



PRESS STATEMENT

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African Children's Rights Committee finds Uganda conscripted child soldiers in case submitted by Centre for Human Rights students

The African Committee of Experts on the Rights and Welfare of the Child (African Children's Rights Committee) made public its [third decision](#) (Communication 2/2009, *Hansungule and Others (on behalf of children in Northern Uganda) v Uganda*, decided at the Committee's 21st ordinary session, 15-19 April 2013.) In this decision, the African Children's Rights Committee finds that Uganda conscripted and used child soldiers, in violation of article 22(2) of the African Charter on the Rights and Welfare of the Child (African Children's Charter). Article 22(2) provides that state parties to the African Children's Charter must take 'all necessary measures to ensure that no child shall take a direct part in hostilities and refrain, in particular, from recruiting any child'. A child is defined as anyone under the age of 18.

This case relates to the situation of insurrection and instability that prevailed in Northern Uganda for some twenty years between 1986 and 2006. During this time, the government of Uganda had to deal with the activities of the Lord's Resistance Army (LRA), including the abduction of thousands of children. The Committee found that in the period 2001 to 2005, children were conscripted into and used in the Ugandan Defence Force. In its decision, the Committee notes that the African Children's Charter does not allow for the voluntary recruitment of children into the armed forces of a state.

The African Children's Rights Committee undertook a visit to the country. It subsequently found that there was insufficient evidence to conclude that Uganda had violated a number of other rights of the children in Northern Uganda, namely, their right to education, health care, and against being sexually abused and abducted.

The case was submitted by students of the Centre for Human Rights, Faculty of Law, University of Pretoria, as part of their clinical work on the Master's programme in Human Rights and Democratisation in Africa. The students worked on preparing this case with Professor Hansungule, and other staff members of the Centre.



Although the case was submitted as far back as 2005, the Committee only decided it at its 21st ordinary session, held from 15 to 10 April 2013. Reasons for the delay in reaching finality in this matter include the fact that this was the first case to be submitted to the Committee, and, because the Committee did not have rules for dealing with communications in place at the time the case was submitted, the case had to be re-submitted in light of subsequently adopted rules. The Committee also undertook an on-site visit to the state, for which consent had to be obtained.

The Centre wishes to acknowledge the contributions of and thanks everyone involved in preparing and arguing this case, in particular Drs Tarisai Mutangi and Prudence Acirokop, who acted as counsel during oral hearings.

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