FEATURE

Do We Really Care if We Don't Invest Our Resources? Period Poverty and the Right to Education of Female Children in Uganda

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Introduction

Uganda ratified the United Nations Convention on the Rights of the Child (CRC) in 1990. To meet the commitments under the CRC, Uganda's Constitution in Article 34 provides for children's rights, including the right to basic education. Several laws operationalise the enjoyment of children's right to education, among them the Children's Act of 2016 and the Education (Pre-Primary, Primary and Post-Primary) Act of 2008. In 1997 and 2007, respectively, Uganda also rolled out the Universal Primary Education (UPE) and Universal Secondary Education (USE) policies as part of its steps to progressively realise the right to education under international human rights law, particularly the CRC.

The state's obligations regarding the CRC must be fulfilled in the context of the fundamental principles in the CRC, which are non-discrimination, the best interests of the child, the right to life, survival, and development, and considering the child's views.

It is impossible to discuss the right to education without contextualising the unique place of girls in the education ecosystem. There are challenges that girls face within the cycle of education that make access to education difficult. In this paper, we shall cast light on the issue of menstrual health and how it impacts the right to education for female children in Uganda.

Obligations under article 28 of the CRC

Article 28 of the CRC recognises the right to education and enjoins the state to progressively realise it by making primary education compulsory and freely available to all. Article 28 also seeks to ensure that the state encourages different forms of secondary education, including vocational education. Finally, it enjoins the state to take measures to encourage regular attendance at school and reduce drop-out rates.

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Rights under article 28 of the CRC mirror the content of the right to education as captured under article 13 of the International Covenant in Economic, Social, and Cultural Rights (CESCR). The CRC expands the scope of article 13 of the ICESCR by adding obligations to encourage school attendance. In terms of the CESCR, the state is required to take specific, targeted and measured legislative, policy and administrative steps to ensure that the rights under the CESCR are progressively realised.

While the right to education is to be realised progressively, the Committee on Economic, Social and Cultural Rights has indicated in its General Comment No. 13 that the state has minimum core obligations that are of an immediate nature. Generally, the overarching obligations are to ensure that the right to education is enjoyed in a non-discriminatory manner and that the state take steps to progressively realise the right.

For a state to sustain the justification that it has not been able to meet even its minimum core obligations, it must demonstrate that every effort has been made to use all resources that are at its disposal to satisfy, as a matter of priority, those minimum obligations. As for article 28 of the CRC, the minimum core obligations of the state are to ensure non-discrimination in access to education and the availability of free compulsory primary education. The state should demonstrate that budget allocations are sufficiently directed to the performance of the said obligations.

Uganda has undertaken legislative and policy interventions to progressively realise the right to education as enshrined under article 28 of the CRC. The Constitution of Uganda in article 30 provides for the right to education for all persons. Article 34(2) of the right to education provides for the right of every child to basic education. This right to basic education is implicit too in section 3 of the Children's Act, which requires that, in ascertaining the best interests of the child, regard must be had to, among other things, the child's educational needs. Section 4 of the Children's Act also provides that children have the right to access basic social services. Basic education is considered refers to primary education and lower secondary education.

In Uganda, the emphasis has been on providing universal primary and secondary education. According to Tamusuza (2011: 12), this has allowed many children to go to school, as the UPE programme underscores gender equality. Under the Education Act, the government has been charged primarily with ensuring that trained teachers are deployed, paying salaries and allowances to teachers, and providing educational materials and other capital development inputs.

Uganda has made considerable gains, increasing school enrolment by 100 per cent. However, no evidence exists that this has necessarily led to greater educational attainment. This finding is more prevalent amongst girls since 'being male corresponds to greater years of primary school' (Kan & Klasen 2019: 17). Despite the growing enrolment, girls are still exposed to higher chances of not completing their primary school years. A deeper analysis of the situation reveals that there are impediments to achieving gender parity, which would significantly improve educational attainment. One of the impediments is the period-poverty crisis.

The period-poverty crisis in Uganda's education system

Period poverty is a lack of access to a safe means of managing menstruation. A quarter of girls between the age of 12–18 years drop out of school when they begin menstruation. When girls are on their period, the rate of absenteeism is at 28 per cent compared to 7 per cent when not on their period. Worse still, a package of pads in Uganda costs at least $2 and above, yet there is no initiative by the government to significantly subsidise this or make it free for school-going children.

Uganda is not qualitatively eradicating gender inequalities associated with period poverty in the context of compulsory free education. This has exacerbated inequalities based on gender because school-going girls end up missing school due to menstruation, a situation that boys do not encounter. It has also amplified inequalities based on economic standing, as a majority of school-going girls who suffer the scourge of period poverty are from rural areas.

> **Legislative and budgetary initiatives are linked to increased accessibility to menstrual products and, consequently, access to education.**

The right to education entails that education should be available, accessible, acceptable and adaptable. If period poverty due to poor or absent sanitation facilities affects the menstrual health of school-going girls, thus impeding their ability to attend school, it cannot be said that education is available or accessible to them. These trends perpetuate inequality as they amplify pre-existing structural differentiating factors that reek of discrimination.

While the government may argue that it is severely constrained, it has not demonstrated that it has its priorities straight. For instance, in the 2024/25 budget cycle, it allocated a total of 10.204 trillion Uganda shillings to sectors such as education, health, and water, sanitation and hygiene. By contrast, governance and security, which constitute the coercive state machinery that maintains President Yoweri Museveni's hold on power, were allocated 9.107 trillion Uganda shillings. For closer context, the Ministry of Defence was allocated a total of 3.880 trillion Uganda shillings ($1.029 billion) as opposed to 975.534 billion Uganda shillings ($258.9 million) (Kidamba 2024). Nothing in the budget even remotely addresses the issue of funding for menstrual health programmes.

In previous years, matters such as water, sanitation, and hygiene (WASH), which play a major role in combating period poverty, have received less than 5 per cent of the national budget (UNICEF & WHO 2024: 8). In the 2023/24 budget cycle, UNICEF found that while education remained among the top four priorities of the budget, the proportion of the budget allotted to the pre-primary and primary education sub-sector declined from 51 per cent to 34 per cent between 2017/18 and 2021/22 (UNICEF 2023: 4).

Commendably, Uganda has, through its policy directions, succeeded in bringing the conversation on menstruation out of the realm of secrecy and shame. In 2020, the Ministry of Education came up with a Menstrual Health Management manual in conjunction with Plan International. In the same initiative, training was conducted in teacher-training institutions and within local communities to curb the stigma surrounding menstruation.

Uganda, nevertheless, continues to avoid taking bold budgetary and tax actions. Budget allocations to the education sub-sector remain way below the expected international standard of 20 per cent of the total budget. Uganda still allocates merely a paltry 8.4 per cent to the education sector.

Legislative and budgetary initiatives are linked to increased accessibility to menstrual products and, consequently, access to education. In 2021, Scotland passed a law, the Period Products (Free Provision) (Scotland) Act 2021, in which it made provision for access to free menstrual products in schools. This law was based on a survey which found that 84 per cent of people who had access to free menstrual products were able to go on with their day-to-day activities, including school attendance (UNICEF & WHO 2024: 67).

Uganda, by contrast, has been preoccupied with sectors such as governance, security, energy, and transport. While these sectors, especially energy and transport, are direct enablers of access to education, interventions in these sectors usually come from foreign debt. Increased public debt strains the budget to the extent of having an adverse effect on other social sectors (Muhawe 2019: 6, 8). Worse still, most of these debts are financed by Chinese loans, the agreements for which remain shrouded in mystery and opaque to accountability to citizens.

The government, for some unknown reason, maintains a tax on sanitary pads, even though senior officials have been mentioning since 2017, and again most recently in March 2024, that there are plans to scrap it. This lack of decisive commitment does not lend credence to any

notions that the government is interested in the plight of school-going girls.

Indeed, efforts to combat period poverty have been abandoned to global and domestic civil society and the goodwill of a few individuals. That is no way to assure the future of the country's women. Moreover, as a result, the state becomes complicit in the country's massive levels of school drop-out, as it does in the associated consequences such as child marriages, teenage pregnancies, and the entrenchment of inequality.

Uganda can do more – a lot more

Nothing shows that we believe in the dreams of our young people like investing our resources in these dreams. The Ugandan government must take decisive budgetary action. Period poverty is a budget issue, and Uganda needs to pay attention to gender-responsive budgeting.

The United Nations Educational, Scientific and Cultural Organisation (UNESCO) defines gender-responsive budgeting as a means of integrating a gender perspective in all steps of the budget process — planning, drafting, implementing, and evaluating — to ensure that budget policies take into consideration the gender issues in society.

A good example of this close to home is Kenya, which removed taxes on sanitary pads and raw materials used in their manufacture. Uganda may benefit from benchmarking with Kenya on this issue, as well as with other countries, such as Scotland, which have made bold moves in this direction.

Another budgeting issue is spending resources on combating stigma around menstruation. Governments must invest in cost-effective information campaigns that raise awareness of the normal nature of menstruation in society, especially in the context of schools. Efforts to remove the stigma around menstruation must be bold, deliberate and financially supported.

These information campaigns should include training public officials on addressing menstrual health issues. In the past, high-level government officials have clashed with activists involved in providing reusable menstrual pads rather than supporting their initiatives. Part of the state's minimum core obligations is the obligation to respect, which entails not interfering with the rights of people. Misinformed views on re-usable pads reinforce stigma associated with menstruation and detract from the initiatives of those doing what the state has failed to do for so many years. The state should not fight those who are doing the job despite their modest means.

The integration of menstrual health management into the mainstream curriculum should be done by the Ministry of Education. It should not just do this as an extracurricular item; moreover, these lessons should not only focus on the biology of menstruation but integrate lived experiences. These lessons should include boys so as to enable them to be agents of change against menstrual-related stigma.

Efforts to remove the stigma around menstruation must be bold, deliberate and financially supported.

Uganda needs to innovate around its budgeting priorities and provide solutions for school-going girls when it comes to period poverty. For instance, one of the country's priorities is infrastructural projects. Public-private partnerships can be used to set up sanitation facilities for communities where large infrastructural projects are being conducted as part of the corporate social responsibility required of corporate entities. The partnerships can also be used to allocate portions of money meant for these projects into locally championed initiatives focused on combating period poverty in the host communities of large infrastructural projects.

The government could also tag certain funds in security and defence budgets to anti-stigma campaigns targeting period poverty. The security forces could support community initiatives through corporate social responsibility initiatives targeted at combating period poverty as part of their large budgets. Menstrual health needs to be mainstreamed even within defence and security planning, for instance by making targeted investments in military families as well as in educational facilities for the school going children of military servicemen and -women.

Some militaries in the world take centre-stage in averting crises that are premised on stigma, such as mental health stigma. However, these interventions are usually restricted to those within the military and their families. Compelling evidence suggests that militaries can be used in a transformative manner. This is why militaries are usually enlisted to assist in times of crisis and emergency. In this case, the military would be required not only to provide its human resources but also to commit part of its large budget to corporate social responsibility efforts to combat menstrual stigma.

We must caution, however, that in Uganda's case, there is a need to be cautious about the military's involvement in public affairs, as it is often used to assert the interests of the ruling regime and not necessarily to provide community transformation. There is the danger of normalising militarisation. The antidote would be to bring in the military as an entity subordinate to civilian authority. This might be a stretch, but we should leave no stone unturned in finding opportunities to better the fortunes of school-going girls in Uganda.

Uganda also needs to adopt policies and laws that integrate efforts to combat period poverty. Policies and laws that make schools, workplaces, and public institutions supportive of managing menstruation with comfort and dignity must be prioritised. These would have a ripple-effect on society – it is not in doubt that the opinions of elites in society shape the trajectory of societal opinion through literature and the arts.

For example, it would have a positive effect if workplaces granted menstrual leave to employees on request. It would send a strong message to children if they saw that their parents can have leave days due to their period and thus not hide the fact of menstruation but enjoy comfort and dignity.

Likewise, the government and other stakeholders should invest in campaigns in which the nation's icons in the arts and entertainment show support for combating period poverty. Uganda has always done well with these when it comes to drawing attention to public health concerns. Such campaigns have been used to rally citizen cooperation on issues such as HIV/AIDS prevention and the use of antiretrovirals, as well as vaccinations against hepatitis, COVID-19, and others. Nothing in the literature seems to speak to the existence of campaigns championed by a country's top talents on issues of menstrual health in the context of school-going girls. However, leveraging the arts has the potential to normalise what is wrongly perceived as a culturally abnormal conversation and give it a place of importance in national discourse.

Conclusion

While Uganda must be commended for its efforts to make basic education universally available and free, its efforts are undermined by the scourge of period poverty. Unless and until the government centres this conversation as part of its budgetary and tax planning, education will never be fully accessible to all school-going girls. Education will become a psychosocial burden for them if they cannot attend school because of a natural phenomenon; it will be a burden for them if they cannot access water and sanitation facilities in school because there is no gender-responsiveness in budgeting for such.

Free education thus remains a myth if school-going girls cannot access safe means to manage menstruation. If we treasure the future of our nation, a future which is impossible without the future of our girls, we must put our money where our dreams are. Period poverty is a budget issue, and if the government cares, it will reevaluate its budget priorities.

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