

**THE IMPACT OF THE WORLD BANK FUNDED  
KAMWENGE – KABAROLE ROAD CONSTRUCTION  
PROJECT ON CHILDREN**



**Joy for Children, Uganda**

**B*i*C**

BANK INFORMATION CENTER

**Contents**

1.0 BACKGROUND ..... 2

2.0 PROBLEM STATEMENT ..... 3

3.0 PURPOSE OF THE STUDY ..... 4

    3.1 OVERALL OBJECTIVE: ..... 4

    3.2 SPECIFIC OBJECTIVES: ..... 4

    3.3 SCOPE OF THE STUDY ..... 4

4.0 METHODOLOGY ..... 5

5.0 FINDINGS ..... 5

    5.1 BENEFITS OF THE PROJECT ..... 6

        5.1.1 *Market Access* ..... 6

        5.1.2 *Employment Opportunities* ..... 6

    5.2 NEGATIVE IMPACTS OF THE PROJECT ON CHILDREN ..... 7

        5.2.1 *Sexual Abuse and Assault* ..... 7

        5.2.2 *Child Sexual Exploitation* ..... 8

        5.2.3 *Reporting and Referral Structures for Sexual Abuse Survivors* ..... 8

        5.2.4 POSSIBLE TRAFFICKING FOR SEXUAL PURPOSES AND CHILD MARRIAGES ..... 9

        5.2.5 *Child Labour and high school dropout rates* ..... 10

        5.2.6 *Increased number of accidents* ..... 10

        5.2.7 *Implementation of Policies at the Project Level* ..... 11

6.0 DISCUSSION ..... 12

    6.1 PERFORMANCE-POLICY GAPS IN UGANDAN AND INTERNATIONAL LEGISLATURE ..... 12

        6.1.2. *Child Labour*: ..... 13

        6.1.3. *District Implementation of Policy, Legislation and Structures*: ..... 13

    6.2 GAPS IN WORLD BANK SAFEGUARDS TO PROTECT CHILDREN ..... 13

7.0 CONCLUSION AND RECOMMENDATIONS ..... 15

    REFERENCES ..... 17

## 1.0 Background

A very strong impetus has recently been given to infrastructure investments in Sub-Saharan Africa. In 2009, the World Bank committed more than \$7 billion in Sub-Saharan Africa (with almost \$1.5 billion in roads). Among competing infrastructure priorities, roads are considered most important to reducing poverty. There is a widely accepted consensus that transport infrastructure has a significant, positive and substantial impact on economic growth and poverty as it enhances the connectivity of isolated and remote areas (World Bank, 1994; World Bank, 2009.1; Pomfret, 2006). Aid to Africa is planned to double in the near future of which investments in infrastructure, and roads in particular, are likely to be the bulk of it.

Many investments in infrastructure are built on the belief that they will inevitably lead to poverty reduction and income generation. Research has shown that projects such as roads, dams, and railways have at a macro level led to economic development, but at a micro level negatively impacted the communities in which these projects are implemented. It has been noted that projects funded by the World Bank and other multilateral institutions can expose children and communities living around the construction sites to many negative impacts associated with displacement, including loss of livelihoods, school dropouts, sexual exploitation, abuse, early marriage, and child labour. The negative effects of abuse on children can have long term effects on their development and contributes to entrenching them in the cycle of poverty, rendering the World Bank objective of ending poverty null and void.

Although the World Bank has put in place safeguard policies that are designed to protect communities from negative impacts associated with development, they are currently not considered strong enough to address the specific needs and concerns of children. Some civil society actors have accused the World Bank of '*safeguarding corporate profit and human rights abuses*' instead of people and the environment (Safeguard People & the Planet; Civil Society Public Statement in response to the WB draft, Oct 2014) Overall, the policies are deficient in comparison to internationally accepted standards and generally allow the World Bank to circumvent responsibility for safeguard outcomes by leaving major obligations to borrowing institutions and countries. When this happens, gaps are created by flaws in implementation of national legislations and policies that leave vulnerable communities, especially children, exposed to negative social and environmental impacts of World Bank development projects.

### **Kamwenge-Kabarole Road Construction**

Under the Second Road Sector Development Programme, the Ugandan Government received funding from the World Bank (WB) to upgrade 66.2 kilometres of road gravel section from Kamwenge to Kabarole to bituminous standards. The project began in August 2013 and is expected to end in February 2016. Expected positive impacts include improved economy through better

access to markets, social and health services, and employment. Once completed, the road is expected to further contribute to both macro- and micro-development by increasing productivity in the trade and tourism industries through better transportation. However, despite being subject to an environmental and social impact assessment, as well as a Resettlement Action Plan funded by the African Development Bank, the US\$ 19.9 million project has also led to the relocation of community members who have never been compensated, as well as an influx of construction workers that has increased the risk of sexual violence and abuse to girls in the community.

## 2.0 Problem Statement

Over the last three years, the World Bank has been undertaking a Safeguard Review process in response to new developments that require a different approach to addressing global poverty. In July 2014, a first draft of the updated safeguards framework was released. However, many civil society players across the globe rejected the new draft, critiquing it on grounds of a non-participatory and non-demanding consultative process that lacked accountability and transparency. In a public statement to the World Bank concerning the 2014 draft, many civil society groups noted that the resulting draft continues in the manner of previous policies to ‘*safeguard corporate profit and human rights abuses*’ instead of people and the environment. The critique highlights that, overall, the draft is deficient in comparison to internationally accepted standards and generally circumvents responsibility by leaving major obligations to borrowing institutions and countries. Specifically regarding children, the statement highlighted the following policy framework gaps:

- Failing to recognise that the needs of children are often fundamentally different from the needs of other vulnerable groups. *ESS 1: Assessment and Management of Environmental and Social Risks and Impacts; ESS 4: Community Health and Safety; and ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement* do not explicitly address the specific needs and concerns of children and do not articulate how to prevent children, being among the most vulnerable groups, from experiencing the negative impacts of World Bank-financed projects.
- Although child labour is addressed in *ESS 2: Labour and Working Conditions*; the policy does not consider the issue of child labour in supply chains nor does it set a minimum age for work in line with ILO Convention 138.

On a positive note, however, the inclusion of issues such as labour and participation of vulnerable groups within the draft is a step forward as these were not previously included in the original World Bank policies.

As the World Bank Safeguards stand at the moment, there is concern that they neither address the specific needs and concerns of children or articulate how children, being among the most vulnerable groups, experience the negative impacts of World Bank-financed projects. The draft does not show how to sufficiently address the ways in which children are uniquely affected by the

World Bank when it funds projects that use (or lead to) child labour, resettles families, or impacts children in a myriad of direct and indirect ways. These conditions bring about the potential for abuse, violence, exploitation, and trafficking of children. Additionally, although the new draft policies reference the importance of child participation in World Bank funded projects, it does not state how this will be implemented.

### **3.0 Purpose of the Study**

A global campaign is underway to encourage the inclusion of child rights in the World Bank Safeguards, in order to protect children and mitigate possible abuses that may result from projects. In order to further inform this campaign, Joy for Children in partnership with the Bank Information Centre (BIC) executed this case study to assess the impact of the Kamwenge-Kabarole road project on children.

This case study attempts to explain how children in Kamwenge and Kabarole have been affected by the project and to assess whether particular groups of children (girls, street children, disabled children, etc.) have experienced different types or degrees of harm. From the results of this study, it is hoped that recommendations can be put forward on how the safeguards and other policies can be changed to better protect children.

#### **3.1 Overall Objective:**

The overall objective of the study was to assess the impact of the World Bank funded Kamwenge-Kabarole road construction project on children.

#### **3.2 Specific Objectives:**

- To establish the impact of the road construction on children
- To distinguish between impacts on different groups of children
- To identify the gaps in the World Bank safeguards and Ugandan Laws relating to child protection and;
- To make recommendations to reduce negative impacts on children in similar future projects

#### **3.3 Scope of the Study**

The case study describes the unique impact of the project on children with a focus on sexual exploitation and abuse against girls. The researchers reviewed several national and international policies and legislation related to child rights in comparison with the World Bank Safeguard policies to examine the relationship and responsibility of the WB in upholding these in their role as the project funder.

## 4.0 Methodology

The study used a non-experiment design to establish the impact of the road project on children with particular focus on sexual exploitation of children. Focus group discussions were used to collect information and key informants were consulted using an interview guide. The data was analysed qualitatively.

Over a period of 15 days, a sample of 184 respondents participated in the study. These included 6 primary school girls and 73 secondary school girls; 28 secondary school boys; 11 female community members; 4 health workers; 6 representatives from the district political leadership; 7 representatives from the district technical leadership; 5 Local Council leaders; 8 teachers; 6 boda-boda cyclists; 12 business community representatives; 15 patients at health units; 6 child rights advocates; and 3 affected people—one school boy who had been working on the road construction and a male and female where the road boundaries had been extended into their land and had not been compensated. The study population was selected from communities along the Kamwenge-Kabarole road project.

Boda-boda (motorcycle taxi) drivers were chosen to represent members of the community who are frequent and regular road users. An important feature of this sample group is the high level of interaction between boda-boda drivers and their customers that enables them to glean up-to-the-minute information from a cross-cutting section of the community. Almost every community member is compelled to use a boda-boda at some point due to the poor access to public transportation. Boda-boda drivers also have lapses while they wait between customers during which they park at their stations. This offers them an advantage of being observers of what is going on within the community and equipping them with a wealth of information.

## 5.0 Findings

As expected with major infrastructure improvements geared towards encouraging development, the Kamwenge-Kabarole road project has had an impact on the communities where it is underway. Key among these is the improvement in the economic well-being of the community through an overall increase in household incomes.

Despite the economic benefits, however, a number of harmful effects were reported as a direct result of the project, ranging from increasing rates of high school drop outs to sexual abuse. As the road construction work has not yet reached Kabarole district, these effects have mainly been felt in Kamwenge. It is expected, however, that the project will have a similar impact on the communities in Kabarole if nothing is done to address the negative impacts. The results are presented below:

## 5.1 Benefits of the Project

### 5.1.1 Market Access

Since the start of the road construction, movement of agricultural produce to markets in Kamwenge and Kabarole has improved, thereby uplifting the socio-economic development of communities and members. Easy access to markets has greatly improved household incomes which directly translate to improved welfare of children within these households, including increased retention of children in school (parents are able to pay school fees from emoluments received from conducting businesses along the roadside). Neighbouring districts are also finding it easier to access Kamwenge district, thus improving trade relations. This finding is supported by Fan, Rao and Zhang (2004) who noted that shortened distances to feeder roads in Uganda significantly increase the agricultural labour productivity. The improved access to output markets leads to a rise in income thanks to greater opportunities of sales or higher prices.

*“Easy access to markets has greatly improved household incomes which directly translate to improved welfare of children...”*

### 5.1.2 Employment Opportunities

The road project has also led to diversification of household income sources. In fact, while the majority of the poor live in rural areas where the main activity is agriculture, there is evidence that nonfarm activities are becoming a major source of income. Smith, Gordon, Meadows and Zwick (2001) show that road rehabilitation projects in Uganda have extended job opportunities in the service sector. According to that study, households affected by a road project were seen to be less likely to rely on agriculture or forestry as their main source of income and had switched to the service sector.

The project has increased women’s participation in income generating activities such as roadside retail trading or vending of food and agricultural produce, arts and crafts for travelers and road construction workers. The road labourers are key customers at Hamwaro, a night food market on



**Primary Pupils Focus Group Discussion**

the main street in Kamwenge, and bars and video halls are thriving since the project started. In Bigodi, a new active street has emerged where the labourers buy all their food and other basic needs. Engaging in small business has greatly empowered women to better look after their children in terms of education, access to health services and nutrition. Overall, household incomes have been increased by easier access to markets. This positive impact was reported by all respondents.



## 5.2 Negative impacts of the project on children

### 5.2.1 Sexual Abuse and Assault

The influx of workers employed by the construction company, along with those looking for jobs with the construction company, is widely associated with an increase in sexual abuse and assault of girls in the area.<sup>1</sup> Respondents reported an increase in sexual violence against both girls who are attending school and those out of school. The sexual assaults have led to girls having to leave school because they were pregnant. It was noted that just within one school term (between September and December 2014) nine girls from the same secondary school dropped out because they were pregnant. All the cases were attributed to the Kamwenge-Kabarole road construction staff. Three other girls were reported to have had sexual relationships with road staff: one was abandoned in Ibanda, and was later picked up by parents, another was reported by primary school pupils to be pregnant at the time of the study, and the third had left Bigodi to live with a distant relative. The trio had apparently dropped out of school because of the stigma that resulted from their assaults. All of the affected children lived in Kitonzi, Businge and Kyabyoma villages which are villages close to the main residential areas for road construction workers.



**Community Focus Group Discussion**

Respondents reported that girls are targeted as they travel to and from school. Several girls reported both verbal and physical abuse as they walk to and from school, usually very early in the morning and late in the evening. One male secondary school student stated that although they usually leave school as a group on their way back home, many girls are seen to drop out of the group one by one as they stop to chat with the road construction workers

The influx of labourers has increased opportunities for small scale businesses, which also exposes more girls to sexual abuse and assault. Food vending to provide for the needs of road construction workers has created an income generating activity for many women and girls. The business of food preparation is generally considered to be the forte of women and many reported having taken on this new venture to feed the growing demand. Secondary school girls reported in the FGDs that they were closely involved in helping their mothers in this business. Although some had not completely dropped out of school, their contribution to the business required them to sell food along the road early in the morning before they reported to school, or late in the evenings. For out of school girls, the now thriving night food market at Hamwaro and the new street at Bigodi that operates from 8 pm has proved to be both an opportunity and a threat. This situation has increased the vulnerability to sexual assault and abuse from the road labourers and other community

---

<sup>1</sup> There were no reports of boys being sexually abused or assaulted.



members as there is little or no security for the girls working there. Reports from health workers indicate that since the beginning of the project, the number of young girls reporting to the Health Centre in Bigodi to have their children immunised is alarming as, increasingly, more children are bearing children.

### 5.2.2 Child Sexual Exploitation

According to adult community respondents, child sex work and exploitation of the girl child are also on the increase. Because of the demand from the influx of migratory road construction workers within these communities, the price of transactional sex is inflated. The majority of the workers are reported to originate from other districts and have migrated to work without their families. This combined with less social

*“One secondary girl reported that her mother threatened to chase her away from home if she would not engage in sex work to earn some extra money for their household needs.”*

accountability to these new communities and increased income have led to an upsurge in the demand for commercial sex. The cost has reportedly gone up from an average of thirty thousand to eighty thousand Ugandan shillings. School girls have therefore been lured to drop out of school and engage in the trade. Additionally, because of the increased charges by sex workers, the labourers now tend to prey on young girls, offering them between five to ten thousand Ugandan shillings for sex; or simply attacking them when they refuse. In one focus group discussion (FGD) with secondary school girls, it was reported that some girls were also being recruited by third parties to provide sex for road construction supervisors.

Family members are also coercing girls to contribute to family income by taking advantage of the market situation and requiring them to engage in exploitative sex. One secondary girl reported that her mother threatened to chase her away from home if she would not engage in such sexually exploitative activities to earn some extra money for their household needs.

### 5.2.3 Reporting and Referral Structures for Sexual Abuse Survivors

Apart from the health centre at Bigodi that can provide medical attention, there are no other reporting and/or referral structures put into place for sexual abuse survivors within the study area. According to one secondary school girl, attempts to report sexual abuse, assault and harassment to the police were futile and usually ended up with the perpetrator being released after just one week with no trial. She stated that the defilers/abusers often bribed the police and would be freed without hearing from the girls. According to one community member:

The police are not useful, they are too corrupt, and also the police role is not clear in protecting the children against sexual violence. We have no pro bono legal and other social support services for any abused children in this community, and it is very expensive to hire

a lawyer to represent the children in courts or follow up cases. (FGD Household Kamwenge and Bigodi.)

Some girls reported feeling helpless because the community seemed unconcerned with the violence they were experiencing. The police and community leaders are not willing to address the issue and instead insinuate that the girls are somehow to blame for the violence they face. Often times, the girls are considered to have “chosen” their fate, a common misconception about sexual abuse, and are therefore ostracized by their community. One girl reported having approached the Chairman Local Council III (LC III) for help after being raped, only to be told that she could not get any help “*even if she went to the president.*” A survivor reported that the safest route of action was to simply take care of any arising medical problems and not tell anyone else. She felt that no one within the community could be trusted.

This impact was mainly felt in Kamwenge, where there is reportedly no civil society organisation dealing with the issue of child protection in the particular context of sexual exploitation and abuse. The situation may, however, differ in Kabarole when the road construction is focused there because of the high number of child-rights advocacy NGOs there.

#### **5.2.4 Possible Trafficking for Sexual Purposes and Child Marriages**

Many of the construction workers hail from districts outside the project site, and it was reported that several of them have left their work stations with girls from Kamwenge and not returned. In some cases, this has been reported to the police but follow up has been difficult as there are no clear records of the workers or where they originate.

A police officer in Bigodi reported that the newly vibrant nightlife of the town has posed challenges in knowing the actual number of girls who have been affected. An attempt to create a register for residences has failed, and there is no record of how many girls have left the district either willingly or by coercion. Before the road construction, both community members and the police restricted underage girls from entering video halls and attending discos. This, however, is no longer possible due to the larger numbers of people.

Community members reported that even when the police are willing to apprehend the perpetrator, sometimes this is not possible as he may simply relocate, or negotiate with the girl’s parents to marry her off. A police officer in Bigodi reported a case where the perpetrator was arrested but later on the parents did not show up to make a statement, only to learn later that the parents had secretly negotiated with the perpetrator to pay them and marry the girl. This has especially been the case where the perpetrator is a migratory road construction worker. The police are unable to trace his origins and he can simply leave the job.

### 5.2.5 Child Labour and high school dropout rates

As a result of the increased economic opportunities created by the road construction, both boys and girls have either been lured to work by the possibility of financial gain or required by their parents to earn money to contribute to the families' support. Boys are dropping out of school to become full time casual labourers, or skipping some school days to work so that they can help their parents pay school fees. With the minimum earnings reportedly about twenty thousand shillings a week (they are paid between five hundred and one thousand five hundred Ugandan shillings per hour) the temptation is high for both children and families to opt for casual labour over education.



To make matters worse, the boys are not provided any protection while at work and are at high risk of bodily harm from occupational hazards, without any provision for medical cover. As a result, the children's education is being compromised while exposing them to injury and disability. One respondent, a secondary school student, reported that he was forced to drop out of school because he had lost an eye while working part time at the road project (operating a machine) to pay fees. He could no longer go back to school and the construction company could no longer retain him at work due to his disability. His pleas of help and assistance explaining that he lost his eye due to the work accident at the road project fell on deaf ears. The current World Bank safeguards do not show how children involved in such projects can be protected or compensated in case of such accidents. This child should at least be compensated as he was working on this World Bank funded project.

Girls, on the other hand, reportedly drop out to work full time in the expanding service industry such as hotels, bars and video halls; or part time to sell food stuff by the road side and in the market before and after school and on weekends. They are often outside their homes very early in the mornings and late into the nights. As was mentioned before, girls in the area are already suffering sexual abuse from the influx of workers, and because of the nature of the service industry, particularly where consumption of alcohol is involved and the late hours, the girls that work are increasingly exposed to potential sexual violence. Many underage girls are vulnerable to abuse by inebriated men and further risk the likelihood of recruitment as sex workers. Some community members reported that parents have absolved their responsibilities to protect their children and live in a state of hopelessness as efforts to have these issues addressed by local leadership structures have proven futile.

### 5.2.6 Increased number of accidents

The respondents reported an increase in the number of accidents resulting from speeding trucks associated with the construction. The trucks are very old with poor or no breaks. Heavy stones are carried in the back with no protective back covers, and due to the high speed the stones sometimes

fall off, hurting people—and children—close by. The construction company has not demarcated dangerous spots or put signs in dangerous areas. There is an urgent need to have signs put up to protect children and community members from accidents.

### **5.2.7 Implementation of Policies at the Project Level**

According to results from interviews, with both the technical and political leadership of the district, including the offices of the Chairperson Local Council V (LCV) and Chief Administrative Officer (CAO), fall under Local Government and have no mandate over the road project. The CAO of Kamwenge stated that, “We do not have any instruments related to the road construction; the road construction engineer/consultant has never paid a courtesy call to the CAO’s office.” The



**Secondary school FGD**

District Engineer also reported having no control over the project except to offer advice if approached by the consultancy firm implementing the project. It is at the discretion of the consultant whether this advice is taken or not. In Kabarole, while answering a question about whether the road construction company had been provided with the Uganda Children’s Statute that provides for the protection of children from all forms of violence, the LC V Chairman stated: “How could we avail them these Statues when they don't report to our offices? They simply started work. Uganda National Roads Authority (UNRA) should have provided the laws to the contractors.”

The office of the Resident District Commissioner (RDC) is charged with complete supervision of Central Government projects such as this, and their effects on the communities. The office holds monthly road project review meetings and a report is filed with the RDCs office. However, the office has mainly been occupied with resolving issues of compensation and has admitted to not concerning themselves about sexual violence. The Deputy RDC stated that if there were any complaints, these should be brought before the management review team as they will not go out looking for them.

This is evidence of total lack of participation and consultation with the district and local leadership. The World Bank safeguards need to ensure that before implementation of the projects, the local leadership and community are consulted. This way, the community can be provided with all the necessary information concerning the project, and in case of any harm caused by the project, the appropriate grievance mechanism to which they can appeal.

## 6.0 Discussion

The findings of the case study presented above demonstrate several negative impacts on the lives of children affected by the road construction project. In particular, sexual exploitation of the girl child is evidently on the increase.

### 6.1 Performance-Policy Gaps in Ugandan and International Legislation

#### 6.1.1 Sexual Exploitation of the Girl Child:

There are several national laws and policies in place in Uganda that are relevant to the impacts experienced by children in this case. The Uganda Gender Policy (UGP 2007) requires development partners to be cognizant of and use the UGP in development cooperation partnerships by establishing appropriate institutional/donor coordination mechanisms for ensuring gender



**Secondary School FGD**

responsiveness of development cooperation. Institutional framework matrix guidelines demand that strategies to sensitise communities about children's rights and responsibilities must be developed so as to protect the girl child from abuse. On the national level the Ministry of Gender Labour and Social Development (MoGLSD) is charged with monitoring projects such as this to mitigate its effects on vulnerable communities.

However, the presence of the MoGLSD in monitoring of the project was not visible from all the interviews and the FGDs conducted. Additionally, under the central government, this project is governed by the Ministry of Works & Transport (MoWT) Policies (Gender, HIV and AIDS, OHS) 2008. These policies set in place guidelines to develop strategies for cross-cutting issues in road infrastructure projects under which sexual exploitation of girls would fall. MoWT in this case should have been required to monitor implementation of the road project and ensure compliance with standards by sensitising the contractor and communities on potential abuse of children's rights. It is evident that these policies only exist on paper and that implementation and monitoring was not done in this case. This is a significant gap that needs to be addressed to better protect the children of Uganda from impacts caused by development projects.

The Uganda National Roads Authority (UNRA) is mandated to develop national road systems and advise government on road policies. Under The Uganda National Road Authority Act, (No. 15, 2006), along with the World Bank safeguards, UNRA should have carried out an environmental



and social impact assessment (ESIA) to identify and mitigate negative impacts associated with the road development. Although the assessment was done, it mainly covered issues of involuntary resettlement—it did not pay particular attention to the impacts of the project on children. One could argue that looking at impacts on children beyond resettlement was not required by the World Bank. However, this case indicates there is a need for the World Bank to include in its new safeguards a requirement that ESIA look at the unique impacts of a project on children.

*Although the World Bank has stated that investing in children is a clear way of eradicating poverty, with such flaws in the safeguards, children may continue to be employed as labourers.*

#### **6.1.2. Child Labour:**

The Constitution of Uganda (Art. 34) and the International Labour Organisation Conventions (No. 138 and No. 182) both prohibit the employment of children less than 18 years in hazardous work. These Conventions, however, have not been followed by those involved with the road project. The current draft safeguards leave the issue of setting the minimum age for work to borrowing countries and do not address the issue of child labour in supply chains. Although the World Bank has stated that investing in children is a clear way of eradicating poverty, with such flaws in the safeguards, children may continue to be employed as labourers. Although the Local and Central governments, as well as the contractors implementing the project, are governed under these laws and policies, recruitment processes have not followed proper procedures and children are being employed directly on the construction site.

#### **6.1.3. District Implementation of Policy, Legislation and Structures:**

The Local Governments Act 1997 (Cap 243) provides legislative and planning powers to district authorities under this Act. They are enjoined to plan for community development and social protection within their local areas. The results however show that at the local government level, there was minimum engagement with the road construction project regarding the impact of the construction on the community. No effort was taken to address community concerns surrounding sexual exploitation of girls.

### **6.2 Gaps in World Bank Safeguards to protect children**

Governments that benefit from World Bank projects are supposed to implement the Safeguard Policies so as to mitigate certain potential negative social or environmental impacts on the communities affected by projects. Community members reported that the key concerns of the government remained around compensation and other technical aspects of the project, but no reports on the social aspects like child rights abuses and sexual violence. There was no evidence of oversight on whether the policies were being implemented by local government actors or the construction company. The Uganda Constitution (1995) and the 1989 UN Convention on the Rights of the Child (UNCRC) should have been the two overarching frameworks applicable in this case, but were not referenced during the road construction project. Article 19 of the UNCRC



provides for the protection of children against all forms of violence in any development programme and article 34 provides for protection of children against sexual violence. However, neither were referenced in this case.

The World Bank's funding provides a key avenue for development but its policies must ensure that World Bank activities do not cause harm. Although mechanisms, guided by legal frameworks, are in place to provide protection, key players are either not aware of these or not working in tandem with those who can ensure that they are implemented.

As the World Bank Safeguards stand at the moment, there is concern that they neither address the specific needs and concerns of children or articulate how children, being among the most vulnerable groups, experience the negative impacts of World Bank-financed projects, thus the need to include child rights in the safeguard review. This will ensure that the social and economic assessments particularly look at children and how the project might impact them, as well as ensure appropriate prevention and mitigation measures.

*“The World Bank’s funding provides a key avenue for development but its policies must ensure that World Bank activities do not cause harm. Although mechanisms, guided by legal frameworks, are in place to provide protection, key players are either not aware of these or not working in tandem with those who can ensure that they are implemented.”*

Furthermore, projects are required to involve affected communities so as to minimise the risk of causing harm, preferably throughout the project life cycle. According to community members, however, they have never been visited by any World Bank officials, and if Bank did consult with anyone, they stopped at the District and construction company offices. Article 17 of the UNCRC provides for the right of children to access information that is important to their health and well-being. As shown by the findings, most children were not prepared for the changes that were to come with the road construction. Adjusting to the new environment, including the influx of people and increased business opportunities, was made more difficult by the lack of information. Although current World Bank policy does provide for community consultation and participation, the research revealed that community members were not sufficiently engaged.

As a way of accountability, the Ministry of Gender Labour and Social Development should be responsible for occupational health and safety oversight of World Bank funded projects, and should ensure proper record keeping of all workers hired. All workers should have identification with them all the time. This should be shared with the community leaders for easy follow up in such cases.

## 7.0 Conclusion and Recommendations

The study found that while the road project has created economic opportunities in the area, and had many positive effects on surrounding communities, it has also led to severe negative impacts on children, which are differentiated by gender. While boys mainly dropped out of school to get employment as labourers, girls have experienced sexual abuse and many have had to drop out of school to engage in food stuff selling in the expanding market places. The girls seem to be more at risk given that the impacts to them can be more devastating and permanent—including rape, sexual assault, pregnancy, and early marriage.

This situation has also been exacerbated by the hopelessness of the community and its leaders that has caused them to ignore this plight. There is a lack of reporting structure and no guidelines on how to handle the cases that arise. In many rural areas in Uganda, non-governmental child rights organisations tend to fill this gap by providing advocacy and shelters for child protection where other structures are lacking. It is evident that there are few of these active in the communities impacted by this project.

Governments that benefit from World Bank projects are required to implement the Safeguard Policies so as mitigate any potential social and environmental harms that could negatively impact the communities where they are working. The current Safeguard Policy however does not explicitly reference a need to protect children from potential negative effects. Although the new draft safeguard policies mention children together with vulnerable groups such as women and persons with disabilities, this study shows that children, especially girl children, require more specific protections.

The study proposes the following recommendations:

1. A detailed study should be conducted to examine the impact on children in all of the communities along the Kamwenge-Kabarole road project to fully inform those responsible for its implementation. The study must also consider the effects on children with special needs, such as those with physical and intellectual disabilities.
2. Align World Bank Safeguards with international legal and institutional frameworks on child rights and include guidelines that are in line with such legal requirements
3. Include specific procedures within the Safeguards that ensure children are consulted in the entire project cycle from design to completion. Child protection training for crews and community members should be included within the design and feedback mechanisms need to be made available for children to report any violations of their rights.
4. Enforce deliberate efforts to engage key stakeholders at project sites such as district and sub county level leaders to oversee child protection issues. Child protection structures should be set up that define specific reporting structures and provide a links between the community, children and the World Bank Inspection Panel.

5. The central government must have the contractor sign a contract that they will abide by the national laws concerning children and also follow international laws/guidelines on the rights of the child. Children's rights should be protected and the Child Statute followed.
6. There is a need for a deliberate economic empowerment program especially for women and girls both in and out of school to reduce their vulnerability.
7. Local government actors and communities should be made aware of legislation and policies that relate to the protection of children and should be held to task to advocate, monitor, and prosecute violations.

## References

1. ILO: CSEC Report Anju M. (2010). *The Causes, Consequences and Solutions to Forced Child Marriage in the Developing World Researching Violence Against Women - A Practical Guide for Researchers and Activists*
2. Bank Information Centre (August ,2014 )- *Review and Update of the World Bank Safeguard Policies Workshop Packet for Consultation Participants - Phase 2 Consultations*
3. Elaine Zuckerman (2014) *Gender Review and Recommendations on the: World Bank Environmental and Social Framework: Setting Standards for Sustainable Development (First Draft)*
4. Fan, S., N. Rao, and X. Zhang (2004), “Public Expenditure, Growth, and Poverty Reduction in Rural Uganda”, *DSGD Discussion Paper No. 4*, International Food Policy Research Institute,.
5. ‘Safeguard People and the Planet, Not Corporate Profit and Human Rights Abuses’: *Why We Reject the Draft World Bank’s Safeguards Framework and Demand a Rigorous Revision*. Civil Society Critique of WB Policies, October, 2014
6. *Gender Review and Recommendations on the: World Bank Environmental and Social Framework: Setting Standards for Sustainable Development (First Draft)* Elaine Zuckerman, September, 2014.
7. Policies, Legal and Institutional Frameworks, Conventions, Agreements: Uganda Gender Policy (UGP 2007; Ministry of Works & Transport (MoWT) Policies (Gender, HIV and AIDS, OHS) 2008; The Uganda National Road Authority Act, (No. 15, 2006,); Constitution of the Republic of Uganda, 1995; International Labour Organisation Convention No. 138, (1973); Local Governments Act 1997 (Cap 243); Operational Policy/Bank Procedures - OP/BP 4.01: WB OP/BP 4.20: OP/BP 8.40, Technical Assistance; Gender and Development; 1989 UN Convention on the Rights of the Child, (UNCRC)
8. Pomfret, R. (2006), *The Central Asian Economies since Independence*, Princeton University Press, Princeton NJ.
8. Smith, D.R., A. Gordon, K. Meadows, and K. Zwick (2001), “Livelihood diversification in Uganda: patterns and determinants of change across two rural districts”, *Food Policy*, 26(4).
9. World Bank (1994), *World Development Report 1994: Infrastructure for Development*, Washington DC: World Bank.
10. World Bank (2009.1), *World Development Report 2009: Reshaping Economic Geography*, Washington DC: World Bank.