Although Uganda has indicated some progress in recent years in human development, it is still one of the poorest countries in the world. This poverty, combined with a post-conflict environment, are factors that help to create favourable conditions for trafficking and the sexual exploitation of children.

Research conducted in 2011 suggests that the incidents and number of victims of the commercial sexual exploitation of children (CSEC) have increased and the age at which children get involved in CSEC has decreased. The lack of parental care and the early school drop-out rates due to costs of education were cited as two major contributors to children's vulnerability in this area.

In Uganda, the prostitution of children is on the rise, especially in urban centres and fishing communities. There are also a growing number of boys engaging in prostitution in Uganda. Some children are exploited by bar owners and lodges, while others are promised work in hotels, where they end up being sold to men. There are also high levels of relapse into prostitution due to, inter alia, a lack of alternative skills, drug and alcohol abuse, and the stigma and fear of rejection.

Uganda is a source, transit, and destination country for children trafficked for sexual purposes, although there is no concrete data as to the actual number of children trafficked each year. Research shows that the recruitment and trafficking of children for the purposes of sexual exploitation is well coordinated. The exploiters are usually known to the victims or their families and the majority use false promises of job opportunities to deceive the victims.

In Uganda’s capital city of Kampala, child pornography for commercial gain involves well-coordinated networks comprised of music celebrities and bar/karaoke group owners.

Early marriage continues to be a problem in Uganda, especially in rural areas. These marriages involve the payment in cash or in-kind in exchange for young girls and are therefore examples of commercial sexual exploitation. There are many factors that contribute to the prevalence of child marriages, including poverty, traditional social norms regarding the roles of women, the disadvantaged status of women in society, and biases against the education of women and girls.

Uganda’s tourism sector had the highest growth rate of the entire African region in 2011. While this may be beneficial to Uganda’s economy, it also increases the likelihood that travellers to the country will engage in child sex tourism.
A new *National Plan of Action on Child Sexual Abuse and Exploitation* was developed by government and non-government representatives for the period 2011-2015. However, it has not yet been approved or given a budget, due to a lack of resources, limited coordination, and the lack of prioritization of children’s issues by the government. In 2012, the Ministry of Gender Labour and Social Development (MGLSD) published the *National Action Plan for the Elimination of the Worst Forms of Child Labour*. Both child trafficking and CSEC are addressed in the Plan; however, no specific resources have been allocated for its implementation. The *National Strategic Programme Plan of Interventions for Orphans and other Vulnerable Children (NSPPI II)* is a follow-up to the first NSPPI and is expected to aid in an effective and coordinated national response to prevent and/or alleviate vulnerabilities of children.

The MGLSD coordinates the Child Protection Working Group (CPWG), a group of government and non-government actors working in the area of child protection. One of its goals is to promote a more effective inter-agency child protection response through advocacy, policy setting, and capacity building. The CPWG has recently developed a national child protection strategy.

The National Council for Children (NCC) is a statutory body mandated to ensure coordination, monitoring, and evaluation of all policies and programmes relating to children. The NCC also chairs the National Child Labour Partners Forum, which is comprised of NGOs and government actors and works to rehabilitate children involved in child labour. The Uganda Parliamentary Forum for Children (UPFC) consists of 140 members from all parties of the Ugandan Parliament. The UPFC puts forth legislation regarding children’s rights and monitors programmes involving children. It also undertakes missions to different regions and districts to assess the status of children and make recommendations for improving their situation.

In 2012, the Counter-Trafficking in Persons (CTIP) office created a national 14-member task force to report on mechanisms to combat trafficking, with the aim of drafting a national action plan. This task force included representatives from, *inter alia*, the CTIP office, the Immigration Department, the police, various government ministries, and child and family protection units.

Uganda has participated in regional anti-trafficking programmes, which have included representatives from, *inter alia*, the field of criminal justice, Ministries of Foreign Affairs, and inter-governmental and non-governmental organisations. These programmes were aimed at promoting coordination among countries and reaffirming the purpose of the *Regional Action Plan to Prevent and Combat Human Trafficking in Eastern Africa* (adopted in 2008 by the East Africa Police Chiefs).

Uganda is a member of the International Conference on the Great Lakes Region (ICGLR), an inter-governmental organisation that, *inter alia*, works to combat sexual and gender-based violence. From various seminars and sessions regarding the ICGLR’s *Protocol on the Prevention and Suppression of Sexual Violence against Women and Children*, several declarations resulted addressing preventing, eradicating, and ending impunity of sexual violence.
There is little evidence to suggest that the Ugandan Government has taken specific action in the area of prevention of CSEC. However, there have been a number of awareness raising campaigns regarding CSEC and child trafficking organised and funded by NGOs such as ECPAT Uganda and Uganda Youth Development Link (UYDEL). Research has been conducted on child trafficking in certain districts and, as a result, grassroots educational campaigns have sprung up, raising awareness of legislation and the legal rights of victims.

Regional workshops and trainings have focused on Make-IT-Safe campaigns promoting the issue of Internet safety and the Code of Conduct for Safe Internet Use.

Other prevention strategies utilised by NGOs have included: the funding of studies regarding gender in trafficking and HIV/AIDS in commercial sex work; awareness raising that targets children, parents, and entire communities; and providing vocational training for survivors of CSEC. Due to these studies and awareness raising campaigns, there is now more information on CSEC and child trafficking in Uganda, as well as on those children most vulnerable to these violations.

Uganda has ratified several international treaties regarding child protection, including the Convention on the Rights of the Child (CRC), the Convention on the Worst Forms of Child Labour, and the Convention against Transnational Organized Crime. It acceded to the Optional Protocol of the CRC on the sale of children, child prostitution, and child pornography (OPSC) and has signed, but not ratified, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking Protocol). At the regional level, Uganda has ratified the African Charter on the Rights and Welfare of the Child.

Uganda’s Law Reform Commission is currently in the process of reviewing the Children’s Act 2000, the most important law for child protection in the country. The amendments, if adopted, will address the prevention of child trafficking for adoption purposes and the punishment of human trafficking as harmful employment. Uganda has also introduced additional, potentially significant domestic legislation, including the Sexual Offences Bill (pending since 2004), an Anti-Pornography Bill, and the Prevention of Trafficking in Persons Act 2009. Uganda’s current legislation does not entirely adhere to international legal standards as it has not yet ratified the Trafficking Protocol, and has not yet ensured that children subjected to CSE are treated as victims and not offenders.

Sexual offences against children

Under the Penal Code Amendment Act 2007, the crime of felony defilement is now defined as unlawful sexual intercourse with any person under the age of 18, including boys. If convicted, punishment can be life in prison or, in some cases, the death penalty. The Act is still lacking in critical areas however. For example, it does not prohibit the use of children in sexual activities for remuneration or any other form of consideration. A Sexual Offences Bill was proposed in 2011, which would criminalise using authority, status, power, privilege or other undue influence to induce another person to perform a sexual act.

Prostitution of children

Under Ugandan legislation, there is no distinction between the prostitution of children and the prostitution of adults. Prostitution is illegal in Uganda and is punishable by seven years imprisonment, regardless of age. Under Uganda’s Penal Code, the procurement of girls or women for sex is prohibited; however, obtaining, offering, and providing a child for prostitution are not explicitly prohibited, as requested by the OPSC. Additionally, to be convicted of procurement, there must be testimony of more than one witness, or evidence corroborating the testimony of a single witness.
Trafficking in children for sexual purposes

Although Uganda has not ratified the Trafficking Protocol, it recently adopted the Prevention of Trafficking in Persons Act 2009, defining and criminalising trafficking in children, which is modelled after the definition of trafficking in the Trafficking Protocol. Also, in accordance with the Trafficking Protocol, the Act provides that if the victim is a child, trafficking in persons occurs even in the absence of threat, use of force, coercion, deception, fraud, abduction, or abuse of power.29

Child pornography/child abuse images

The Computer Misuse Act 2011 contains a definition of child pornography that adheres to international legal standards. And although the Act, *inter alia*, makes cyber harassment illegal,30 it still does not specifically address the solicitation of children for sexual purposes. An Anti-Pornography Bill was proposed in 2011 in an effort to address offences beyond those committed with a computer, but the Bill is still pending approval.

Extra-territorial legislation related to child sex tourism

Under the Prevention of Trafficking in Persons Act 2009, citizens and permanent residents of Uganda may be prosecuted in Uganda for offences related to trafficking in persons committed outside Ugandan territory with the permission of the Attorney General.31 In 2011, a Sexual Offences Bill sought to extend jurisdiction over Ugandan nationals and residents accused of committing a sexual offence against another national or resident of Uganda outside the country.32 This jurisdiction is still limited however, as it does not allow for the punishment of Ugandan nationals and residents who commit sexual crimes against children who are nationals of other countries.

Child protection units

Since 1998, Uganda has maintained the Child and Family Protection Unit of the police, which is charged with investigating all cases related to the abuse of women and children and raising awareness of these violations.33 Since the adoption of the Children's Act 2000, plans have been underway to establish Family and Children's Courts in every district.34 According to Ugandan NGOs, however, the Local Council courts still hear the majority of child-related issues and most of them do not have a good understanding of juvenile justice and child protection issues.35

Support services for children

According to the Children's Act, district Probation and Social Welfare Officers (PSWO) are responsible for the care and protection of children. Although many of the PSWOs are not trained and/or not familiar with CSEC issues, the Children and Youth Department of the MGLSD is developing a handbook for PSWOs which would provide them with guidelines, information on CSEC issues, and international legal instruments and domestic laws.36

The majority of CSEC victims are supported through counselling, shelter, and medical and food supplies provided by NGOs and community-based organisations, not by the government.37 However, there are very few NGOs that provide specialised assistance to CSEC survivors. UYDEL works to withdraw and rehabilitate victims of trafficking in persons and sexual exploitation, particularly children trafficked and exploited in commercial sexual activities. The NGO Slum Aid Project (SAP) provides support and rehabilitation to survivors of gender-based violence and children engaged in commercial sex.38 Uganda Child Rights NGO Network (UCRNN) runs a toll-free Child Helpline that offers counselling, referrals, and follow-up support to child victims of all forms of abuse.39

Unfortunately, the majority of these support services exist in urban-areas and provide only short-term assistance.

Training law enforcement personnel

Law enforcement trainings have been carried out by the Child and Family Protection Unit, the Ministry of Internal Affairs, and various NGOs. However, these trainings are not the norm, especially in rural areas, which explains why it is difficult for law enforcement in many parts of Uganda to identify victims and offenders of CSEC.40
The Ugandan Government has increasingly recognised the importance of child participation in its national policies and programmes concerning children and young people. However, examples of this participation are mainly due to the efforts of NGOs and still remain few and far between. Both the Children’s Act and the National Action Plan for the Elimination of the Worst Forms of Child Labour highlight the importance of child participation on issues that affect them. The government has designed a national guide on child participation which provides tips, tools, and techniques for engaging children.

**National plan of action**

- Uganda should endorse the new *National Plan of Action on Child Sexual Abuse and Exploitation* and allocate sufficient resources for its implementation. It should also adopt an anti-trafficking plan in accordance with the *Prevention of Trafficking in Persons Act 2009*.

**Coordination and cooperation**

- The government should allocate more resources to the National Council for Children so that its coordination mandate and collaboration between all entities in the area of CSEC can be fully realised. It should allocate human and financial resources to the Uganda Human Rights Commission to monitor CSEC violations specifically and establish child-sensitive complaint mechanisms accessible to children at regional and local levels. The government should also develop a central database for registering violations of children’s rights and to ensure that data on CSEC-related crimes are systematically collected. The government should consider developing coordinating bodies to address child pornography.

**Prevention**

- The Ministry of Tourism, Trade and Industry should collaborate with tourism companies and support the signing and implementation of the *Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism*. Awareness raising campaigns should be conducted on CSEC in schools, villages, and urban and rural areas, targeting children, parents, and community leaders. Uganda should promote youth employment and decent work through vocational and business skills training and support poor and vulnerable families to start income generating activities to meet the basic needs of their children. Uganda should also undertake a national campaign against CSEC and work to educate business entities that facilitate CSEC about the negative impact of commercial sexual exploitation on children.

**Protection**

- The government should ratify the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* and expedite the approval of two bills, the *Sexual Offences Bill 2011* and the *Anti-Pornography Bill 2011*. It should approve amendments of the *Children’s Act* that enhance protections of children against all forms of violence and review current legislation to ensure that children engaging in prostitution are not treated as offenders and that all criminal acts related to the prostitution of children are punished. It should introduce a specific provision to prohibit online solicitation of children for the purpose of sexual exploitation as well as knowingly accessing child pornography. The government should expand current extra-territorial jurisdiction to include all CSEC related offences committed by Uganda’s
nationals and residents in foreign countries, regardless of the nationality of the victim. The government should allocate resources for the implementation of the *Prevention of Trafficking in Person’s Act 2009* and conduct capacity building programmes on CSEC for state actors as well as for community-based actors and NGOs.

**Child participation**

Governments at all levels in Uganda should establish processes and structures to institutionalise the meaningful participation of children and youth in developing policies and programmes that affect them. The government should strengthen partnerships with civil society organisations, as well as children’s organisations and groups, to employ concrete and evidence-based strategies to promote children’s participation against CSEC and with child protection overall.


8. 2011 tourism review in Africa


12. Information provided by UCRNN


19. Information gathered from ECPAT International reports (for internal use only)


22. Committee on the Rights of the Child. Consideration of reports submitted by States parties under article 12(1) of the Optional Protocol on the sale of...

23 ECPAT International. Global Monitoring Report on the status of action against commercial sexual exploitation of children. 2007. Available at www.ecpat.net. The death penalty may be imposed in aggravated circumstances; if the offender knows that he/she is HIV-positive or where the offender is a parent, guardian or has authority over the victim


26 Section 139 of the Penal Code

27 Section 131 (1) of the Penal Code

28 Section 131 (2) of the Penal Code

29 Section 3 of the Prevention of Trafficking in Persons Act

30 Section 24 of the Computer Misuse Act. Cyber harassment involves the use of a computer for “making any request, suggestion or proposal which is obscene, lewd, lascivious or indecent.”

31 Section 19 of the Prevention of Trafficking in Persons Act


39 http://www.tumainiawards.com/partners/ucrnn
