes that emerged. These was then linked to the objectives of the study and later generalized and argued out in a detailed research report.

3.9. Limitation of the study and possible solutions to the constrains

The researcher may not get accurate information from some male respondents who may be themselves perpetrators of child abuse. They may fear that the researcher may report them to the authorities and may fear the repercussions that may be taken against them. However, the researcher took time to convince and explain to them the purpose of the research and her personal details.

Many abused children, especially girls, may be reluctant to give information on human rights abuses inflicted on them. They may try to protect themselves and their husbands. They may fear disclosing that they have suffered child abuse as this could make them lose social and economic support should their husbands be jailed.

3.10. Conclusion

The field research was successfully conducted because of the positive response and cooperation of the district leaders, NGOs, children, parents, teachers and slum community. However, information gathering from the internet proved expensive and information on slums was scattered through the newspapers, government reports, UN reports, workshop and conference reports as well as unpublished work. The researcher established an index system to categorize the various themes. Towards the end of fieldwork, the researcher felt impatient, nervous because of the need to frequent various offices to have the questionnaires filled by the correspondents and returned. However, all the 46 questionnaires were completed and returned.

CHAPTER FOUR

PRESENTATION OF RESEARCH FINDINGS

Introduction

This chapter presents the research findings, which the researcher compiled regarding child abuse in Kampala Slums. The presentation of these findings is divided into the following sub-sections based on the research objectives: forms of child abuse in selected slums in Central Uganda, causes and effects of child abuse in selected slums Central Uganda, possible policies, international, regional and national instruments that protect children and recommendations to district leaders, the slum community and GoU to recognize the urgent need to develop strategies for intervention and provide protection so that children are treated with respect and dignity.

Demographic Characteristics

This section presents the findings of different variables in reference to Kampala Slums. These include; gender, age, place of birth, level of education, occupation and the responsibilities held. These factors are further explained below;

4.1.1 Gender of Respondents

The total number of children that were interviewed in the two divisions was seventy (70). The research results show that out of the 70, 51.4% of the children were girls while 48.6% represented the boys.

Table 1: Distribution of respondents by gender

Gender	Frequency	Percentage	Valid Percent	Cumulative Percentage	
Female	36	51.4	51.4	51.4	
Male	34	48.6	48.6	100.0	
Total	70	100.0	100.0		

4.1.2 Place of Birth of the Respondents

Admittedly, the study area was Kampala slums and thus the research findings showed that the majority of the working children (90%) indeed were Kampala slums born. 10% of the children represented those that were born in the rural area (Fort Portal, Kiboga, Masaka, and Sembabule). However, notwithstanding their various places of birth or origin, as indicated in Table 2 below, the working children had one common objective of raising money for their survival or to supplement meagre family incomes.

Table 2: Distribution of respondents based on place of birth

Location	Frequency	Percentage	Valid Percent	Cumulative Percent
Rubaga	3	4.3	4.3	4.3
Kamwokya	2	2.9	2.9	7.1
Masaka	1	1.4	1.4	8.6
Sembabule	2	2.9	2.9	11.4
Kawempe	7	10.0	10.0	21.4
Nsambya	8	11.4	11.4	32.9
Naguru	4	5.7	5.7	38.6
Mulago	8	11.4	11.4	50.0
Nateete	1	1.4	1.4	51.4
Fort Portal	2	2.9	2.9	54.3
Katwe	1	1.4	1.4	55.7
Kibuli	1	1.4	1.4	57.1
Kalerwe	3	4.3	4.3	61.4
Kibuye	1	1.4	1.4	62.9
Nabweru	1	1.4	1.4	64.3
Banda	2	2.9	2.9	67.1
Mbuya	1	1.4	1.4	68.6
Kireka	1	1.4	1.4	70.0
Bugolobi	3	4.3	4.3	74.3
Kabalagala	2	2.9	2.9	77.1
Kiboga	2	2.9	2.9	80.0
Kavule	1	1.4	1.4	81.4
Nakawa	2	2.9	2.9	84.3
Ntinda	4	5.7	5.7	90.0
Kivulu	2	2.9	2.9	92.9
Kinawataka	1	1.4	1.4	94.3
Makindye	3	4.3	4.3	98.6
Ggaba	1	1.4	1.4	100.0
Total	70	100.0	100.0	

4.1.3. Age of the Respondents

Out of the seventy respondents, 20% were working children aged six years and under. The results indicated that the number of working children tends to increase with the advance in age. Accordingly, the percentage of respondents between the ages of 7 and 11 years was 34.3%, while that of children from 12 years onwards was 45.7% as indicated in Table 3 below. While it is logical to say that as the children advance in age they are getting towards the legal working age, the fact that they are engaging in several activities in Kampala Slums does not rule out the fact that they are still underage.

Table 3: Distribution based on Age group

Age	Frequency	Percent	Valid Percent	Cumulative Percent
6 years and under	14	20.0	20.0	20.0
7- 11 years	24	34.3	34.3	54.3
12 years and over	32	45.7	45.7	100.0
Total	70	100.0	100.0	

4.1.4. Size of the Family of the Respondents

The research findings brought to light the falsity of the general thinking that the number of siblings of the children in labour is the only key factor that drives them to work at a tender age. As the table below shows, the percentage of respondents (children in child abuse) was, 28.6% for children with two or less siblings, and the same percentage for children with five or more siblings. On the other hand, the percentage of respondents having between three and five siblings stood at 42.9%. This state of affairs encouraged the researcher to search for additional causes of child abuse, causes that could be added to “the size of the family of any given child in child abuse”.

Table 4: Size of Family of the respondents

Number of people	Frequency	Percent	Valid Percent	Cumulative Percent
2 and less	20	28.6	28.6	28.6
3-5	30	42.9	42.9	71.4
More than 5	20	28.6	28.6	100.0
Total	70	100.0	100.0	

4.1.5. Respondents' Abode

There was a variety of responses to the question, 'Do you live with your parent or a guardian?' While 37.1% of the respondents lived with their parents and 41.4% with their guardians, 21.4% indicated that they had found themselves a place of safety, which they considered, as their abode. These statistics indicated that parents and guardians played a role in the employment of children since the children who stayed with either of them were represented by a big figure as compared to those who stayed in places of safety.

Table 5: Distribution of respondents based on Parentage and Place of Abode of Respondents

Response	Frequency	Percent	Valid Percent	Cumulative Percent
Parent	26	37.1	37.1	37.1
Guardian	29	41.4	41.4	78.6
Place of safety	15	21.4	21.4	100.0
Total	70	100.0	100.0	

4.1.6. Employment of the Parents of the Respondents

Children's involvement in work also depended on whether their care takers (parents and guardians) worked or not. The research findings indicated that most responded in affirmative, with 47.1%. This indicates that the children assisted in daily home

4.1.9. School Attendance by the Respondents

The level of school attendance also determined the rate at which children engaged in work. The research clearly indicates that only 20% of the respondents (working children) attended school on a daily basis, the same percentage that applied to children who attended at least once or twice a week. Children who attended thrice a week comprised 14.3% overall, with 45.7% not attending school at all. This percentage clearly indicates that children who did not attend school engaged in various activities to earn a living. Such activities include those listed in Table 10.

Table 9: Level of School Attendance by the Respondents

Responses	Frequency	Percent	Valid Percent	Cumulative Percent	
Every day	14	20.0	20.0	20.0	
Once or twice	14	20.0	20.0	40.0	
Three times	10	14.3	14.3	54.3	
None	32	45.7	45.7	100.0	
Total	70	100.0	100.0		

4.1.10. Career Aspirations of the Working Children

Despite the lack of education for some of the respondents, they had various career aspirations. This showed that they were interested in education though they could not afford. For instance, the study indicated that 15.7% aspired to be business men and women, 12.9% as doctors, 8.6% as teachers and 5.7% as lawyers. It is important to note however that some respondents also did not have any career aspirations, while others hoped for careers that did not require higher qualifications. For instance, some just hoped for life, represented by 2.9%.

Table 10: Career aspiration of the respondents

Career aspirations of the children	Frequency	Percent	Valid Percent	Cumulative Percent
Politician	2	2.9	2.9	2.9
Teacher	6	8.6	8.6	11.4
Mechanic	2	2.9	2.9	14.3
Lawyer	4	5.7	5.7	20.0
Business woman/man	11	15.7	15.7	35.7
Policeman	3	4.3	4.3	38.6
Journalist	1	1.4	1.4	40.0
Accountant	2	2.9	2.9	42.9
Doctor	9	12.9	12.9	55.7
Engineer	1	1.4	1.4	57.1
Manager	2	2.9	2.9	60.0
Nurse	2	2.9	2.9	62.9
Pilot	3	4.3	4.3	67.1
Good wife	4	5.7	5.7	72.9
Computer -Expert	1	1.4	1.4	75.7
Footballer	3	4.3	4.3	80.0
Disco - Jockey	1	1.4	1.4	81.4
Chef	1	1.4	1.4	82.9
Hair- Stylist	1	1.4	1.4	84.3
Driver/ Boda-boda cyclist	1	1.4	1.4	85.7
Member of Parliament	3	4.3	4.3	90.0
Music Artist	3	4.3	4.3	94.3
Model	1	1.4	1.4	95.7
Nothing so long as I live	2	2.9	2.9	98.6
Mid- wife	1	1.4	1.4	100.0
Total	70	100.0	100.0	

4.1.11. Reasons for Missing School

In regard to the research findings, the children gave different reasons as to why they were not in school at that very point of contact. These ranged from the failure to raise school fees, the lack of scholastic materials, orphan hood, the lack of teachers and capacity full classes, the lack of interest to study, having a job to mistreatment by care takers. Most respondents said that they were not in school because their parents could not afford school fees, taking a percentage of 32.9%. This percentage was followed by those who were employed at 18.6%, those that could not afford scholastic materials and fees at 11.4%, those that were not interested in studying were represented by 8.6% and orphan hood at 5.7%. Other miscellaneous reasons that were given included; waking up late, beating by the teachers and staying at home to help parents.

Table 11: Reasons for respondents not being able to attend to school

Responses	Frequenc y	Percen t	Valid Percent	Cumulative Percent
Lack school fees	23	32.9	32.9	32.9
Lack scholastic materials	8	11.4	11.4	44.3
Employed	13	18.6	18.6	62.9
Orphan hood	4	5.7	5.7	68.6
Not interested in studying	6	8.6	8.6	77.2
No teachers and the classes are filled to capacity	3	4.3	4.3	81.5
Went to school and came back	3	4.3	4.3	85.8
Transport costs are high	2	2.9	2.9	88.7
My parents told me I will attend next week	1	1.4	1.4	90.1
They refused me to study	1	1.4	1.4	91.5
I was suspended	1	1.4	1.4	92.9
Others	5	7.1	7.1	100.0
Total	70	100.0	100.0	

4.1.12. Daily Earnings through Child abuse

The children who participated in various informal activities earned not more than 15,000 UGX. Those who earned between 4000 and 6000 were 32.9% comprising the

biggest percentage. This was followed by those who earned between 1000 and 3500 with 31.4%, 10,000 to 13,500 took a percentage of 12.9%, those who did not work and therefore cannot earn and those who got above 13,500 occupied the same percentage at 8.6% and those who earned between 7000 and 9500 occupied the least percentage with 5.7%. The children who engaged in commercial sex and domestic service earned a lot more. For child prostitutes, it depended on the number of clients, and those that worked in domestic service were paid between 25,000 and 50,000 shillings.

Table 12: Daily earning of the respondents from what they do

Amount earned	Frequency	Percentage	Valid Percent	Cumulative Percent
UGX 1000-3500	22	31.4	31.4	31.4
UGX 4000-6500	23	32.9	32.9	64.3
UGX 7000- 9500	4	5.7	5.7	70.0
UGX 10,000- 13500	9	12.9	12.9	82.9
Above UGX13500	6	8.6	8.6	91.4
Does not work/ earn	6	8.6	8.6	100.0
Total	70	100.0	100.0	

Main Causes of Children's Abuse in Kampala Slums

The study further indicated the main causes of child abuse/why children engaged in work in Kampala Slums. Several reasons were given and the most outstanding was domestic violence with 36.36%. This percentage was followed by weak laws in the country with 27.27%. Uganda has many laws both national and international but most have not been enforced. Other causes of children's participation in Kampala Slums included; poverty, lack of basic needs, negligence of care takers and the lack of viable economic activities, all represented by 9.09%.

Table 13: Main causes of Child Abuse

Main causes	Frequency	Percent	Valid Percent	Cumulative Percent
Weak Laws in the country	3	27.27	27.27	27.27
Domestic violence	4	36.36	36.36	63.63
Lack of viable economic activities	1	9.09	9.09	72.72
Negligence of care takers	1	9.09	9.09	81.81
Lack of basic needs	1	9.09	9.09	90.9
Poverty	1	9.09	9.09	100.0
Total	11	100.0	100.0	

Children in Kampala Slums engaged in different activities for survival. The findings indicated that children were involved in commercial sex, selling merchandise, domestic work, serving in restaurants, petty trade, work at construction sites, begging, collecting scrap, brewing alcohol, carrying luggage and quarrying. These activities were all the children could engage that ‘fits’ their age and the payments they were given sometimes did not exceed 10,000 Uganda shillings.

Table 14: Main Activities within Kampala Slums

Activities	Frequency	Percent	Valid Percent	Cumulative Percent	
Begging, prostitution, collecting scrap, fishing, selling merchandise.	1	9.09	9.09	9.09	
Brewing alcohol, prostitution, fishing, collecting metallic scrap, serving in restaurants	1	9.09	9.09	18.18	
Business assistance, collecting scrap, prostitution, domestic work like being a house boy and house girls.	1	9.09	9.09	27.27	
Collecting scrap, prostitution, fishing, house cleaners, farming.	1	9.09	9.09	36.36	
Collecting scrap, spraying chemicals, in farms, prostitution.	1	9.09	9.09	45.45	
Domestic work as maids (girls), commercial sex, working in stone quarries, carrying luggage.	1	9.09	9.09	54.54	
Fishing, quarrying, sugarcane plantations, construction sites.	1	9.09	9.09	63.63	
petty trade, begging for money	1	9.09	9.09	72.72	
Quarrying, carrying heavy loads like luggage, vending.	1	9.09	9.09	81.81	
Quarrying, hawking, prostitution, casual labourers.	1	9.09	9.09	90.9	
Waitress, house maids, working in plantations, commercial sex.	1	9.09	9.09	100.0	
Total	11	100.0	100.0		

The community's perception of child abuse was seen more as a positive investment than negative. Child abuse was embraced in most communities as it is seen as a way of supplementing meagre family incomes. Traditionally, children were also supposed to work and as such embraced. It was also noted that there was a possibility that the members of the community were not aware of the laws in place and their mandate as custodians of the law to prevent and detect child abuse within their areas of residence. On the other hand, a section of the community did not embrace child abuse and they were of the view that children should only engage in light work. The community was also aware of the dangers of child abuse to children's health.

Table 15: Community's Perception about Child abuse

	Frequency	Percent	Valid Percent	Cumulative Percent	
Children are supposed to do light work and for those above the ages of 14 they can do work but under the supervision of an elder.	1	9.09	9.09	9.09	
Different communities perceive realities differently but most people know it is a bad thing because no one wants their child to go and work as a maid.	1	9.09	9.09	18.18	
Due to traditions in Africa, things such as child abuse do not exist.	1	9.09	9.09	27.27	
In my view, the community is aware about child abuse and its dangers but they lack the responsibility to report or talk to those encouraging and participating in it.	1	9.09	9.09	36.36	
It is both positive and negative; on the positive part, they contribute to the family income, and negatively, it dangers children's health.	1	9.09	9.09	45.45	
It is likely that the community is not aware of the laws in place and their mandate to prevent and detect child abuse within their areas.	1	9.09	9.09	54.54	

Many communities see child abuse as supplementing household income and are comfortable.	1	9.09	9.09	63.63	
Some people have acquired the knowledge about child abuse but some have gone ahead to indulge these children in work.	1	9.09	9.09	72.72	
The community still ensures children should be labourers, which should not be the case.	1	9.09	9.09	81.81	
They do not see any problem simply because they cannot differentiate between child work and child abuse.	1	9.09	9.09	90.9	
Traditionally children are supposed to work and today children of a given age are supposed to work. Traditionally even a 3 year old would go hunting with the father and as for today, it is still among some community members.	1	9.09	9.09	100.0	
Total	11	100.0	100.0		

Effects of Children's Child abuse in Kampala Slums

Children's upbringing in a home involves such activities that are in most cases seen as mandatory and those that supplement family incomes to meet basic needs. The study indicated that children were told to engage in work so as to be responsible, acquire knowledge of day today work, and increase family production and to meet scholastic materials. On the other hand, there were some families that outright were against child abuse as it was seen as a hindrance to pursuing an education and the conditions of labour not being favourable for the children to work (health hazard).

Table 16: Positive Effects of Child Abuse

	Frequency	Percent	Valid Percent	Cumulative Percent	
	1	9.09	9.09	9.09	
Children contribute to the production levels of the community.	1	9.09	9.09	18.18	
If it is light, work a child grows up as a responsible person being able to do a little housework.	1	9.09	9.09	27.27	
If the children do, light work they are kept busy and they acquire added knowledge of day to day work.	1	9.09	9.09	36.36	
Increases household income.	1	9.09	9.09	45.45	
Learns responsibility, supplements family income and labour.	1	9.09	9.09	54.54	
No because they miss out opportunities like education, they also endure a lot and these conditions are not favourable for them to work.	1	9.09	9.09	63.63	
I do not agree to the question because I do not believe in child abuse.	1	9.09	9.09	72.72	
There are positive effects.	1	9.09	9.09	81.81	
They add income to the family, they contribute to scholastic materials, acquire skills for survival.	1	9.09	9.09	90.9	
To earn on income, supplement household income.	1	9.09	9.09	100.0	
Total	11	100.0	100.0		

The community at large embraced child abuse as children basically provided cheap means of labour to Kampala Slums. Children's involvement in work also meant acquisition of skills (apprenticeships) to children and supplemented the labour shortage as a form of alternative level of employees in Kampala Slums.

Table 17: Positive Effects of Child Abuse (b)

	Frequency	Percent	Valid Percent	Cumulative Percent
Supplements family income	5	45.45	45.45	45.45
Brings in cheap labour force.	1	9.09	9.09	54.54
Nothing	1	9.09	9.09	63.63
Provision of cheap labour to Kampala slums labour force, skills and apprenticeship to children.	1	9.09	9.09	72.72
Skills acquisitions	1	9.09	9.09	81.81
They are alternative means of employment in Kampala Slums.	1	9.09	9.09	90.9
They have misused children I cannot say there are positive effects.	1	9.09	9.09	100.0
Total	11	100.0	100.0	

Children's participation in several activities exposed them to a number of health hazards in addition to failure to pursue an education. Children for instance according to the findings were exposed to sexual exploitation especially those who worked as domestic servants, HIV and early pregnancies, retarded growth, prone to crime (children in crime), accidents, psychological stress, bad behaviour and child violence. It is to a large extent that children were affected by their involvement in child abuse. Their positive contribution to the family and the community at large is overridden by the negative consequences.

Table 18: Negative Effect of Child Abuse

	Frequency	Percent	Valid Percent	Cumulative Percent
Accidents, contraction of HIV, exposure to sexual exploitation and abuse.	1	9.09	9.09	9.09
Children are denied their rights like right to education.	1	9.09	9.09	18.18
Children have missed their childhood and some end up not going to school, easy spread of diseases.	1	9.09	9.09	27.27

Collecting of metal scraps expose children to dangerous weapons like bombs and other dangerous gases, those who beg stand high chances of getting HIV, early pregnancies and eventually early marriages.	1	9.09	9.09	36.36	
Easy spread of diseases, accidents, the children end up becoming criminals.	1	9.09	9.09	45.45	
Exploitation of children, failure to attain formal education	1	9.09	9.09	54.54	
Interferes with children education/drop out of school, affects normal child growth.	1	9.09	9.09	63.63	
It is harmful to their health, distracts their education, and hampers child growth and development.	1	9.09	9.09	72.72	
Prone to crime, develop diseases when very young, they develop bad habits.	1	9.09	9.09	81.81	
Psychological consequences	1	9.09	9.09	90.9	
These children suffer violence whereby they are even beaten and punished by the people they work for, they are also exploited and this makes them hard to enjoy their rights. Some kids like girls are sexually abused and this makes them vulnerable to HIV/AIDS.	1	9.09	9.09	100.0	
Total	11	100.0	100.0		

The research findings according to Table 19 below indicate that children were widely exposed to risks and criminal activities since they worked till late and thus affected negatively. The children were exposed to defilement, accidents, health risks like catching pneumonia, dropping out of school and high chances of becoming criminals. Children in crime become a nuisance to the community as a whole in form of criminal gangs and yet still, they also come out as children in conflict with the law. The community on the other hand benefited from cheap employment although it

can be noted that the adults stayed unemployed, an effect that further facilitated child abuse.

Table 19: Negative Effects of Child abuse

	Frequency	Percent	Valid Percent	Cumulative Percent
Health hazards	3	27.27	27.27	27.27
Children are used in crime since they move till late, they are victims of sexual abuse.	1	9.09	9.09	36.36
Children who beg on streets are at a high risk of being abused like defilement, getting diseases like pneumonia.	1	9.09	9.09	45.45
Creates unemployment to adults since children are employed cheaply, child's rights are abused by employers.	1	9.09	9.09	54.54
Denies adults employment, lack of skills.	1	9.09	9.09	63.63
Exploitation of children, school dropouts, abuse of child rights.	1	9.09	9.09	72.72
Being idle as a result of begging makes children become criminals.	1	9.09	9.09	81.81
Most kids like those who beg on the streets stand high chances of becoming prostitutes.	1	9.09	9.09	90.9
These children suffer violence, exploitation and sexual abuse, which expose them to the risk of catching HIV/AIDS, have learning problems and poor physical and mental health.	1	9.09	9.09	100.0
Total	11	100.0	100.0	

Information on policies that protect child abuse

This subsection presents strategies and initiatives that have been adopted by the institution of the state, NGO's, CSO's and international organizations in addressing the problem of child abuse.

A total of eleven key informants were interviewed. Institutions that represented the state were; the Ministry of Gender, Labour and Social Development and the Uganda

Police Force (CFPU), international organizations included; UNICEF, ILO, Save the Children and Invisible Children, lead local CSO's including; Raising Voices (CEDOVIP) and NGO's like ANPPCAN Uganda Chapter. The researcher managed to get views from these different institutions, data of which was largely significant to the study.

Table 20: Key informants in the policy making process

Institution	Frequency	Percent	Valid Percent	Cumulative Percent
UNICEF	1	9.09	9.09	9.09
ANPPCAN -Uganda Chapter	2	18.18	18.18	27.27
Raising Voices	2	18.18	18.18	45.45
Invisible Children	1	9.09	9.09	54.54
Save the Children	1	9.09	9.09	63.63
Uganda Police Force (CFPU)	2	18.18	18.18	81.81
International Labour Organization	1	9.09	9.09	90.9
Ministry of Gender, Labour and Social Development	1	9.09	9.09	100.0
Total	11	100.0	100.0	

The above institutions based on their mission statements had a major goal of protecting the child. The research findings from the key informants indicated that the institutions aimed to improve the health of the children through improving their nutritional status, encourage their education, protection against child abuse and neglect, provide psychosocial support, law and order, enforce laws and to mobilize resources to build capacity for the children.

Table 21: Principle goal of policy makers

Principal Goal of the Institution	Frequency	Percent	Valid Percent	Cumulative Percent
Protect and promote children's rights	2	18.18	18.18	18.18

Improve on the nutritional status of all children under the age of 5, we provide protection to the children; we focus on food health, education for the children and women.	1	9.09	9.09	27.27	
Improving quality of life, provision of improved livelihood.	1	9.09	9.09	36.36	
Protection against child abuse and neglect, address challenges of child abuse and neglect in Africa, uphold an African society free of child abuse.	1	9.09	9.09	45.45	
Responsible for preventing violence against women and children, have violence free communities.	1	9.09	9.09	54.54	
To keep law and order, to protect life and property, to detect and investigate crime.	1	9.09	9.09	63.63	
To offer direct protection to children, fight abuse and neglect and address the challenges in Africa, provide psychosocial support to children in labour, we provide resources to sensitise the community.	1	9.09	9.09	72.72	
To protect life and property, to enforce laws of Uganda, to ensure public safety, to prevent and detect crime in society (POLICE).	1	9.09	9.09	81.81	
To provide technical support and capacity building on violence against women and children, human rights advocacy, to provide management support to both the children and women who are violated.	1	9.09	9.09	90.9	
To work towards the human development goals, peace and social progress, promote equal rights of women and girls, advocate for protection of children's rights, mobilize resources that help in building the capacity of children.	1	9.09	9.09	100.0	
Total	11	100.0	100.0		

According to the research findings, the institutions representing the government, the international community and civil society had various initiatives on addressing the issue of child abuse. These included but not limited to; awareness raising on the rights of the child, building and strengthening structures for child protection, policy influence and advocacy, service delivery, school peer group programmes, enforcement of labour laws, media campaigns, research, training and monitoring programmes. All these initiatives were and are aimed at combating child abuse.

Table 22: Initiatives by policy makers to address child abuse

	Frequency	Percent	Valid Percent	Cumulative Percent	
Awareness raising and sensitization, building and strengthening structures for child protection, policy influence and advocacy, service delivery.	1	9.09	9.09	9.09	
Community sensitization programmes and media programmes, school peer group programmes, stakeholder sensitization programmes.	1	9.09	9.09	18.18	
Coordinating stakeholders against child abuse, National Child abuse Policy should be implemented.	1	9.09	9.09	27.27	
Enforcement of labour laws, sensitization of the rights of children, sensitizes the community not to employ young children under 18 years.	1	9.09	9.09	36.36	
Religious and media campaigns against physical, sexual and emotional violence.	1	9.09	9.09	45.45	
Research, i.e. the results help inform the public to raise awareness on fighting child abuse.	1	9.09	9.09	54.54	
Sensitization of parents/guardians about the negative implications of child abuse, formation of child rights.	1	9.09	9.09	63.63	
We conduct research studies and this helps us learn the nature of	1	9.09	9.09	72.72	

the problem, we have also provided communication materials to the communities that help in educating about child abuse.					
We have a community based growth monitoring programme that identifies the children in need; we provide necessities to the children.	1	9.09	9.09	81.81	
We have created research clubs in schools that help teach the kids about child abuse.	1	9.09	9.09	90.9	
We have trained people including teachers and village teams about child abuse; we also have a toll free number (child help line) that is used to report these cases.	1	9.09	9.09	100.0	
Total	11	100.0	100.0		

According to the research findings, several interviews from key informants indicate that their institutional initiatives have been effective; however, it is to a large extent that they largely blame the poor enforcement of available laws addressing child abuse and the weak and less facilitated structures by the government. Children who worked in private premises, who in most times are ‘invisible’ to the public were also identified as a hindrance to addressing child abuse. It was noted that media campaigns on child abuse have been wide spread including grass root sensitization, children have opted for education and knowledge acquisition and not work.

Suggested and Recommended Measures to Contain the Situation of Child abuse

According to the research, respondents suggested various recommendations to address the problem of child abuse in Uganda. For instance, it was suggested that the efforts to encourage children to attend school should be uplifted. Details about the way forward with regard to reducing children’s involvement in the labour force in Kampala Slums in Uganda are listed down in Table 23 below.

Table 23: Recommended strategies to fight child abuse

	Frequency	Percent	Valid Percent	Cumulative Percent
Encourage education for children.	1	9.09	9.09	9.09
Institutional reforms ensure that we have peace amongst families, communities should sensitize the people.	1	9.09	9.09	18.18
More sensitization on child abuse to political leaders.	1	9.09	9.09	27.27
Political will, enforcement of laws, sustainable awareness on the dangers of child abuse	1	9.09	9.09	36.36
Preventive measures, community should report any suspicious cases of child abuse to the nearest police station.	1	9.09	9.09	45.45
Provision of alternative livelihood to poor families, involvement and retention of children in schools.	1	9.09	9.09	54.54
Sensitization of the community and informal sector, strengthening laws on child abuse, ensure national labour identification to all employers in the country.	1	9.09	9.09	63.63
Strict laws governing child abuse, children need to be educated more by their parents and should be responsible as well.	1	9.09	9.09	72.72
Strict laws, the education system should be expanded to include human rights and child rights curricular.	1	9.09	9.09	81.81
The government should engage more in policy development, law reform and planning/budget discussion at all levels to help reduce on the rate of children working, educate the population on the dangers of child abuse.	1	9.09	9.09	90.9
The government should go ahead and educate the public about the advantages of UPE and USE programmes so as to keep children at school, and schools should teach rights to children.	1	9.09	9.09	100.0
Total	11	100.0	100.0	

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

Introduction

This study was guided by a welfare model that was based on the welfare principle in the Children's Act Cap 59, which underscores the supremacy of the welfare of the child. As noted earlier on in Chapter One of this thesis, this principle has developed simultaneously with the concept of transforming parental power into parental responsibility. The core of this principle includes, but not limited to the protection of minors, the widening of the parameters of parental liability, the state duty towards children and the courts' task of supervising and ensuring parental care.

SUMMARY OF FINDINGS

The research findings presented a high percentage of the child respondents to be girls. This finding of a study conducted by the researcher tends towards substantiating the results of major studies, which exhibited a voluntary disregard of the education of girl children by parents; that is, parents favouring girl child abuse in the place of girl child education Holmes (2003) and Odaga O. and Heneveld W (1995).

Notwithstanding the fact that the research was conducted in a Kampala slums area, the results of this research work showed that most of the working children were Kampala slums born (90%), a community of which highly embraced child abuse. Following Bickel and Pagaiannis (1988), one could argue that Kampala slums communities can influence children to stay away from schooling, since such communities provide employment opportunities during school days. The study further indicated that the community's perception of child abuse was seen more as a positive investment than negative.

The above given instances based on the gender and place of birth of the working children present situations whereby the welfare of the child is certainly not a priority. The Children's Act in Section 5 (1) provides for duties to maintain a child and provides specific rights to include that on education and guidance (Section 5 (1) (a)), and protection from discrimination, abuse, violence and neglect (Section 5 (2)). In Section 6 (1) and (2) and Section 31 (1), the Act further provides for parental responsibility and an alternative to foster parentage, relatives and approved homes in case of death of biological parents. However, the evidence listed in the literature and research findings indicates that there is sheer negligence of responsibility to protect and care for the child. Who, then, should shoulder the responsibility of realizing the demands of this principle vis-à-vis the situation of children in child abuse?

The Children's Act, Cap 59 presents the state's responsibility in child protection. In Section 10 (1) (a) and (b), the local government councils are supposed to safeguard and promote the welfare of children within its jurisdiction and designate a secretary for children's affairs. The local council is to mediate in those circumstances where the rights of the child are infringed upon (Section 10 (3)). This however means that; both the parents and the state shoulder the responsibility of realizing the welfare principle through making the wellbeing of children a priority.

Accordingly, the above given instances of children engaged in work indicate that both the parents and the state have in various ways neglected their duties and obligations towards the children who were interviewed. One could even argue that the bigger blame should be put on the state, which has obviously seen the failure of parents to fulfil their parental responsibility and done little to reverse the sad state of those children's affairs. In this regard, the Children's Act demands that where there is failure in the discharge of parental duties and obligations, the state steps in by assuming the responsibility or the position of the parents.

The research findings further on presented us with information about the size of the family, parentage and place of abode, and the employment of the parents. In the case

of the available research findings, it was observed that these matters regarding the child's family could turn into determining factors that alter the welfare of the child.

This point of observation appears to be supported by evidential literature in the secondary data; for instance, the Central Intelligence Agency Fact Book (2011), in which it is observed that child abuse in Uganda grows its roots in the family. The family is seen as a contributing factor to the causes of child abuse especially with regard to family functioning and stability. The factors that threaten both the nuclear and extended families weaken family ties and facilitate child abuse. According to the Central Intelligence Agency Fact Book (2011), Total Fertility Rate (TFR) in Uganda is estimated at 6.69 children born per woman. The large size of the family is it polygamous or monogamous, is a contributing factor to child abuse given the fact that the bigger the number of children, the less the affordability of school fees for poor families is.

Other contributing factors to the situation of child abuse in respect to family characteristics include poor parenthood, education of the parents, and employment. The findings in Chapter 4, Table 8 indicated that 47.1% of children had their parents employed/working, 41.4% were unemployed and the remaining 11.4% worked sometimes. These findings are augmented by the Eliezah Foundation Initiative Uganda Report (2010) which indicated that individual and household poverty limits people's choices in life. The report further indicates that more than 70% of the population in Uganda earns less than 2000 UGX a day and over 80% of the total population depends on the remaining 19.9%. This explains the fact that the looming household poverty at times drives children to "labour for survival" and thus hinders them from attaining education in school.

As it was mentioned previously, the Children's Act Cap 59 demands that where there is failure in the discharge of parental duties and obligations, the state takes over that responsibility. In this case, the state is charged with the responsibility to hold paramount the welfare of children and families. Where the state fails in discharging

this responsibility, the welfare of the child is not guaranteed. The findings that are analysed highlight this failure on the part of the state.

As the findings indicate, many children engage in several work activities. The participation of children in these activities means that many of them were not receiving formal education, while others attended school irregularly. Findings indicate that 45.7% of the respondents were not attending school.

The discussion about the existing strategies on child abuse in the Kampala slums sector shall be conducted against the background of the following ethical standards: the obligation to maintain objectivity, integrity and competence in the protection of children; and the responsibility to promote effectiveness of the child life profession.

As it was the case in the fore-going section (5.1), the overarching argument in this discussion is when the above-mentioned ethical standards are realized, the welfare of children is guaranteed and children would most probably not end up working; but when the same standards are neglected, there is a correlated result of children ending up in labour.

Despite the existence of several institutional organizations with the responsibility of advocating and protecting the rights of the child, it is the sole responsibility of every citizen to report cases of child abuse and neglect since the rights of the child and their welfare are of paramount importance according to both national and international laws. The Government of Uganda, together with the NGO's, international organizations and CSO's like the ILO, Save the Children and ANPPCAN, have according to their principle goals designed strategies on how the issue of child abuse can be addressed. Major institutions in Uganda, as listed in, have come up with several initiatives to tackle the problem of child abuse.

Institutional initiatives have supplemented already existing mechanisms to address the root cause of child abuse including; national and international laws, policy and programme frameworks including; UPE, USE and the ILO–IPEC. The Government

of Uganda viewed through the Ministry of Gender, Labour and Social Development, and lines Ministries including; the Ministry of Education and Sports, Health, and Internal Affairs, has the state responsibility to protect children's rights. These Ministries ought to work hand in hand with CSO's, NGO's and the international community to address the issue of child abuse in Kampala Slums.

The available different mechanisms on child abuse in Uganda are in line with the demands of the international laws on child abuse, which require state parties to recognise the rights of the child to be protected from exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual or moral and social development (Article 31, United Nations Covenant on the Rights of the Child). However, given the magnitude of child abuse in Kampala Slums in Uganda one could argue that the good mechanisms are not well implemented.

Further, similar to the demands of the UNCRC, the welfare principle also requires that the welfare of the child be supreme. According to the Children's Act, a child shall have the right to exercise all the rights set out in the United Nations Covenant on the Right of the Child and the African Charter on the Rights and Welfare of the Child with appropriate modifications to suit the circumstances in Uganda that are not specifically mentioned in this Act (First Schedule 4(c)).

However, while the state is good at making and enacting laws, the implementation of these policies and laws on child abuse has been deficient. This lets many wonder as to whether the Government is playing its role in addressing the problem of child abuse, since it is on the increase in the country.

The discussion about the measures that were suggested by the respondents regarding child abuse in Kampala Slums shall be conducted against the background of the following ethical standard: the duty to update and enhance the general understanding of issues affecting children.

Once again, the overarching argument in this discussion is: when the above-mentioned ethical standards are realized, the welfare of children is guaranteed and children would most probably not end up working; but when the same standards are neglected, there is a correlated result of children ending up in labour.

The welfare of the child being supreme, institutional organizations including the Government as the supreme body, international organizations, CSO's and NGO's with or without the support from the donor community, have the duty to update and enhance the general understanding of issues affecting children. The institutional bodies that were contacted through this research suggested solutions on how children's involvement in the labour force in Uganda and in particular Kampala Slums can be reduced or still done away with. .

More so, in an attempt to elaborate on the state's duty to update and enhance the general understanding of issues affecting children, we may consider good work done by NGO's, CSO's and the international community against child abuse. These institutions have championed the advocacy of children's rights and elimination of child abuse through the NGO Advocacy for Policy Formulation. For instance, these organizations have participated at different levels of policy formulation, dissemination and implementation.

With support from the GoU and the donor community, these NGO's, international organizations and CSO's have implemented advocacy and withdrawal programmes for victims in child abuse. These organizations include; CEDOVIP, ANPPCAN Uganda Chapter, Invisible Children and ILO. Nevertheless, the Ugandan general public, which knows little about the magnitude of issues affecting children, needs to be updated on the achievements made by these organisations as well as the challenges they are confronted with. This would be a contribution to attracting public sympathy for the situation of the children here in question and it would most probably also motivate the public to be involved in enhancing the welfare of children.

CONCLUSIONS

An investigation into the aspect of child abuse in Kampala Slums revealed that child abuse was on an increase every day, and was estimated at a magnitude of over 2 million. Although more girls than boys participated in various activities of Kampala Slums, it was observed that all the children worked in order to supplement meagre family incomes. The lack of family income, and or its inadequacy explained the major reason why children were not in school – the lack of school fees. The children that engaged in different informal activities were exposed to health and safety risks and their right to education was highly compromised since the level of school attendance was affected by the time spent at work.

The research findings also indicated that despite the existence of national, regional and international laws on child abuse, there was a general lack of enforcement and implementation of the legislation. This further facilitated a breeding ground for the phenomenon of child abuse.

Further, from the findings, there was a general wave of indifference among members of the community and the state. The fact that a legal framework was in place had been done to enforce it. On the other hand, the fact that the community looked at child abuse as a positive investment and thus overlooking its negative implications little was done to report such cases and to deter from providing employment opportunities to the children. On the side of the child, ignorance of their rights further facilitated child abuse and given the fact that children in domestic service were highly ‘invisible’, addressing the problem of child abuse was far from over.

Despite the introduction of the Universal Primary and Secondary Education Programmes in 1997 and 2007 respectively, it has been noted in the research findings that there are many children not enrolled in schools. The main reasons for this disorder are; the lack of school fees and the lack of scholastic materials, on the side of the parents and the employment of children. Though we can acknowledge that Universal Education increased the Net Enrolment Ratio to approximately 50%

(DFID, 2010), the challenge that accrued out of this entailed limited facilities in terms of classrooms and the lack of teachers which later on led to child school dropouts. This spells out a deficiency in our education system, since even the newly introduced USE has not helped much in attracting more students from child abuse to school.

RECOMMENDATIONS

Based on the findings of the study in regard to protection and promotion of the welfare of the child, the respondents gave a way forward and accordingly, the recommendations that were developed from the study included; Earlier on in the background of the study (Section 1.2), we noted that the main organ of the state responsible for matters regarding labour in Uganda is the Department of Labour Employment and Industrial Relations in the Ministry of Gender, Labour and Social Development. This organ should compose, subscribe to and educate the population about a body of ethical principles against child abuse.

a) Composing the Ethical Principles

The Department of Labour Employment and Industrial Relations should compose a set of ethical principles, which are in accordance with internationally, regionally, nationally and socially recognized or accepted children's rights. Such ethical principles ought to be derived primarily for the benefit and protection of children and families where the possibility of engaging persons below 18 years of age exists.

b) Subscribing to the Body of Ethical Principles

It is suggested that all employers in the formal and informal sectors should be legally led towards recognising that they are ethically responsible to children and families who are potential victims or donors of child abusers. Such employers ought to subscribe to the above-mentioned Body of Ethical Principles once it is put in operation.

c) Educating the Ugandan Population about the Role of Ethical Principles against Child abuse

The above given Department of Labour Employment and Industrial Relations should be charged with the duty of educating the population about the benefits and protection of children and families that the Body of Ethical Principles against child abuse offers.

Acknowledgement of the child abuse problem by the government of Uganda should be a significant move and considered paramount in addressing the problem of child abuse in Uganda. Child abuse should be criminalised and massive awareness about the law by those in authority through print and electronic media should be done in all sections of society and included in development plans.

a) Supportive National Political, Legal and Institutional Framework

There is need for political commitment to ensure that child abuse is mainstreamed into broader development plans and programmes. For instance, integrating child abuse as an explicit concern in the Millennium Development Goals and Education for all plans, poverty reduction strategies and labour legislation consistent with international child abuse standards, is necessary both as a statement of national intent, and as a legal and regulatory framework for efforts against child abuse. As child abuse is an issue that cuts across different sectors and areas of ministerial responsibility, progress against it requires that institutional roles are clearly delineated and that effective coordination and information sharing structures are put in place.

b) Mass Awareness Programmes about Child abuse Laws and Policies

Mass awareness and advocacy campaigning programmes should target employers, community leaders, policy makers and civil society. Children working for instance in Kampala Slums as domestic servants are not readily 'visible' but 'invisible'. An effective effort to protect children from such workplace hazards or abuses must begin by making the 'invisible', 'visible'. The government of Uganda should develop an effective means of investigation in order to criminalise child abuse and promote

supervision by labour inspectors in order to detect and prosecute cases of exploitation of children.

There must be government support to journalists and other media professionals who may contribute to social mobilization by providing information of the highest quality, reliable and ethical standards concerning all aspects of child abuse. The print media is also an effective asset for ensuring public awareness. For instance the New Vision which is a national paper and Uganda's leading daily. Employers of children in activities legal for admission for a particular age of a child should be compelled to provide protective gear.

c) Enforcement of Compulsory UPE

The researcher is of the view that primary education should be completely free, universal and compulsory to every child in the family and should not be restricted to poor children, but a free service by the government of Uganda.. UPE should encompass comprehensive policies indicating the current percentage of GDP allotted to basic education and a target percentage for future allocations and plans for improvement of education in coverage, quality and relevance. UPE should be made more attractive to the learners so as to minimise child dropouts (increase retention) and facilities should be provided as well. While the government can be applauded for introduction of the USE, it is sad to point that those that have dropped out before completion of the primary level cannot proceed to the secondary level. It is therefore important to address the several challenges at the primary level to fully attain the goal of universal education.

d) Establishment of Community Polytechnics

These will enable access to vocational training and education for primary school dropouts. These polytechnics need to be made more accessible, well equipped and attractive to children and parents. These children should also be provided with tailor

made skills especially those in Kampala Slums. These will enable the children gain experience and therefore earn a decent income for survival.

e) Implementation of Labour Laws and Policies in the Country

To be able to create a country free of child abuse and its exploitive nature, the aforementioned laws (6.1.4) have to be implemented as a mandate for the welfare of the child. With proper guidelines, these laws have to be translated into various vernaculars for easy interpretation by the citizens of Uganda. Institutional organizations and the Government of Uganda with support from the international community should then sensitize the general public right from the grassroots level about the laws and policies on child abuse. Childhood training should also be encouraged right from the home and still, these laws should be included in the schools' curricular so that the children are aware of their rights. This will put them in position to report cases of child abuse to those in authority.

FURTHER READING

Although the study has been exhaustive, the researcher recommends further studies on the phenomenon of child abuse given the very dynamic society we live in. Studies should be conducted to ascertain why, despite concerted efforts in terms of policy and legal interventions, child abuse was on an increase. The studies will not only widen the knowledge base, but also provide a viable way forward.

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