Uganda's Compliance with the Convention on the Rights of the Child
Supplemental Report about the Impact of the Death Penalty on the Rights of Children

Submitted by The Advocates for Human Rights,
a non-governmental organization in special consultative status with ECOSOC since 1996

Foundation for Human Rights Initiative in Uganda

and
The World Coalition Against the Death Penalty

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The Advocates for Human Rights (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law since its founding in 1983. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States. The Advocates is committed to ensuring human rights protection for women around the world. The Advocates has published more than 25 reports on violence against women as a human rights issue, provided consultation and commentary of draft laws on domestic violence, and trained lawyers, police, prosecutors, judges, and other law enforcement personnel to effectively implement new and existing laws on domestic violence. In 1991, The Advocates adopted a formal commitment to oppose the death penalty worldwide and organized a death penalty project to provide pro bono assistance on post-conviction appeals, as well as education and advocacy to end capital punishment. The Advocates currently holds a seat on the Steering Committee of the World Coalition against the Death Penalty.

The World Coalition Against the Death Penalty is a membership-based global network committed to strengthening the international dimension of the fight against the death penalty. Established in 2002, its ultimate objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition.

The **Foundation for Human Rights Initiative** (FHRI) is an independent, non-governmental, non-partisan and not-for-profit human rights advocacy organization, registered in Uganda under the Non-Governmental Organizations Act, 2016. FHRI's vision is a society based on human rights and civic culture as a foundation for peace, stability, democracy, social justice and sustainable development. FHRI's Mission is to promote respect and observance of human rights practices and civic values, enhance best practices through training, education, research, advocacy, ICTs, and

strategic partnership. The organization has Observer Status with the African Commission on Human and Peoples' Rights, is a member of the World Coalition Against the Death Penalty (Paris) and is affiliated to the International Federation of Human Rights Defenders, (FIDH) in Paris, France. It is a membership organization with a total of 1,515 members. FHRI commands a 30-year experience and expertise in human rights activism in Uganda. FHRI has been at the forefront in monitoring and documenting human rights violations, publication of periodic human rights reports, legal aid service provision to victims of human rights abuse; reporting before regional human rights treaty bodies, the Judiciary, parliament, police and actively campaigns for the abolition of the death penalty including carrying out programs that promote citizen participation and state accountability. Currently, it is spearheading five campaigns namely, *My Rights, My Power, Access to Justice, Rights and Rule of Law, Freedom from Pre-trial detention, and the Campaign against the death penalty in Uganda*. FHRI is located at the Human Rights House, Plot 1853, John Kiyingi Road, Nsambya, Kampala Uganda.

EXECUTIVE SUMMARY

1. This report supplements the report that the coauthors submitted to the Committee in December 2025, which focused primarily on the best interests of children who are in prison with their mothers.
2. Uganda retains the death penalty and recently expanded the list of offenses for which the death penalty is a potential punishment. Courts continue to sentence people to death and at least 104 people are on death row. No mechanism requires Ugandan courts to consider the impact of a death sentence on a parent's dependent children, and Uganda does not collect or publish data on how many children have a parent on death row.
3. Children frequently remain in prison with their mothers well beyond the legal limit of 18 months due to a lack of alternative caregivers. Detention conditions are inadequate, with insufficient funding, inadequate education, limited healthcare, and exposure to violence.
4. Parental incarceration deepens intergenerational poverty. Uganda has no procedure for the care of children when a parent is arrested, and courts do not consider caregiving responsibilities when they make bail or pre-trial detention decisions.
5. The Anti-Homosexuality Act 2023, in addition to expanding the death penalty's reach, criminalized comprehensive sex education. The law has driven a surge in violence and discrimination against LGBTQ youth.
6. Only 15% of Uganda's 1.28 million children with disabilities have access to education. School dropout rates remain high, particularly for girls in rural areas.
7. Child labor rose sharply from 14% in 2016-2017 to 39.5% by 2021, affecting 6.2 million children. Poverty and barriers to quality education are the main drivers of this trend.

Uganda fails to uphold its obligations under the Convention on the Rights of the Child

8. Eight sections of the Ugandan Penal Code authorize the death penalty.[1] In addition to crimes in which the defendant committed an intentional killing, the Penal Code permits courts to impose the death penalty for treason and offenses against the state, rape, defilement of a minor, detention with sexual intent, kidnapping or detaining with intent to murder, robbery with a deadly weapon, and smuggling with a deadly weapon.[2]
9. The 2002 Anti-Terrorism Act and the 2005 Uganda Peoples' Defence Forces Act establish additional death-eligible offenses. The Anti-Terrorism Act authorizes the death penalty for any convicted act of terrorism, aid connected to an act of terrorism, or establishment of a terrorist organization.[3] The People's Defence Forces Act permits the death penalty for seventeen distinct military law offenses.[4]

[1] Committee Against Torture, Concluding Observations on the Second Periodic Report of Uganda, (December 6, 2022), U.N. Doc. CAT/C/UGA/CO/2, ¶ 39.
[2] Uganda, *Penal Code Act*, Chapter 128, Articles 23, 111, 116, 123, 172, 226, 267, and 299.
[3] Uganda, Anti-Terrorism Act, 2002, Chapter 120, Articles 7, 8, and 9.
[4] Uganda, Uganda Peoples' Defence Forces Act, Chapter 330, Articles 118, 119, 120, 121, 125, 126, 127, 128, 130, 131, 132, 135, 144, 148, 149, 150, and 151.

10. After several legal challenges, President Yoweri Museveni signed the Anti-Homosexuality Act of 2023 into law and the Constitutional Court subsequently upheld it.[5] The Anti-Homosexuality Act authorizes the use of the death penalty for "Aggravated Homosexuality."[6]

11. Uganda carried out its last execution of a civilian in 1999 and its last military execution in 2005.[7] Uganda does not have an official moratorium on executions,[8] however, and in 2018, President Yoweri Museveni announced that Uganda could resume executions.[9]

12. Amnesty International reports that Ugandan courts handed down at least two death sentences in 2024 and none in 2025. Amnesty reports that by the end of 2025 at least 104 people were known to be under sentence of death.[10]

I. Uganda fails to take into account the best interests of the child when making capital sentencing decisions regarding parents (List of Issues Para. 3(b)).

13. In its List of Issues, the Committee requested information about measures Uganda has taken "[t]o implement its legislation which provides for the concept of the best interests of the child, including the Children's (Amendment) Act 2016, and to ensure that the right of the children to have their best interests taken as a primary consideration is integrated into and consistently interpreted and applied in all legislative, administrative, and judicial proceedings and decisions."[11] As of the date of this report, the Committee has not published Uganda's Reply to the List of Issues.

14. The African Committee of Experts on the Rights and Welfare of the Child's General Comment No. 1 (2013) on Article 30 of the African Charter, which Uganda has ratified, calls on states to recognize children of parents who are in prison as a distinct group requiring targeted social

[5] Catherine Nicholls & Nimi Princewill, Uganda lawmakers amend controversial anti-gay law but death penalty for HIV positive sex remains, CNN, last updated May 2, 2023, https://www.cnn.com/2023/05/02/africa/uganda-passes-anti-homosexuality-bill-intl/index.html; Uganda: Court Upholds Anti-Homosexuality Act, Human Rights Watch, last updated April 4, 2024, https://www.hrw.org/news/2024/04/04/uganda-court-upholds-anti-homosexuality-act.
[6] Uganda, Anti-Homosexuality Act, Chapter 117, Article 3; *Uganda: Authorities must drop charges in death penalty case under Anti-Homosexuality Act, Amnesty International* (April 30, 2023), Uganda: Authorities must drop charges in death penalty case under Anti-Homosexuality Act - Amnesty International.
[7] Replies of Uganda to the list of issues in relation to its second periodic report, ¶ 50, 138th Sess., June 26 – July 28, 2023, U.N. Doc. CCPR/C/UGA/RQ/2 (March 14, 2023); The Advocates for Human Rights, Foundation for Human Rights Initiative & The World Coalition Against the Death Penalty, Uganda Stakeholder Report on the Death Penalty for the United Nations Universal Periodic Review, ¶ 24 (July 15, 2021).
[8] Republic of Uganda (Uganda), CORNELL CENTER ON THE DEATH PENALTY WORLDWIDE, last updated 2025, https://deathpenaltyworldwide.org/database/#/results/country?id=82.
[9] The Advocates for Human Rights, Foundation for Human Rights & The World Coalition Against the Death Penalty, Uganda's Compliance with the International Covenant on Civil and Political Rights: Suggested List of Issues Relating to the Death Penalty, ¶ 4 (May 2, 2022); *Museveni: Uganda may reintroduce executions*, BBC (January 19, 2018), https://www.bbc.com/news/world-africa-42746172.
[10] *Death sentences and executions 2024*, Amnesty International (2025) at 34, available at https://www.amnesty.org/en/documents/act50/8976/2025/en/; *Death sentences and executions 2025*, Amnesty International (2026) at 10, 34, available at https://www.amnesty.org/en/documents/ACT50/0778/2026/en/.
[11] List of Issues 3(b).

protection and to ensure that no child is denied access to education, healthcare, or an adequate standard of living as a consequence of a parent's imprisonment.[12]

15. Uganda's State Party Report does not describe any measures to safeguard the best interests of children whose parents face capital sentences. No mechanism exists requiring Ugandan sentencing courts to receive or weigh evidence about the impact of a potential death sentence on a parent's dependent children. The coauthors have documented the short- and long-term harm that death sentences cause to children of parents sentenced to death.[13]

16. Uganda fails to collect and disseminate information disclosing how many people under sentence of death have minor children, or how many children have a parent under sentence of death, despite the Committee's recommendations for transparency regarding children of parents who are incarcerated.[14]

II. Uganda fails to provide adequate access to education, healthcare, nutrition, and protection from violence for children in prison with their mothers (List of Issues Para. 2(d)).

17. The Committee requested information about measures taken to "increase budgetary allocations for the social sectors, in particular education, health and social protection, aimed specifically at children in marginalized and disadvantaged situations."[15]

18. A 2025 Uganda Human Rights Commission report based on a mandated prison visit found a number of detention condition concerns beyond overcrowding. Those concerns related to inadequate staffing, the mixing of juvenile offenders with adults, mothers incarcerated with their children, poor access to clean and safe water, inadequate sanitation and hygiene, and excessive workloads.[16]

19. As described in greater detail in the coauthors' December 2025 report to the Committee, Uganda's Prisons Act 2006 allows children to stay in prison with their mothers until they are eighteen months old[17] but, in practice, children often remain significantly longer, as there are no family members or friends willing or able to take them in.[18] The governmental budget allocated to care for this group of children is insufficient, and in practice, the children rely on insufficient and unreliable funding and donations from civil society for many basic needs.[19] Only 7 of Uganda's 21 women's prisons have daycare centers.[20] At Luzira Prison, one

[12] African Committee of Experts on the Rights and Welfare of the Child, General Comment No. 1 on Article 30 of the African Charter on the Rights and Welfare of the Child, A shared sentence: children of imprisoned parents in Uganda (8 Nov. 2013).
[13] World Coalition Against the Death Penalty, The Rights of Children Whose Parents have been Sentenced to Death or Executed, (2019), WD2019DetailedFactsheet_EN.pdf. pg. 8.
[14] Committee on the Rights of the Child, Report and Recommendations of the Day of General Discussion on 'Children of Incarcerated Parents,' (September 30, 2011), ¶¶ 16, 45.
[15] List of Issues 2(d).
[16] UHRC releases disturbing detention report for eastern Uganda, The Independent (June 25, 2025), https://www.independent.co.ug/uhrc-releases-disturbing-detention-report-for-eastern-uganda/.
[17] Prisons Act 2006, para (58(4)).
[18] Foundation for Human Rights Initiative, A Shared Sentence: Children of Imprisoned Parents in Uganda, PRI-FHRI_GC-No1-Exec-Summary-ENGLISH-WEB.pdf. pg. 3 (2015).
[19] Ibid.
[20] Monitor, 24 Children in Prison with their Mothers, (June 6, 2021), 24 children in prison with their mothers | Monitor.

underqualified adult serves as the caretaker and teacher for ten or more children spanning a wide age range.[21] Children in prison have unreliable and minimal access to healthcare, nutritious food,[22] clean water,[23] and sanitary facilities.[24] Children in prison experience violence at the hands of caretakers and are frequently exposed to violent language and behavior between adults living in prison.[25]

III. The Anti-Homosexuality Act 2023 expanded the scope of the death penalty, increasing the potential population of children harmed by parental death sentences and directly criminalizing children who identify as LGBTQ (List of Issues Paras. 3(a), 3(b)).

20. The Committee requested information on measures taken to eradicate pervasive discrimination against . . . lesbian, gay, bisexual, transgender and intersex children, including by repealing the Anti-Homosexuality Act."[26] It also requested information on the application of best interests of the child across all legislative and judicial proceedings.[27]

21. The Anti-Homosexuality Act 2023 imposes life imprisonment for the offense of "homosexuality"[28] and the death penalty for "aggravated homosexuality."[29] A person can be eligible for the death penalty for having a prior record of homosexuality or for "supporting" homosexuality.[30]

22. By expanding the application of the death penalty, the AHA directly increases the potential population of parents who may be placed on death row, and, consequently, the number of children who may experience the detrimental effects of having a parent on death row.

23. The AHA includes offences of "child-grooming" and "promotion of homosexuality." In effect, these provisions criminalize anyone who teaches comprehensive sexual education to a child ("displays, distributes, or supplies to a child, any material demonstrating . . . a sexual act between persons of the same sex"),[31] as well as a parent who provides financial support to their LGBTQ child.[32]

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[21] Conversations with representatives from Foundation for Human Rights Initiative (FHRI), June 23, 2025, and July 22, 2025.
[22] Monitor, *supra* note 20.
[23] Juliet Nabirye, Joan Nabunya & Jane Namatovu, Experiences and Challenges Faced by Incarcerated Women at the Luzira Prison, BMC WOMEN'S HEALTH (2023), https://bmcwomenshealth.biomedcentral.com/articles/10.1186/s12905-023-02462-5.
[24] Ibid.
[25] Ojok David Stephen, *Refugee family in prison: Challenges faced by children of incarcerated mothers*, REFUGEE L. PROJECT (Oct. 30, 2019), https://www.refugeelawproject.org/index.php; Conversations with representatives from Foundation for Human Rights Initiative (FHRI), June 23, 2025, and July 22, 2025.
[26] List of Issues 3(a).
[27] List of Issues 3(b).
[28] AHA 2(2).
[29] AHA 3(1).
[30] AHA 3(2)(d).
[31] AHA 8(b).
[32] AHA 11(2)(c).

24. Since Uganda adopted the AHA, young LGBTQ people in Uganda have faced mob violence, evictions, arrests, and a documented surge in reported incidents of other violence and discrimination.[33]

IV. Uganda fails to preserve the family environment of children of incarcerated caregivers and to ensure that those children do not experience financial and material poverty (List of Issues Paras. 6(a), 6(b), 9(a)).

25. The Committee in its List of Issues requested information on measures taken to implement laws, policies, and guidelines "regarding the preservation of families and to ensure that children are not removed from parental care due to financial and material poverty," as well as to "promote family-type and community-based alternative care for children deprived of parental care," and to create "targeted social protection schemes for children in marginalized and disadvantaged situations."[34]

26. A team of trained research assistants from Makerere University interviewed adults and children of incarcerated caregivers about how caregiver incarceration worsened the family's financial status. This research showed that the family's financial status worsened due to the loss of income provided by the incarcerated caregiver, the costs associated with their incarceration, and related debts.[35] Costs associated with incarceration include expenses related to visiting the incarcerated caregiver, as well as fines and the cost of legal representation.[36]

27. Only a few families (6 of the 76 study participants) reported that official sources or NGOs provided their families with assistance.[37]

28. The study noted that caregiver incarceration could contribute to intergenerational poverty and inequality by exacerbating the poverty that poor families already face, worsening their ability to meet the health, diet, and education needs of children in the family.[38]

29. Study participants also reported that caregiver incarceration reduced families' ability to pay school fees and harmed the well-being of children.[39] When participants were able to obtain school sponsorship or free healthcare, the impact of caregiver incarceration was not as severe.[40]

30. When authorities arrest a parent or primary caregiver and subject them to incarceration, there is little to no record of what is to become of their children. The Foundation for Human Rights Initiative (FHRI) interviewed a 13-year-old girl who said that when her mother was arrested, she and her older siblings were simply left to take care of themselves.[41] There is no police

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[33] Human Rights Watch, They're Putting our Lives at Risk: How Uganda's Anti-LGBT Climate Unleashes Abuse, (May 26, 2025), "They're Putting Our Lives at Risk": How Uganda's Anti-LGBT Climate Unleashes Abuse | HRW.
[34] List of Issues ¶¶ 6(a)-(b), 9(a).
[35] European Journal on Criminal Policy and Research, *Worsening Child Outcomes? Caregiver Imprisonment and Its Impact on Child Poverty, Health, Well-being and Education in Uganda,* (July 14, 2020), https://link.springer.com/article/10.1007/s10610-020-09440-9.
[36] Ibid.
[37] Ibid.
[38] Ibid.
[39] Ibid.
[40] Ibid.
[41] African Committee of Experts on the Rights and Welfare of the Child, General Comment No. 1 on Article 30 of the African Charter on the Rights and Welfare of the Child, *A shared sentence: children of imprisoned parents in Uganda* (8 Nov. 2013).

procedure for dealing with the children of arrested parents. Additionally, courts have no procedure for taking into consideration a parent or other caregiver's care-giving responsibilities when deciding on bail and pre-trial detention.[42]

V. While Uganda has made a commitment toward strengthening support for the most vulnerable children, including girls and children with disabilities, it has failed to improve the school dropout rate (List of Issues Para. (10)(a)-(b)).

31. The Committee in its List of Issues requested information on measures taken "[t]o address the high numbers of out-of-school children int eh country, and to increase the enrolment and retention of children, especially girls," and "[t]o ensure that children with disabilities have access to inclusive education."[43]

32. Uganda's 2024 Census reported 1.28 million children living with disabilities. Of those, only 9% attend primary school, and only 15% access education at all.[44]

33. The International Needs, Disability Inclusion Project explains that families of children with disabilities often face stigma, neglect, and even abuse. The children are given few chances to take part in family or community life and are frequently viewed as a burden.[45]

34. Uganda has made strides to support children with disabilities by allocating financial support and implementing programs to reduce the stigma surrounding children with disabilities.

35. The Kyaninga Child Development Centre operated across districts in Uganda implementing a program aimed at empowering the caregivers of children with disabilities to increase understanding and reduce stigma in their communities.[46]

36. The National Union of Disabled Persons of Uganda reported that the Government of Uganda has allocated UGX 15.5 billion to the National Child Assistance Program for Children with Severe Disabilities, which will take effect in the financial year of 2026/2027.[47]

37. Uganda has failed to improve school dropout rates, especially for girls. A 2021 Bureau of Statistics report indicated that 28% of girls in the rural areas drop out of school due to poverty, early marriages, and lack of resources.[48] Joy for Children of Uganda explains that education and health are closely interconnected. Girls who leave school early often miss vital lessons on nutrition and wellbeing, which can raise the risk of teenage pregnancy and other health problems. Moreover, when girls drop out, their children are more likely to do the same, perpetuating poverty and limiting opportunities across generations.[49]

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[42] Ibid.
[43] List of Issues ¶ 10(a)-(b).
[44] International Needs, Disability Inclusion Project, Uganda, 2024. https://ineeds.org.uk/projects/mainstreaming-diversity-in-schools-in-uganda/.
[45] Ibid.
[46] Stavros Niarchos Foundation (SNF), *Improving the quality of life for kids with disabilities in Uganda*, 2024. https://www.snf.org/en/news-stories/stories/improving-quality-of-life-for-kids-with-disabilities-in-uganda/.
[47] NUDIPU, *Government allocates UGX 15.5 billion to support children with severe disabilities*, May 8, 2026. https://nudipu.org/2026/05/08/government-allocates-ugx-15-5-billion-to-support-children-with-severe-disabilities/.
[48] Joy for Children Uganda, *The Rising Tide of School Dropouts,* December 2, 2024. https://joyforchildren.org/the-rising-tide-of-school-dropouts/.
[49] Ibid.

VI. Uganda has made minimal efforts to reduce child labor but has delayed any further advancement (List of Issues Para. 12(b)).

38. The Committee in its List of Issues requested information about efforts "[t]o combat the high prevalence of child labour across the country."[50]

39. In 2024, Uganda ratified the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, which led to a 5% reduction in child labor cases.[51]

40. In 2024, the International Labor Organization reported that Uganda had seen a surge of child labor from 14% in 2016-2017 to 39.5% or 6.2 million in 2021. (These figures exclude household chores.) The ILO explained that child labor is particularly prevalent in the agriculture sector. This surge has taken place despite various policy interventions and national action plans to eliminate child labor.[52] The ILO attributed the high child labor rates to weak labor rights, poverty, social issues, and barriers to free and quality education.[53]

41. Joy for Children Uganda reported that policy recommendations to address child labor should include strengthening enforcement of child labor laws in rural and informal sectors, expanding social protection programs, improving school infrastructure, improving access to quality education, and expanding retention programs. The organization also recommended that authorities foster partnerships among government, civil society organizations, and the private sector to coordinate action.[54]

VII. Recommendations

42. The coauthors suggest that the Committee recommend that the Government of Uganda:

- Abolish the death penalty and replace it with penalties that are fair, proportionate, and consistent with international human rights standards.
- In the interim:
    - As an urgent matter, formally suspend enforcement of the provisions of the Anti-Homosexuality Act 2023 that authorize the death penalty.
    - Establish a formal moratorium on executions.
    - Commute existing death sentences.
    - Undertake a review of all current death sentences with particular attention to defendants with dependent children and the best interests of those children.
    - On at least an annual basis, publish data about children with a parent or other primary caregiver on death row, disaggregated by age of the child, sex/gender of

[50] List of Issues ¶ 12(b).
[51] Bureau of International Labor Affairs, *Child Labor and Forced Labor Reports*, 2021. https://www.dol.gov/agencies/ilab/resources/reports/child-labor/uganda.
[52] International Labour Organization, *Child labour in Uganda: The case of joining forces, June 14, 2024.* https://www.ilo.org/resource/article/child-labour-uganda-case-joining-forces.
[53] Ibid.
[54] Joy For Children Uganda, *What you need to know about Child Labor in Uganda*, May 27, 2025. https://joyforchildren.org/what-you-need-to-know-about-child-labor-in-uganda/.

the parent or primary caregiver, crime of conviction, date of sentencing, location of the parent or primary caregiver, and custodial status of the child.

- Require sentencing authorities to receive and weigh evidence on the best interests of the child before imposing sentences on parents and other primary caregivers.
- Increase budgetary allocations for children who are incarcerated with their mothers, with a view to expanding daycare across all women's prisons, improving nutrition and education for those children, and implementing additional safeguards against violence in those settings.
- Develop alternative care and placement mechanisms for children with a mother or other primary caregiver who is in prison, consistent with the best interests of the child, with a view to enforcing the Prisons Act 2006 eighteen-month limit for children residing in prison with their mothers when such enforcement is in the best interests of the child.
- Take concrete measures to protect LGBTQ children from violence and discrimination.
- Establish a formal police procedure for the care of children at the point of a parent's or primary caregiver's arrest.
- Require courts considering bail and pre-trial detention to consider caregiving responsibilities and the best interests of the child.
- Institute systematic data collection on children affected by parental incarceration to inform targeted social protection programs.
- In collaboration with civil society organizations run by and for people with disabilities, promote inclusive education for children with disabilities through anti-stigma initiatives, accessible school infrastructure, and training for educators.
- Collaborate with civil society organizations to improve access to education for girls by addressing the key drivers of high dropout rates.
- Strengthen enforcement of child labor laws, particularly in rural and informal sectors.
- Foster partnerships with civil society organizations and the private sector to coordinate action to address child labor.