MULTISECTORAL RESPONSES AND CAPACITIES ASSESSMENT (MRC) Uganda

Joint and coordinated action for the prevention, investigation and assistance to victims of Online Child Sexual Exploitation and Abuse.

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National Capacity Building Program

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## Acronyms

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<th>Description</th>
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<tr>
<td>CBSD</td>
<td>Community Based Services Department</td>
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<td>CERT-UG</td>
<td>National Computer Emergency Response Team of Uganda</td>
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<td>CRC</td>
<td>Convention of the Rights of the Child</td>
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<td>CMT</td>
<td>Case Management Tool (NCMEC)</td>
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<td>CPC</td>
<td>Child Protection Committees</td>
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<td>CPS</td>
<td>Child Protection System - Software in P2P Networks</td>
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<td>CSAM</td>
<td>Child Sexual Abuse Material</td>
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<td>CSEA</td>
<td>Child Sexual Exploitation and Abuse</td>
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<tr>
<td>CSSF</td>
<td>Conflict, Stability, and Security Fund</td>
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<tr>
<td>DPP</td>
<td>The Office of the Director of Public Prosecutions</td>
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<td>EVAC</td>
<td>End Violence Against Children Fund</td>
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<td>GBV</td>
<td>Gender-Based Violence</td>
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<td>ICACCOPS</td>
<td>Internet Crimes Against Children Child Online Protection System - Software in P2P Networks (Peer-to-Peer Networks)</td>
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<td>ICSE</td>
<td>International Child Sexual Exploitation (Interpol database)</td>
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<td>ICT</td>
<td>Information and Communication Technology</td>
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<td>ICMEC</td>
<td>International Centre for Missing and Exploited Children</td>
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<td>ILO</td>
<td>International Labor Organization</td>
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<td>INHOPE</td>
<td>International Association of Internet Hotlines</td>
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<td>INTERPOL</td>
<td>The International Criminal Police Organization</td>
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<td>IP</td>
<td>Internet Protocol</td>
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<td>ISP</td>
<td>Internet Service Providers</td>
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<td>ITU</td>
<td>International Telecommunications Union</td>
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<td>IWF</td>
<td>Internet Watch Foundation</td>
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<td>LE</td>
<td>Law Enforcement</td>
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<td>MGLSD</td>
<td>Ministry of Gender, Labor and Social Development</td>
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<td>MICT</td>
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<td>NCA</td>
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<td>National Central Bureau</td>
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<td>National Center for Missing and Exploited Children</td>
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<td>NGO</td>
<td>Non-Governmental Organization</td>
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<td>National Information Technology Authority</td>
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<td>NRM</td>
<td>National Response Model (WeProtect)</td>
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<td>OAS</td>
<td>Organization of American States</td>
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<td>OCSEA</td>
<td>Online Child Sexual Exploitation and Abuse</td>
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<td>OSINT</td>
<td>Open-Source Investigations</td>
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<td>PSW</td>
<td>Para-Social Workers</td>
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<td>PWO</td>
<td>Probation and Social Welfare Office</td>
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<td>SOCMINT</td>
<td>Social Media Investigations</td>
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<td>UCC</td>
<td>Uganda Communications Commission</td>
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<td>Ug-CERT</td>
<td>Uganda Computer Emergency Response Team</td>
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<td>UN</td>
<td>United Nations</td>
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<td>UNFPA</td>
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<td>UPF</td>
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<td>URL</td>
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The International Centre for Missing and Exploited Children (ICMEC) is a non-governmental organization that fights against child sexual exploitation and abuse (CSEA) and searches for missing children in the world. It is headquartered in Alexandria, Virginia, USA, with representation in Australia, Brazil, Colombia, El Salvador, Guatemala, Honduras, India, Indonesia, Kenya, the Philippines, Portugal, and Singapore. Since its formation, it has worked hand in hand with governments, law enforcement (LE), industry, and civil society organizations in order to build institutional, legislative, and public policy frameworks to protect children and adolescents against disappearance, abuse, and sexual exploitation.

The work carried out by ICMEC in more than 120 countries has promoted, among other actions, the formation of local alliances for the implementation of policies for the eradication of sexual exploitation and the production of Child Sexual Abuse Material (CSAM).

These activities have been accompanied by entities such as the United Nations (UN), Interpol, the Organization of American States (OAS), and other multilateral organizations.
The problem of Child Sexual Exploitation and Abuse (CSEA) represents a challenge for many countries that have institutional weaknesses to prevent, investigate, and care for child victims of these scourges. For this reason, in 2020, the ICMEC National Capacity Building program created the Multisectoral Response and Capacity Assessment (MRC), using the capacities of the WeProtect National Response Model (NRM) as a basis to identify the progress made, the gaps that still exist, and the corresponding recommendations to address them.

This model is multisectoral in nature since the strategic response to combat Online Child Sexual Exploitation and Abuse (OCSEA) must include comprehensive and complementary care from all the institutions involved in protecting and guaranteeing the right of the children.
Between April 24, 2023 and July 17, 2023, ICMEC carried out in Uganda, the MRC Assessment for the prevention, investigation, and care of OCSEA cases in order to identify the weaknesses and strengths of the State in addressing and mitigating this scourge.

For this purpose, ICMEC’s National Capacity Building team worked together the development of the final report.

This analytical methodology provides orientation and support to countries and organizations to comply with the commitment to prevent and mitigate abuse and CSEA. It is recognized that this cannot be addressed in isolation; a broader set of capacities to prevent and address CSEA is required to ensure a comprehensive national response. Therefore, the model proposes the following 20 capacities to be developed by six relevant sectors.

Additionally, the MRC methodology included the development of specific tools to identify the entities from which the necessary information was required to achieve the established objectives.
## Leadership
Accountable, cross-sector national body with a clear mandate and resources to protect children from sexual exploitation and abuse online, and willingness to engage in international collaboration

## Legislation
Comprehensive and effective legal framework to prosecute offenders and protect children from all forms of sexual exploitation and abuse in line with international human rights standards. Legal provision to protect children engaged in consensual sharing of sexual content from criminalisation where appropriate.

## Dedicated law enforcement
Human and technical capabilities to investigate child sexual abuse online and offline, including cross-border cases. Trauma-informed training for law enforcement. Coordination with victim support services.

## Offender management process
Multi-agency system to identify, manage and rehabilitate sex-offenders, and statutory tools (rehabilitation and education programmes, community supervision).

## Access to image database
National database with access to the Interpol’s ICSE database for international collaboration, supported by alignment with terminology for CSAM categorisation.

## End-to-end support
Planned, integrated and multi-stakeholder support for victims and survivors. Services are inclusive and sensitive to age, gender, sexuality, disability and ethnicity. Psychological support across dedicated law enforcement, frontline workers accessing image databases, child protection workforce, and hotlines.

## Compensation, remedies and complaints arrangements
Provision of measures to allow children and victims accessible support in compensation, legal remedies and complaints procedures.

## Child helpline
Accessible to all children, nationwide, toll-free, available 24/7, voice and text based, offering confidential support and counselling with appropriate referral mechanisms. Robust data protection systems. Counsellors with specific training in online harms.

## Highest level national commitment to child sexual abuse prevention and response
Highest level national commitment to child sexual abuse prevention and response. Comprehensive understanding of child sexual abuse within the highest levels of government and law enforcement. Willingness to work with, and coordinate the efforts of, multiple stakeholders to ensure the enhanced protection of victims and an enhanced response to child sexual abuse offending.

## Effective and successful child sexual abuse investigations, convictions and offender management
Effective and successful child sexual abuse investigations, convictions and offender management. Law enforcement and judiciary have the knowledge, skills, systems and tools required to enable them to perform victim-focused investigations and secure positive judicial outcomes. Child sexual abuse offenders are managed and reoffending prevented.

## Appropriate support services for children and young people
Appropriate support services for children and young people. Children and young people have access to services that support them through the investigation and prosecution of crimes against them. They have access to shelter; specialised medical and psychological services; and rehabilitation, repatriation and resocialisation services.
Informed and ethical media reporting
Evidence-based and sensitive reporting that respects victims’ and survivors’ rights and dignity

Takedown procedures and reporting
Local removal and blocking of child sexual abuse material online
Procedures for timely removal of child sexual abuse material when a company confirms its presence
Statutory protections for industry to report child sexual abuse, including content transmission to law enforcement or a designated agency
Global and cross-sector collaboration

Statutory protections for industry to report child sexual abuse, including content transmission to law enforcement or a designated agency

Procedures for timely removal of child sexual abuse material when a company confirms its presence
Statutory protections for industry to report child sexual abuse, including content transmission to law enforcement or a designated agency
Global and cross-sector collaboration

Child sexual abuse prevented
Children and young people are informed and empowered to protect themselves from child sexual abuse. Parents, carers, teachers and childcare professionals are better prepared to keep children safe from child sexual abuse, including addressing taboos surrounding sexual abuse.

Innovative solution development
Technological solutions to prevent and address child sexual exploitation and abuse online

Responsible business conduct
Child protection and safeguarding policies, due diligence and remediation that address child sexual exploitation and abuse online

Industry engaged in developing solutions to prevent and tackle child sexual abuse
The public can proactively report child sexual abuse offences. Industry has the power and willingness to block and remove child sexual abuse material online and proactively address local child sexual abuse issues.

Universally agreed terminology
Information and policies communicated clearly and in alignment with international standards

Awareness raised among the public, professionals and policy makers
Potential future offenders are deterred. Child sexual abuse offending and reoffending is reduced.
Develop a framework of reference for the construction of a strategic plan that allows ICMEC, the Ugandan government, and other relevant actors to carry out the consolidation of a National Response Model (NRM) and guide a work plan based on the gaps found to combat OCSEA.

Specific

- Identify the gaps in the national response for the prevention, investigation, and assistance to victims of child sexual abuse and exploitation in Uganda.
- Identify priority actions aimed at covering the identified gaps.
- Provide inputs for the development of an intersectoral work plan for the construction of a national response to combat the abuse and sexual exploitation of children and adolescents, based on the NRM.

The methodology to carry out the MRC Assessment included the elaboration of a mapping of entities related to the protection of children against CSEA; as well as a series of instruments to collect information on the 20 capacities established in the MRC Assessment.

- Surveys to identify and evaluate the capacities of the entities according to their responsibilities. These were carried out directly with officials of each institution virtually.
- Specific requests for information to entities through video calls and emails.
- Search for information in open data sources.

Subsequently, the information collected was complemented with the resources available in open sources and analyzed based on the NRM based on four criteria:

1. Existence of a capacity in Uganda
2. Level of capacity development based in the information collected (Poor, Acceptable or Outstanding)
3. Identification of the gap between what is proposed in the MNR and the level of capacity development in the country
4. Potential actions that contribute to reducing the gaps detected based on what is proposed in the NRM.
Participating Institutions

- **Sector 1 - Policy, Legislation and Governance:**
  - Office of the Director of Public Prosecution

- **Sector 2 - Criminal Justice:**
  - Office of the Director of Public Prosecution
  - Human Trafficking Institute
  - Uganda Police Force

- **Sector 3 - Victim Support and Empowerment:**
  - Human Trafficking Institute
  - Sauti 116

- **Sector 4 - Society and Culture:**
  - Sauti 116
  - ECPAT International

- **Sector 5 - Industry:**
  - National Information Technology Authority (NITA)

- **Sector 6 - Research and Data:**
  - Office of the Director of Public Prosecution
This section presents the results derived from the analysis of the information collected. For each capacity proposed by the NRM, the relevant aspects related to significant advances that contribute to the achievement of each of the capacities are presented, as well as the gaps evidenced and for which the MRC assessment later proposes its recommendations.
SECTOR 1: Policy, Legislation and Governance

OUTCOME

To attain the highest level of national commitment to child sexual abuse prevention and response

Comprehensive understanding of child sexual abuse within the highest levels of government and law enforcement.

Willingness to work with, and coordinate the efforts of, multiple stakeholders to ensure the enhanced protection of victims and an enhanced response to child sexual abuse offending.

CAPACITY 1: Leadership

Accountable, cross-sector national body with a clear mandate and resources to protect children from sexual exploitation and abuse online, and willingness to engage in international collaboration.

FINDINGS:

- According to the Children (Amendment) Act 2016, in its Article 9B, some of the functions of the National Children Authority (NCA) are to advise the government on the formulation of a National Child Protection Policy and child rights programs, create awareness on a right of a child to be protected from abuse, develop methods of preventing child abuse, consult authorities and relevant actors from the public and private sectors, and recommend measures for the purpose of preventing Child Abuse.¹

- The coordinating entity for public policies related to the promotion and protection of peace, justice, and security in Uganda is the Ministry of Internal Affairs (MIA). One of its main objectives is to coordinate the implementation of the Trafficking in Persons Law, through the formulation of programs to prevent and suppress trafficking, the elaboration of a national action plan to protect and prevent trafficking, developing policies to protect and support victims with a focus on age and gender, and establishing a data bank on cases of trafficking in order to conduct research and studies based on these dynamics.

- In 2015, the Government of Uganda, the British High Commissioner, and UNICEF created a working group led by the MIA and which is directly in charge of the prevention of OCSEA, creating awareness and strategies to eradicate the phenomenon, and inviting other actors to participate in its prevention. Among the actors working in a coordinated manner in this group are the Uganda Communications Department, the Ministry of Gender, Labor and Social Development (MGLSD), the Helpline, the Ministry of Education & Sports (MoES), the Public Prosecutor’s Office, the National Information Technology Authority (NITA), the Ministry of Foreign Affairs, and the Ministry of Justice. Some civil society organizations such as Save the Children and World Vision also take part.

¹ https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/104395/127307/F-171961747/UGA104395.pdf
• According to EVAC fund’s Disrupting Harm report, these authorities work together to create strategies to make the phenomenon visible.  

• The Prevention of Trafficking in Persons Act 2009 of Uganda, provides for child trafficking in section “5” as any person who (f) “advertises, publishes, prints, transmits, distributes or causes the publicity, publication, printing, broadcasting or distribution by any medium, including the use of information technology and the Internet, of any pornographic or other material intended for or likely to facilitate trafficking in person.”  

• The Ministry of Information and Communication Technologies (MICT) includes within its National Information and Communications Public Policy for Uganda, created in 2014, encouraging Internet Service Providers (ISPs) to provide access to services based on the network, even in the most remote places of the country.” Likewise, objective “ix” of the policy establishes that it must be guaranteed that minors are protected against abuses such as pornography and violent content.  

• To fulfill this objective, the policy contemplates two strategies: 1) establish and enforce ethical broadcasting standards that address pornography and violence, and 2) develop a rating system to ensure that the public has complete information when deciding what content to consume. Likewise, this policy includes in its section 4.5.2 the development of legislation to protect the right to privacy and personal data. Regarding ISPs, this public policy does not include anything additional.  

• The Uganda Communications Commission (UCC) is part of the MICT and is in charge of regulating the communications sector, which includes telecommunications, broadcasting, radio communications, postal communications, data communications, and infrastructure.

CAPACITY 2: Legislation

Comprehensive and effective legal framework to prosecute offenders and protect children from all forms of sexual exploitation and abuse in line with international human rights standards.

Legal provision to protect children engaged in consensual sharing of sexual content from criminalisation where appropriate.

FINDINGS:

• International Conventions ratified by Uganda that may be related to children’s rights, prevention of CSEA, and the investigation of Cybercrime, are:
  ◦ The Convention on the Elimination of All Forms of Discrimination against Women (1979)
  ◦ The International Convention on the Elimination of All Form of Racial Discrimination (1980)
  ◦ Convention 138 of the International Labor Organization (ILO) concerning Minimum Age for Admission to Employment (1973)
  ◦ ILO Convention 182 on the Worst Forms of Child Labor (1999)
  ◦ The United Nations Convention Relating to the Status of Refugees (1951)
  ◦ The International Covenant on Economic, Social, and Cultural Rights (1987)
  ◦ The International Covenant on Civil and Political Rights (1995)
- The UN Convention for the Suppression of the Trafficking in Persons and of the
- Exploitation of Prostitution (1949)

The State of Uganda has a robust regulatory framework which is made up, among others, of:
- The Penal Code Act (2014): In its Article 129 on dishonor to persons under 18 years of age, this law establishes that:
  1. any person who performs a sexual act with another person under 18 years of age commits a serious crime known as dishonor and is sentenced to life imprisonment.
  2. Any person who attempts to perform a sexual act with a person under the age of 18 commits a crime and is sentenced to imprisonment for no more than 18 years.
  3. Any person who performs a sexual act with a person under 14 years of age, when the offender is a parent or guardian of the person against whom the crime is committed or when the victim is a person with a disability, the abuser may be sentenced to death.

In the same way, the criminal code defines a sexual act as: a) penetration of the vagina, mouth, or anus, however slight, of any person by a sexual organ, and b) the illegal use of any object or organ by a person in the sexual organ of another person (vagina or penis).

The Penal Code Act under its article 128 determines the crime of indecent assault against women or girls. Likewise, it determines under its article 124 these behaviors against boys under 18 years of age.

- The Children Act (2016): This law contains a definition of what child pornography is, which it defines as: "Any representation through publication, exhibition, cinematography, indecent spectacle, through information technology or by any means, of a child engaged in real or simulated explicit sexual activity, or any representation of the sexual part of a child for mainly sexual purposes." whose definition includes the ICT media.

This law also has a definition of child sexual exploitation which includes trafficking, child prostitution, and child pornography as crimes of this type. Likewise, its article 8A prohibits sexual exploitation, establishing that:
  a. A person shall not engage a child in any work or trade that exposes the child to activities of sexual nature whether paid for or not.
  b. for avoidance of doubt, it shall be unlawful for any person to use an induction or coercion in the encouragement of a child to engage in any sexual activity;
  c. children in prostitution or other unlawful sexual practices; and
  d. children in pornographic performances or materials.

A person who contravenes this section commits an offense and is liable, on conviction, to a fine not exceeding one hundred currency points or to a term of imprisonment not exceeding five years.

In the Penal Code Act, it is determined that if any sexual act occurs between two minors, the provisions of Chapter X of the Children's Act will come into force, where it determines in the Article 88 that the minimum age of criminal responsibility shall be twelve years old.

- The Computer Misuse Act (2011): In its Article 23, this law establishes that "any person who illegally produces, offers, or
makes available, distributes, transmits, obtains or possesses child pornography; or a person who makes CSAM available to a child commits a crime, and is subject to a sentence of not more than 15 years in prison or a fine of 360 money points. Likewise, in its Article 24, this law contains the crime of Cyber Harassment in which section 2 establishes that this is represented in making any request, suggestion or proposal that is obscene, lewd or indecent. The person who commits this crime may be sentenced to three years in prison or pay a fine of 72 monetary points.

In Articles 25 and 26, it establishes the crimes of offensive communications and cyberbullying in which it is necessary to establish that they occur through the use of ICT and that they are actions that seek to instill fear in a person or violate their right to privacy is a crime. In this case, one might think that crimes such as sextortion could fall within this crime. However, the maximum penalty for offensive communications is one year and that of harassment is up to five years.8

The Prevention of Trafficking in Persons Act (2011): It is the law by which the actions of authorities such as the Ministry of the Internal Affairs are governed, which is why it is of great importance. Article 5 establishes the crime of trafficking in minors.9

A person who—

a. does any act referred to under Section 3 in relation to a child;

b. uses a child in any armed conflict;

c. removes any part, organ or tissue from the body of a child for purposes of human sacrifice;

d. uses a child in the commission of a crime; e. abandons a child outside the country;

f. uses a child or any body part of a child in witchcraft, rituals and related practices; commits an offence of aggravated trafficking in children and may be liable to suffer death.

Data Protection and Privacy Act (2019): It defines “sensitive personal data” as that which relates to the religious or philosophical beliefs, political opinion, sexual life, financial information, health status, or medical records of an individual. This Act does not have any information related to children’s data.10

- Despite a robust legislative framework in place, according to the latest report from Uganda’s Disrupting Harm, the Law Enforcement Authorities do not fully have a clear understanding for the application of these laws which can be detrimental to the handling of child sexual abuse and exploitations cases.11

- The terminology of the laws has not been adjusted to the Luxembourg guidelines.

- According to open internet sources, the Kampala Police Force and other cities in Uganda have expressed that it is important to receive psychological help in order to deal with the different phenomena that occur such as child neglect and abuse, domestic violence, and drug abuse, which are some of the most commonly reported cases in the welfare department.12

In October 2022, within the framework of the International Mental Health Day, Uganda, police rolled out a five year strategy to address mental health challenges among its officers. The idea is to create a five-year action plan to be able to put an end to the mental illnesses that the forces can suffer due to the hard work they have to do.13

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GAPS SECTOR 1: Policy, Legislation and Governance

- The MIA is in charge of developing actions to prevent and protect citizens from Human Trafficking. However, apart from the working group created in 2015 with funding from UNICEF, there is no other multi-stakeholder scenario where the various stakeholders work together to protect children from OCSEA.

- In 2020, when UNICEF funding for the project ended, the roundtable ceased to be led by MIA and was moved to the Ministry of Gender, Labor, and Social Development (MGLSD). The lack of funding caused the activities to cease. Also moving the project to a new ministry meant it lost the momentum and traction it had gained in the previous ministry.

- Changing the authority to manage this roundtable to the MGLSD can suggest that the exploitation of children and adolescents represents a job opportunity for them, thereby placing responsibility on the child victims and implying that they can grant a consent that they cannot give.

- On the website of the MIA, it was not possible to find information on strategies to make OCSEA a visible phenomenon, so the information does not allow us to determine if these actions are within the framework of public policy for the protection of children or if they are isolated actions that seek to protect to children from the OCSEA.

- Likewise, the National Information and Communications Public Policy for Uganda includes in its section 4.5.2 the development of legislation to protect the right to privacy and personal data. Regarding ISPs, this public policy does not include anything additional related to child protection in virtual environments.

- The State of Uganda has not ratified the following international treaties or conventions:
  - The Hague Convention on the Civil Aspects of International Child Abduction
  - The United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children
  - The Council of Europe’s Convention on Cybercrime (Budapest Convention)

- The Penal Code Act establishes the definition of sexual act as
  - penetration of the vagina, mouth or anus, however slight, of any person by a sexual organ;
  - the unlawful use of any object or organ by a person on another person’s sexual organ; “sexual organ” means a vagina or a penis.

- However, sexual acts are not only penetrations; touching and forcing to view CSAM are sexual acts that must be condemned. Additionally, throughout the act an emphasis is placed on the vulnerability of girls to the violation of their rights, without doing so in the same way for boys which can be detrimental for the defense of boy’s rights considering that:
  1. Boys may be lost sight of in future public policies on OCSEA.
  2. It may be thought that the vulnerability of boys towards abuse is not the same as that of girls.
  3. The reporting rate may decrease considering that boys do not feel protected by the law or the authorities in the same way as girls.
• Although the Children Act includes a sentence of not more than five years of prison, that is a very low sentence for the offence of child prostitution or for the generation of CSAM.

• At the same time, it includes the possibility for paying in order not to serve prison. As determined in Chapter X of the Children Act, a minor under the age of 12 who has sexual relations with another minor can be considered a criminal with dishonor (Defilement) and could be sentenced to prison. This can be very problematic, because despite the fact that under the law a minor under 12 years of age may have criminal responsibility, actions such as sending self-produced CSAM images can result in high sentences for this type of people, which would consider the child not as a victim but as an aggressor under the law.

• The Computer Misuse Law contains some articles on cyberbullying and offensive communications. Some offensive or sexual crimes against children could be included within this law. However, the penalties included in this law are very low for the vulnerability and the consequences that may arise, for example, requesting some material of a sexual nature, which can be sold or commercialized.

• The terminology of the laws has not been adjusted to the Luxembourg guidelines, taking into account that the laws analyzed continue to use terms such as child pornography or child prostitution and others that, despite being in accordance with international protocols and conventions, can be re-victimizing.
SECTOR 2: Criminal Justice

OUTCOME

To attain effective and successful child sexual abuse investigations, convictions, and offender management.

The Law Enforcement and judiciary have the knowledge, skills, systems, and tools required to enable them to perform victim-focused investigations and secure positive judicial outcomes.

Child sexual abuse offenders are managed, and reoffending is prevented.

CAPACITY 3: Dedicated Law Enforcement

Human and technical capabilities to investigate child sexual abuse online and offline, including cross-border cases, trauma-informed training for law enforcement and coordination with victim support services.

FINDINGS:

- The Constitution of Uganda under article 211 provides for the formation of the Uganda Police Force while the Police Act of 1994 breaks down the specific roles and structure of the force. The Uganda police force is the police system in Uganda mandated by the constitution to carry out investigations in the country.

- Cases of CSEA can be directly reported at police stations. This is done when any individual with knowledge of such abuse walks into any station in the country and records a statement on the same. The police officer at the station is required to record the case, give a copy of the statement to the individual and a reference number for future follow-up.

- Emergency cases can also be reported by dialing 911 or 112. Members of the public are encouraged to familiarize themselves with the telephone numbers of the local police stations for ease of reporting cases.

- Cases of CSEA can also be reported through the IWF Reporting Portal in Uganda or through the child helpline in Uganda Sauti.

- The National Information Technology Authority of Uganda (NITA-U) partnered with IWF to come up with a portal on which Ugandan citizens can make reports of CSEA accessed through www.report.nita.go.ug.

- Reports can also be made to the Uganda Computer Emergency Response Team (Ug-CERT). The team was formed in 2013 in partnership with the International Telecommunication Union (ITU) and serves the Telecommunications service providers which are licensed in Uganda, Internet Service Providers, and consumers of their services. The Ug-CERT platform receives reports on all forms of cybercrimes including reports on OCSEA.

14. Art. 211 (1) There shall be a police force to be known as the Uganda Police Force and such other police forces in Uganda as Parliament may by law prescribe.
15. https://report.iwf.org.uk/ug
18. https://www.ucc.co.ug/cert/
Police officers use social media as a way of discovering OCSEA cases, especially when they are trending on social media platforms.

Community workers, health officials from hospitals, and social health workers can also report cases of CSEA to the Child and Family Protection Unit.

Uganda Police does not receive NCMEC CyberTips, which are files of interest that potentially contain CSAM. However, NCMEC reports in Uganda are received by the INTERPOL National Central Bureau (NCB), which in turn passes the information to the Police Force. The information received is not acted upon by the Police Force due to a lack of capacity and tools. According to NCMEC’s annual CyberTips reports, Uganda had 6,575 reports in 2020; 4,538 reports in 2021; and 5,510 reports in 2022.

The Uganda Police Force has a cyber unit which is mandated to carry out investigations on all online crimes including OCSEA. The cyber unit works closely with the Trafficking in Persons Department, the Child and Family Protection Unit, the Sexual and Gender Based Violence Unit, and the Forensic Unit when dealing with cases of OCSEA. They also work collaboratively with the Investigative and Forensic Teams at the Uganda Communication Commission (UCC).

The general education requirement for an individual to join the Police Force in Uganda is an ordinary certificate level which is similar to a high school certificate. However, for the specialized units of police, individuals are required to hold at least a diploma and they also receive further training in the police academy.

The police have training on CSEA in their academies. The element of online abuse of children is still new and there is contradictory information as to whether it has been incorporated in the academy’s curriculum. In 2020, UNICEF carried out a training for LE in Uganda on OCSEA investigation as an independent entity and not as part of the training curriculum of the police force academy.

There is no harmonized data on the number of cases received per year, either from NCMEC or from individual complaints.

The number of personnel assigned to address cases of CSEA depends on the complexity of the case at hand. For complicated cases, there could be up to 4 officers assigned while in simpler cases, one or two officers. The head of the unit assesses the complexity of the cases before assigning them.

The number of CSEA victims identified per year is not available as they are said to be many by stakeholders in the field but there is no harmonized data on this provided by the police.

The Uganda Police Force has a specific department for community policing that is used to create public awareness on various issues including OCSEA. LE members also participate in radio interviews and talk shows which they use as a platform for educating the public on CSEA.

The Cybercrime Unit conducts basic Open-Source Investigations (OSINT) and Social Media Investigations (SOCMINT) to assist ongoing investigations and also to help to prepare court orders to seize electronic evidence. The forensic directorate on the other hand uses Cellebrite and Encase for extraction of information from devices.

CAPACITY 4: Judiciary and Prosecutors

Specialist training on child sexual exploitation and abuse and technology-enabled offending
Child-friendly and victim-centered protocols

**FINDINGS:**

- The prosecution in Uganda does not directly carry out investigations on crimes against children, however they work closely with the UPF in a process they term as a “prosecution-led investigation.” This method of investigation has the prosecution guiding LE on necessary evidence required for the court process.

- There are no specialized courts in Uganda that can hear OCSEA cases. However, there are special sittings within the courts that can hear OCSEA cases. These special sittings were common during the COVID-19 pandemic and were funded by UN Women. The Children Act, Article 13, provides for the formation of the Family and Children Court which is mandated to hear criminal and civil cases of children.

- The judiciary and the prosecution have some awareness and acknowledge the existence of OCSEA crimes and their impact on victims and witnesses. However, there is little knowledge of offender methodologies and profiles, partly due to the anonymity provided by the digital space and the complexity of forensic investigations.

- The prosecution and judiciary do not have specialized training on OCSEA in their academies. However, they hope to incorporate the training soon as it has been identified as a much-needed course.

- There was no available record on the number of CSEA cases prosecuted per year. However, according to the Annual Crime report 2022 by the UPF, out of the total cases of Child-related Offences reported to Police, 642 cases were taken to Court and 5137 were not proceeded with, while 7710 cases are still under inquiry. Out of the total cases taken to Court, 81 cases secured convictions, two cases were acquitted, and 559 cases are still pending in Court.

- The national legislation provides for punitive sentences which are generally viewed as commensurate to the crime committed. However, judges have the discretion of giving the maximum or minimum sentence based on a case-by-case basis. From the interviews conducted, the high court in Uganda has a tendency of giving maximum sentences especially with regard to children’s cases. However, the court of appeal overturns most of these sentences, an issue that is seen as a challenge by the prosecution team.

- The prosecution and judiciary do not have specialized training on OCSEA in their academies. However, they hope to incorporate the training soon as it has been identified as a much-needed course.

- The Children’s Act of Uganda article 16 (1) provides for perational procedures of the court which are meant to be child friendly. Some of the procedures include:
  - the court shall sit as often as necessary;
  - proceedings shall be held in camera;
  - proceedings shall be as informal as possible and by inquiry ther than by exposing the child to adversarial procedures;
  - parents or guardians of the child shall be present whenever possible;
  - the child shall have a right to legal representation;
  - the right to appeal shall be explained to the child.

- To ensure a child friendly interview structure, some courts also have child rooms in which children can play as they wait for their matters to be called. The children are allowed to use toys...
and anatomical dolls to demonstrate how abuse occurred, the questions asked during the hearing process are simple and to the understanding of the children. The judges during the court proceedings are also advised to ‘dress down’ meaning no formal wear including wigs which are likely to intimidate the children.

• Other than the provisions of the Act, from the interviews, the child friendly court systems are putting in place measures to ensure that the children victims are not exposed before the aggressor through the use of screens. UNICEF has supported the Uganda judiciary in the Arua, Kabarole, Mbale, Mbarara, Gulu, Kampala, Jinja, High courts and Iganga and Kabale Chief magistrate courts in installation of Internet Protocol (IP) closed-circuit cameras which allow children to testify via video link and avoid facing their alleged perpetrators.

CAPACITY 5: Offender Management Process

• Multi-agency system to identify, manage and rehabilitate sex-offenders, and statutory tools (rehabilitation and education programs, community supervision)

FINDINGS:

• The Uganda Prisons Service provided for under Article 215 of the Uganda constitution and the Prisons Act 2006 is mandated to provide custody to offenders and rehabilitate them. Section 4 of the Act provides for the Objective of the Prison Service as “to contribute to the protection of all members of society by providing reasonable, safe, secure and humane custody and rehabilitation of offenders in accordance with universally accepted standards.”

• The National Child Policy Implementation plan 2020/2021-2024/2025 in strategy 3.3.8 sets out the aim to develop and implement rehabilitation programs targeting perpetrators of violence against children with the aim of reducing recidivism.

• The Anti-Pornography Act of 2014 under section 24 provides for the formation of a pornography offenders registry. However, the Sex Offenders Bill of 2019, which was meant to see to the creation of a sexual offenders registry, was never signed into law.

• In 2015, the Ministry of Gender, Labor, and Social Development came up with Standard Operating Procedures (SOP) for the National Gender Based Violence Database (NGBVD). The database contains information collected at police stations in the incident report forms on various forms of abuse. The database is accessible by specific members of government ministries, departments and agencies, development partners, the private sector, and civil society, including Community Based Organizations (CBOs) and Faith Based Organizations (FBOs) as well as District Local Governments.

• Each prison has a record of prisoners and their offences. There was no evidence of a harmonized register on child sexual offenders.

• There is no procedure or law that speaks to the limitation of aggressor behavior at the community level also there is no record of investigations done to determine offender behavior and their profiles.

CAPACITY 6: Access to Image Database

• National database with access to the Interpol’s ICSE database for international collaboration, supported by alignment with terminology for CSAM categorization.
FINDINGS:

- The Uganda Police Force does not have the capacity to access the Interpol ICSE database. However, the police receive reports sometimes from the Interpol NCB in Kampala.
- Police stations capture the personal details, fingerprints and sometimes images of the accused persons. However there is no uniform method of storing or sharing this data that would be used for image hash.
- The victim support aspect in the judicial process in Uganda is weak due to a lack of government funding. Victims have to rely on the goodwill of well-wishers. The prosecution has referral networks for child victims and their parents. However, as noted earlier, the support is not guaranteed due to limited funding and donor preference, whereby some donors prefer giving assistance only to female victims.
- Judges and prosecutors are aware of the need for psychosocial support for themselves. However, there is no mandatory provision or guideline that provides for them to receive such support. In most instances, they seek psychosocial support out of personal initiative.
- Judges and court officers do not have specific training on handling OCSEA cases in their academy and rely on self-taught knowledge or trainings by Non-Governmental Organizations.
- Uganda does not have a child sexual offenders registry. Information captured on offenders is mainly stored on paper in the police station that receives the report, but there is no standard way of uploading this information digitally to a central registry. The Sex Offenders Bill of 2019 which was meant to see to the creation of a sexual offenders registry was never signed into law.
- The rehabilitation process of offenders is weakened by a lack of resources and overcrowding in prisons, making it hard to focus on behavioral change of the prisoners.
- There is no procedure or law that speaks to the limitation of aggressor behavior at the community level and there is no record of investigation done to determine child sexual offender behavior or their profiles.

GAPS SECTOR 2: Criminal Justice

- Despite there being several methods of making reports of abuse in Uganda, there is little to no coordination between the different agencies receiving the reports to ensure they are investigated.
- The lack of coordination among the different agencies leads to the challenge of lack of harmonized data on the number of cases reported per year, the number of victims identified, and the actions taken.
- The UPF does not have access to the Interpol ICSE database, nor does it have the technical and knowledge capacity to receive and act on the cases that come through the database.
- The police academies in Uganda do not have specific training on handling OCSEA cases.
- The Judiciary does not have special courts that hear OCSEA cases.
SECTOR 3: Victim Support and Empowerment

OUTCOME

- **To provide appropriate support services for children and young people.** Children and young people have access to services that support them through the investigation and prosecution of crimes against them. They have access to shelter; specialized medical and psychological services; and rehabilitation, repatriation, and resocialization services.

CAPACITY 7: End to End Support

- Planned, integrated, and multi-stakeholder support for victims and survivors.
- Services are inclusive and sensitive to age, gender, sexuality, disability, and ethnicity.
- Psychological support across dedicated Law Enforcement, frontline workers accessing image databases, child protection workforce, and hotlines.

FINDINGS:

- According to the Children (Amendment) Act 2016, within the functions of the National Children Authority (NCA) is to guarantee that child protection laws are complied with to ensure that abuse is prevented and that the law is properly applied. Likewise, Article 9H establishes that one of its functions is to take appropriate measures when necessary to guarantee the safety and protection of children involved in investigations and criminal proceedings. (1)
- In its Article 42C, the Children (Amendment) Act 2016, on the rights to protection services, establishes that: (2) The Ministry responsible for children’s affairs, in consultation with the relevant government institutions, will guarantee that child protection services designated are available and accessible to children and (3) protective services include support services (juvenile court proceedings and enforcement of court orders) and services related to:... (vi) conducting investigations and assessments, if suspected child abuse, neglect or abandonment.... (xii) protection of children at all stages of the justice process, including before, during and after trial and holding closed-door proceedings during trial for child offenders and offenders child victims and witnesses.
- In the Children (Amendment) Act, 2016, Article 8A establishes the prohibition of the sexual exploitation of a minor and establishes a penalty of no more than five years or a fine of one hundred currency points.
- In accordance with Article 129B of the Penal Code Act, when a person is convicted of defilement or aggravated crime, the court may impose, in addition to a sentence of deprivation of liberty, the payment of compensation to the victim. According to this article, the amount of compensation that must be paid will be decided by the court according to the damage generated, the degree of force
used by the aggressor, and the medical expenses that the victim has had to incur. 19

- The Computer Misuse Act also includes in its article 27 a provision related to compensation where it informs that a person who has been convicted under that law, in addition to a penalty, may be forced to pay compensation to the victim, which will be determined by the court. This may be interesting considering that this law includes crimes such as Cyber Harassment and Child Pornography. 20

- According to the National Child Policy (NCP) 2020, 21 the National Survey of Violence against children, there is a high prevalence of all forms of violence. Among adolescents aged 13 to 17, 4 out of 10 girls and 6 out of 10 boys reported physical violence; and 1 out of 4 girls and 1 out of 1 boys reported sexual violence.

- In accordance with section 2.3.6 of the NCP 2020, regarding access to the criminal justice system for children, both witnesses, victims and those in conflict with the law, it is established that 12 years is the minimum age of responsibility.

- In this sense, it could be said that the State of Uganda does not provide adequate accompaniment programs for CSEA victims or their families, so these services must be assumed by private companies. Some of the NGOs that provide services of this type are, for example: Rahab Uganda 22, PLA Uganda 23 and Willow International 24, among others.

- According to the Disrupting Harm report for Uganda, 25 there is a figure of Local Counsellors are the closest workforce to the community, and the ones who can be easily accessed to have conversations about abuse and other forms of violence against children.

- According to the information found in open sources, there are no psychological, social, medical and legal risk reports that make it possible to better guide the life project of children who have been victims of CSEA.

**CAPACITY 8: Child Protection Workforce**

Skilled, specialist statutory workforce trained, coordinated and available to provide trauma-informed support to protect and support children at risk of sexual abuse and exploitation online

Guidelines for frontline professionals on emerging and complex issues such as child “self-generated” sexual material

**FINDINGS:**

- According to the NCP 2020, the State of Uganda has a Child Victim Protection System.
- The entity in charge of protecting the rights of children in Uganda is the Ministry of Gender, Labor and Social Development (MGLSD), which at the national level works hand-in-hand with other institutions, such as the Ministry of Internal Affairs (MIA),
- Ministry of Justice and Constitutional Affairs (MoJCA), Ministry of Education and Sports (MoES), Ministry of Health (MoH), Ministry of Local Government (MoLG), and the Office of the Prime Minister (OPM).
- At the local level (district), this protection is the responsibility of the Community Based Services Department (CBSD) under the Probation and Social Welfare Office (PWO) which is responsible for child protection work.
- The Government of Uganda recognizes the importance of other

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22. https://rahabuganda.org/
community-level structures within the child protection system, such as Para-social Workers (PSW), Village Health Teams (VHTs) and Child Protection Committees (CPC) as essential structures for prevention and effective response to cases.

- NGOs are also important providers of care services for child victims of OCSEA. NGOs receive a large part of their money through international cooperation and have supplied these victim care services in Uganda.

- Based on the information collected, it was not possible to determine if the child protection teams are interdisciplinary teams that have the necessary knowledge and skills to be able to respond to CSEA cases adequately.

- Taking into account the information collected, it was not possible to establish whether Uganda has strict Protocols that determine roles within the care process as well as allow to evaluate the risks of children while they are undergoing criminal proceedings.

- According to a diagram developed in the Disrupting Harm Assessment for Uganda, it was established that there are different ways in which a complaint of abuse or exploitation can enter the system:
  - Report directly to the Helpline
  - Report through the Local Councilors so that they generate a report to present to
    - the Uganda Police Force (UPF).
  - Report through community leaders so that they report to the
    UPF.
  - Report directly to the UPF.

- When the UPF or the Helpline receives a case of child sexual abuse, they must refer it to the Ministry of Health or an NGO that provides this type of service.

- Within the specific objectives of the NCP, in section 5.1.1 are contemplated strategies and priority actions, in which (k) it is established that one of them is "improve capacities of health service providers to provide quality respectful and gender-responsive healthcare."

CAPACITY 9: Compensation, Remedies and Complaints Arrangements

Provision of measures to allow children and victims accessible support in compensation, legal remedies, and complaints procedures.

FINDINGS:

- In general, the Republic of Uganda offers legal provisions whereby children victims can access compensation, legal remedies, and complaints procedures, such as legislated in the following:
  - The Computer Misuse Act, Section 27511 stipulates the right of compensation to victims of online crimes.
  - The Children Amendment act (2016) enables state-funded legal aid to be provided to children.
  - The Office of the Director of Public Prosecutions’ Victims’ Rights and Empowerment Guidelines, in Section 4 specifies that information should be provided to victims on how to obtain compensation, and what is eligible for compensation.

- Moreover, civil society organizations (CSOs) in Uganda are mandated to provide legal aid to victims of OCSEA, including the Uganda Association for Women Lawyers, who have, for example, worked towards ensuring victims (women and girls) of sexual
abuse receive reparations after the crime 26, or Lawyers without Borders, who are working both legally and through advocacy to provide reparations to victims of sexual violence and gender-based violence. 27

- According to the representative from the DPP and from Sauti 116, compensation, legal remedies, and complaints procedures depend on the crime suffered and are offered on a case-by-case basis. For children under the protection of the state, such as those in shelters (overseen by NGOs), the support continues until their reintegration into society.

- For those not receiving support, community-based care is offered, which is limited in time. Remedies to victims (restitutions) are conviction-based, so there needs to be a conviction first, then the restitution depends on the punishment given by the court, which can request other remedies and reparations.

- The UPF representative stated that a sensitive approach is used when delivering services to children. The investigators will assess the needs of children (on criteria including the age) and decide what resources and support they will need. Accordingly, victims get placed based on their age and receive support where they are placed.

- Moreover, the Sauti 116 representative explained that guidelines that provide a chronological flow on what to do and what services to access are published and made available to victims by the Ministry of Health and Sauti 116. They are guided on which platforms can take reports both online and physically, and how to contact them.

CAPACITY 10: Child Helpline

Accessible to all children, nationwide, toll-free, available 24/7, voice and text based, offering confidential support and counselling with appropriate referral mechanisms.

Robust data protection systems

Counsellors with specific training in online harms.

FINDINGS:

- Uganda has a Child Helpline, Sauti 116 (sauti.mglsd.go.ug/), overseen by the Ministry of Gender, Labour and Social Development. The Helpline is part of the Child Helpline International network of Child Helplines 28, and provides a confidential mechanism through which children can report abuse and access supportive services and resources including, but not limited to, counseling, rescue, health and justice services. It, overall, provides support on violence against children and Gender-Based Violence (GBV) against children and adults.

- The Helpline provides psychosocial counseling online and via phones, addressed to victims and families, but also supports police investigations, follows up on how victims are coping, provides information on OCSEA and advice on how to tackle issues around OCSEA. The Helpline can also refer cases to prosecutors and investigators, or other service providers as needed, provide legal aid, and rescue victims and survivors. In other words, the helpline offers a service and follow up from the first moment the child reports abuse, to the very end of the care process and a successful reintegration.

- The Helpline is available 24/7 (even during public holidays), for

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26 FIDA Uganda 2021 Annual Report https://drive.google.com/file/d/1w6bxNV-n4tqNYaE6Xkt3oCRqktnU6HHiHV/view
28 Child Helpline International https://childhelplineinternational.org/uganda-sauti-116/
free, and includes a toll-free number (116) for call and SMS, an online portal to report, a Facebook and Twitter page where reports can be made, and can also handle walk-in abuse cases.

- The SafePal App, developed by and for young people (mostly targeting 18 to 24 year-olds), has been set up to report sexual violence and disseminate reproductive health information, as well as general online safety tips. Sauti 116 is also in the process of initiating a WhatsApp line to get cases of OCSEA through the platform. Sauti 116 counselors speak several local Ugandan languages to serve as many children as possible.

- Sauti 116 is also developing an AI chatbot to provide children with psychosocial assistance on social media and can identify urgent cases and flag them to Helpline counselors. This chatbot was planned to be released on the day of the African Child in June 2022, but the launch has been delayed and hopefully pushed to no later than the International Day of the Girl Child, on October 11, 2023.

- For call management, Sauti 116 uses the software Asterisk. For online reports, they use a digital case management system custom made for them, which is also linked to the online system to report abuse. Professionals with an account can feed information into the system, such as Helpline staff, district probation officers where the system has been deployed, and some police officers on a trial basis.

- The Helpline is part of the multidisciplinary team taskforce dedicated to the fight against child abuse.

- Sauti received on average 1,700 calls per day, from all around the country. Reports related to OCSEA are frequent, but usually are in the form of enquiries about the topic rather than a direct report of abuse.

- From an online search on Sauti 116’s data, “child exploitation” represents 3.0% of all the calls made in 2022, and “sexual violence”, 12.9%. There is no denomination of “OCSEA” or other online abuse against children. There is, however, the category “Online Sexual Abuse and Violence” in the data divided per age and gender, showing that in 2022, 7 cases of such were reported.30

- The Helpline has 30 counselors, and in total 65 staff members, mostly dedicated to the call center, as well as 15 volunteers and other staff members who work on case management and security. Counselors work in shifts, usually composed of 7 staff members and one supervisor working at once on the call center.

- According to the Sauti 116 representative, the national Helpline is “a means to an end” whereby it interlinks services to try to get the victims to access these service points and vice versa, to enable the service providers to reach the victims. Indeed, the Helpline does not work in isolation but with different actors, including service providers, educational centers, churches, police, prosecutors, etc.

- According to the representative from NITA, promotional campaigns have been organized to raise awareness on the Helpline on the radio, on billboards, and through other means of dissemination.

- The representative from Sauti 116 also mentioned the campaigns that are created to advertise the Helpline. Depending on needs, the campaigns tend to rely on civil society, development partners and government efforts. Some are digital, others physical, and can use various media platforms such as radio, TV, and others. Most campaigns have been done in collaboration with partners like UNICEF and with the support from agencies that are part of the taskforce for children, for example, they advertise the campaigns on their webpages and on the platforms they manage to provide information on OCSEA.

- Sauti 116 is also providing “case clinics”, which aim to bring service providers to communities, to highlight what abuse is and how it happens.

GAPS SECTOR 3: Victim Support and Empowerment

- Despite the fact that the Children (Amendment) Act, 2016 establishes the prohibition of the sexual exploitation of a minor and establishes a penalty of no more than five years or a fine of one hundred monetary points, the law is not clear in stipulating whether the money from these fines seeks to pay or support the expenses of the victim and their relatives as compensation.

- According to the general description of the NCP’s Article 2.3.6, the current criminal justice systems do not have coordinated social services capable of helping survivors.

- This lack of coordination prevents survivors from receiving services such as legal assistance, shelter, support in trauma, information, and protection, both for themselves and their families. Likewise, this described context suggests that due to the delay of cases in the penal system, victims and witnesses often give up and the perpetrators end up being released.

- At the same time, it establishes that in the case of refugee children, the system does not have translation services, which prevents children from having guarantees to be able to communicate adequately.

- Local Councilors can represent an obstacle to access justice, because although they are the closest workforce to the community, on many occasions these councilors do not have sufficient knowledge for interviews. Sometimes they also ask members of the community to pay them in order for them to fill the report form and send it to the law enforcement for investigation.

- Additionally, according to what was reported in section 3.2 LE response for the Disrupting Harm Report, some of the interviewed victims affirm that they have been revictimized during their processes, taking into account that sometimes the authorities do not have enough training to be able to provide adequate attention using a victim-centered and trauma-informed approach.

- In accordance with the NCP 2020, there is a formally identified Protection System headed by the MGLSD. However, and in accordance with the context proposed in this policy, although some roles have been stipulated both at the national and district levels, there are no protocols, guidelines, or agreements between the different actors in the system to coordinate their actions. According to this, although institutions, health centers, schools, and NGOs play important roles in the protection of children’s rights, including the prevention and care of OCSEA, it cannot be confirmed that there is total coordination.

- Despite the fact that there are various offices that are mandated to be in charge of child protection, such as the CBDS offices, according to the Disrupting Harm report for Uganda, these local offices do not have enough staff to handle all cases of rights abuses against children. “Currently, Uganda has 136 districts, to which an individual probation officer is assigned as an individual responsible to respond to all social calls. As such, in the smallest district, Ntoroko, one probation officer is responsible for 777,000 individuals, while in the largest district, Wakiso, one probation officer is responsible for over 3,000,000 Ugandans.” This shows a low response capacity at the local level.

- In accordance with the NCP’s section 2.5, there are still many challenges related to logistical issues such as infrastructure, transportation, financing, staffing, and training of personnel who
can be in charge of giving effective responses to CSEA.

- According to the Disrupting of Harm Assessment for Uganda, there is a lack of professional support services available for victims and OCSEA case services are generally limited to urban centers. Additionally, it could not be verified if the local councilors have training as first responders, which may increase the risk of generating traumas in children, due to bad primary interviews.

- Although there are different ways that CSEA complaints can enter the system, many times people prefer not to go directly to the UPF. According to the Disrupting Harm report for Uganda, there have been cases where the UPF have returned children or their caregivers to local councilors to retell their story and for the councilors make a report to the UPF. These actions show lack of coordination in the system and can be traumatic for the victim and their relatives.

- Within this same report, it was found that health professionals and those who are in charge of caring for OCSEA cases do not fully have sufficient knowledge to be first responders in these cases. Likewise, and taking into account that there is confusion in the community about reporting channels, people go to different entities to report this type of cases, which presupposes that most professionals should be trained to deal with cases of child sexual abuse and exploitation. This capacity does not yet exist. NGOs largely receive their money from international cooperation and have supplied these services, which prevents the government from having incentives to request better budgets for the development of this type of capacity in their own institutions.

- While access to compensation, legal remedies, and complaint procedures are supposed to be offered to victims according to the Ugandan legislation, in practice, little is done to enforce these laws and ensure that victims have access to the appropriate restitution and support. The reasons span from a lack of resources such as infrastructure, and specialized training to ensure the right amount of compensation can be requested for victims.

- Findings in a Save the Children policy brief published in 2019 show that only one in four girls (and one in ten boys) will report sexual violence to which they have been subjected.

- According to the 2016 Uganda Demographic and Health Survey, 9.9% of 15 to 19 year old girls have experienced sexual violence. Most of the time, victims do not get justice and their abusers, who are most often people they know, such as their brothers, uncles, parents, or close friends, get away with the abuse.\(^1\)

- The government of Uganda is also aware of challenges and gaps that appear in the support process. According to the NCP 2020, developed by the MGLSD, “the current criminal justice and social welfare systems do not have a coordinated case management process that can support survivors in receiving the required services such as legal, shelter, trauma support, information, and protection from perpetrators and hostile family members.”\(^2\)

- Perpetrators do not have the ability to provide restitution as they do not have access to personal finances that could be given as compensation to the victims, and no pot of money is set aside by the government of Uganda to support victims and survivors.

- The Disrupting Harm study stated that “none of the justice professionals interviewed for Disrupting Harm were aware of any OCSEA case in which the victim had received formal compensation after a conviction.”\(^3\)
- While the access to reparations to victims, including child victims, is legislated, there is no provision to offer the same to guardians and caregivers, according to the UPF representative.
- Sauti 116 is a toll free line, however if the Helpline needs to follow up and call back, there is a cost linked to this service charged based on the mobile subscription rate.
- For crimes related to OCSEA, the Helpline rarely receives direct reports, but is usually made aware of such crimes at events like school presentations that Sauti 116 offers. Many reports are not made because people fear reporting to strangers.
- Sauti 116 has only two counselors, supported by UNICEF, that solely focus on OCSEA and lead in-person campaigns in schools. This is in these circumstances, as mentioned above, that most of the OCSEA reports are made.
- According to the Sauti 116 respondent, the number of people working is insufficient for the need, but they “use resources [they] have” to provide as much support as possible.
- Indeed, the helpline is providing assistance but more is needed for the optimum service, such as:
  - Expanding the call center to accommodate more callers
  - Adding more staff (There are 40 million people in Uganda, 60% of them are children, so the number of children who might need services is extremely high)
  - Adding more ICT equipment to meet the new demands and also replace old and worn out machines.
  - Training is much needed: other countries and agencies could share best practices and training that they offer to their own professionals. Training has been offered to Helpline workers but not with sufficient frequency, and as issues around OCSEA change, there is a need for further and ongoing training. The latest training was provided by Child Helpline International as part of the Help Children Be Children campaign in 2021 in partnership with Facebook and MTN, which was an online module on OCSEA.
  - Bringing services closer to the communities by taking teams to where children are, especially in remote areas, where there is limited access to services including knowledge on how to report abuse.
  - Sauti 116 staff have little access to psychosocial support, which is provided once a year.
  - There are SOPs for caregivers to download, but there is a greater need, especially of face-to-face and individual counseling on topics such as stress management for staff.
  - As campaigns usually rely on NGOs and development partners such as UNICEF, there is a need for more resources to enable Sauti 116 to do their own campaign independent of other partners to ensure sustainability.
SECTOR 4: Society and Culture

OUTCOME

To ensure child sexual abuse is prevented. Children and young people are informed and empowered to protect themselves from child sexual abuse. Parents, carers, teachers and childcare professionals are better prepared to keep children safe from child sexual abuse, including addressing taboos surrounding sexual abuse.

CAPACITY 11: Child Sexual Exploitation and Abuse Hotline

Dedicated portals/hotlines for the public to report suspected child sexual exploitation and abuse online. Cooperation with law enforcement and the technology industry.

Portales/líneas directas dedicadas para que el público denuncie sospechas de explotación y abuso sexual infantil en línea. Cooperación con las fuerzas del orden y la industria de la tecnología.

FINDINGS:

- As the IWF is a member of the INHOPE network, Uganda is an indirect member country.
- The portal has been the product of a collaboration with the UK hotline and Ugandan national partners, including the National Information Technology Authority (NITA), the National Computer Emergency Response Team of Uganda (CERT-UG), Internet Society Uganda Chapter, and the Ministry of Internal Affairs.
- Reports are analyzed by the IWF, and those hosted in Uganda are flagged to the hosting company in order to be removed from their platforms. The data on hosting in Uganda is not publicly available, but the amount of reports analysed as CSAM by the IWF and hosted on the Africa is often very low, amounting to only 60 reports in 2022, which represents less than 1% of the 255,571 URLs assessed as CSAM by IWF in 2022. Therefore, it is difficult to say whether there is a strong collaboration between the IWF hotline, the Ugandan police and the national ISPs to action the reports. However, these stakeholders have worked, together with NITA, on awareness raising campaigns on the matter, which might point out to the fact that the industry is sensitive to the issue of CSAM and OCSEA in general.
- Indeed, the “Help Children Be Children” campaign, spearheaded by IWF, in collaboration with NITA, CERT-UG and Sauti 116, and with funding from the UK Home Office’s Conflict, Stability and Security Fund (CSSF) and support from Meta and telecommunications giant MTN, focused on raising awareness around the issue of OCSEA and on the reporting portal in Uganda.

used online channels and advertisement, radio, TV, billboards, and other mediums to reach as broadly as possible different categories of people, including parents, children, teachers and others. On social media only, the campaign reached over 4 million people in Uganda and across the African continent and led to an increase in reports through the Reporting Portal, with one example of report of CSAM analyzed as “3-6 years old being the youngest [amongst the different children observed], Category A content and self-generated abuse. Both genders and multiple ethnicities.”

CAPACITY 12: Education Programmes

National education program (including age-appropriate, accessible and inclusive content) to raise awareness of all forms of child sexual exploitation and abuse – empowering children, young people, parents, guardians, caregivers and practitioners with relevant information. Systematic training for professionals in education, social care and health.

FINDINGS:

- Some educational and awareness raising campaigns have been created in Uganda.
- According to Sauti 116, there is a guide that targets families, caregivers, educators, and children, explaining what OCSEA is, how it can happen, how to report it, how it will be addressed, as well as more general tips on how to talk to children, how to set limits online, and how to react appropriately and share concerns with others.
- NITA collaborated with the Internet Society Uganda to develop the Online Safety Educational Toolkit which aims to “guide young people on how to stay safe online in Uganda”. The kit targets young people between 5 and 20 years old, and is “designed to be convenient and ready to use for young people in Uganda”, whether they access the internet at school, home, internet cafés or mobile phone. Beyond offering tools and online safety tips on how to be safe online, the toolkit empowers young people to help protect themselves from OCSEA and how to report possible victimization to a trusted adult.
- As mentioned above, NITA along with IWF and other public and private partners have spearheaded a campaign on awareness raising on online safety, especially around OCSEA, offering, on a single, accessible landing page, some guides and tips on how to be safe online, and report CSAM.
- In 2021/2022, after the rise of crimes against children exacerbated by the Covid-19 pandemic and the lockdowns, the Government of Uganda, with support from UNFPA and UNICEF, launched a nationwide campaign to “address defilement, child marriage, teenage pregnancy as well as promote positive parenting”. The yearlong campaign to create safe environments for adolescent girls and boys to grow and thrive is entitled “Protect the Girl, Save the Nation”.
- Another awareness raising and education effort led by NITA, in collaboration with the National Curriculum Development Center, is to introduce cybersecurity in the curricula for IT education in secondary schools, and conduct cyber-quizzes and drills in high schools.
- Furthermore, the Ugandan government has been including provisions on education on violence against children in its yearly planning. For example, the National Child Policy Implementation Plan 2020/2021-2024/2025, developed by the MGLSD in strategy 3.4.11 mentions the importance of “Raising awareness at all
levels and in all settings on the impact of violence, on the safety, well-being and development of children, and develop programmes to help children understand risks and their right to protection," for local government and community child care and protection structures, with the aim of adopting an effective response to prevent, and protect all children against all forms of violence, exploitation, abuse and neglect.37

- According to Sauti 116, some campaigns are specifically designed for children and use more pictures and are written in simplified English.
- Although no evaluations have been done on the different campaigns, when the topic of OCSEA has been discussed in schools or through training of service providers, the education and new information provided were well received and needed, according to the attendees. The training for the social services workforce was well received as there is a real need in all districts. The future strategy is to incorporate OCSEA directly into the whole curriculum, as part of overall violence against children training, to ensure that it is being addressed.

CAPACITY 13: Child Participation

Children and young people encouraged and enabled to give ideas and influence policy and practice relating to child sexual exploitation and abuse. Child protection, children’s rights frameworks, and trauma-informed practice utilised when engaging children.

FINDINGS:

- Uganda is a signatory of most of the international instruments encouraging countries to include children in policy-making, especially for issues that directly affect them. These include the UN Convention on the Rights of the Child, the African Charter on the Rights and Welfare of the Child and the East African Community Child Policy.
- Many national texts are entrenching the rights of children to influence decisions that concern them and their country. According to the NCP 2020, the Children (Amendment) Act, 2016, Cap.59 entails “various provisions aimed at upholding the right of children to participate in all issues that affect their survival and development.” Along these lines, Section 8 of the third schedule of The Local Government Act (Cap.243) provides for the right of children to “play an active role within their local communities.” Moreover, the National Child Participation Strategy 2017 offers a framework on how to ensure children are engaged at all levels. This includes “participation in child-led initiatives and spaces created by adults for purposes of allowing children the opportunity to voice their views in decision-making.”
- In 2008, the MGLSD and UNICEF published a National Child Participation Guide which aimed to provide guidance to relevant stakeholders to involve children “in any issues that affect their lives”. 39
- Further, the MGLSD, along with UNICEF, also created the NCP Implementation Plan 2020/2021-2024/2025 which aims to “break the silence and amplify the voices of children across all spheres of decision making that have an impact on their lives.” 40
- So far, children have come together to discuss rights, issues affecting them, ideas, and how the response to these issues can be better at national level. Such gatherings started in 2022, as part of the Child Strategy 2017. These events are entirely run and chaired by children, and include children from youth centers. Currently, the
process is being streamlined, with a clearer representation, and seeks to have representation from all children, with no category left behind. These efforts, still in a pilot phase, are led by the MGLSD, and supported by UNICEF. Such events have allowed to collect the opinion and guidance of children for the upcoming Action plan, from schools and out of schools. Such events have allowed to collect the opinion and guidance of children for the upcoming action plan.

- Further events focusing on policy development are being planned, such as symposiums, conferences, and others, where children are invited to come and give opinions.
- The Sauti 116 representative reiterated that for the government, child participation must be a key issue, children’s opinions must be valued, and the Ugandan government wants to put more focus on child participation. Efforts are being made; the question now is to understand to what extent all actors are making this effort.

CAPACITY 14: Offender Prevention and Support Systems

Support to prevent people with a sexual interest in children from abusing or accessing child sexual abuse material

Support for convicted offenders as part of rehabilitation response

Specialised support for children displaying harmful sexual behaviour.

FINDINGS:

- Criminals and offenders can have access to rehabilitation in Ugandan prisons. 41 According to some respondents - and disputed by others - there are some rehabilitation centers for those convicted of sexual offenses against children. Moreover, the same respondents stated that offenders are trained to be reintroduced to society.
- As a country, the focus is more on issues of safeguarding and on prevention in general terms: the focus on offending mindsets and cultural issues that enable this mindset to continue such as perception and beliefs that children can cure diseases, power dynamics, coupled with what people see and consume online have not been addressed.
- Some communication has been published by the DPP to deter offenders, especially around the punishment that OCSEA crimes attract, but this has not reached many Ugandans.
- Nevertheless, the approach to rehabilitation is better than incarceration and more sensitive for children who sexually offended, and is usually handled outside of the criminal system. Children have access to family counseling, and overall a better job is done with child offenders in Uganda, according to the respondent from the Trafficking Institute. For example, one center in Kampiringisa offers “casework, counseling, tracing and resettlement, life skills and vocational skills training for the children, hygiene and health management, recreation, farming[...] spiritual development in liaison with NGOs, screening, rehabilitation and integration of street children”. 42
FINDINGS:

• Generally, reporting on crimes against children in Uganda, including OCSEA, is in observance of the rights and privacy of the child victim.
• A few laws and regulations are making it compulsory for journalists to respect victims’ and survivors’ rights and dignity, especially if they are children.
• The Trafficking in Persons Bill imposes confidentiality and the respect of privacy for child victims, and the illegality of revealing the identity of the child, and this was also echoed by the respondent from the Trafficking Institute.
• The Press and Journalist Act prohibits media outlets from publishing any materials that infringe on the privacy of an individual or which contain false information.
• The guide entitled “Media Regulation and Practice - A Journalist’s Handbook” makes it clear that victims of sex crimes, especially children, cannot be identifiable as victims in media reporting. Children in general cannot be identifiable as either victims, witnesses, or defendants in cases concerning sexual offenses. 43
• According to the respondent from the DPP, the media is generally respectful of the above laws and guidelines. For example, for most media, if they take photos or videos of a child victim, witness or defendant, try to protect the identity of the child by blurring their face. In cases where the court uses videos and interviews of children through cameras (as opposed to in-person) for the court proceedings, where the public or media is present, the media can decide what information to report or not - which tends to be thought with the best interest of the child in mind.

GAPS SECTOR 4: Society and Culture

• Uganda does not have a Hotline but has a Reporting Portal to report CSAM. In spite of awareness raising efforts, the number of reports received through the Uganda Reporting Portals are year after year very low.
• In spite of these efforts, OCSEA is still heavily stigmatized in Uganda. For survivors of OCSEA and sexual violence in general, the victimization is often furthered within families, schools, police stations, and the community. 44 Child marriage is still very common, 45 and certain harmful practices make it difficult for victims to speak up. For example, talking about sex and sexual abuse is taboo, which can prevent victims from reporting OCSEA, as 71% of frontline workers surveyed by the Disrupting Harm reported. 46
• The MoES has planned to publish an ICT in Education Policy, incorporating elements of online safety education, but decided to rely on the old version from 2003, without updating it to the new online context. 47
• Another gap is on the type of topic the campaigns focus on: there is a lack of campaigns that approach the issue of mental health. The COVID-19 pandemic taught professionals a lot about mental health, which needs to be incorporated more in every campaign and education program. The topic on Mental health tends to be shunned by most community members.
• Although child participation is included in policies and laws, similarly to many gaps in other Capacities in this report, there

is a lack of enactment and implementation of these dispositions. According to the Uganda National Child Policy, key barriers to actual child participation include: "a lack of understanding of what comprises meaningful child participation, introducing a foreign language to young children who have been taught in their mother tongue negatively affects their participation, unequal power relations between children, caregivers and other adults, and entrenched attitudes regarding child participation rooted in cultural and normative beliefs." 48

- There is no parliament for children.
- The NCP also highlights the fact that no actual penalties or forcible measures are imposed on key stakeholders who do not include children in the decision-making process surrounding issues that affect them. 49

- Furthermore, many challenges arise for the government and civil society actors to facilitate the participation of children, as such a process requires “capacity and a wide range of skills and experience.” The initiatives reviewed as part of the research undertaken for the NCP show “limited coverage as they are typically associated with specific programs funded and implemented by international and local NGOs.” Such initiatives only enable advantaged and well-included children to have a say in child participation activities, which obfuscates the perspective of those who are already in a disadvantaged position. 50

- According to the respondent from the Trafficking Institute, there is a strong focus on conviction and punitive measures in Uganda, such as sentences of life in prison and the death penalty. Rehabilitation is not a strong focus, at least for adult offenders, including for sexual offenses against children.

- The focus of support efforts is for victims and their families, according to Sauti 116’s respondent. Providing support to the offender and their families might be perceived negatively.
- Similarly, no preventative communications are published to deter offenders and potential offenders to act on their desire to offend against children.
- In spite of the legislations on media reporting on cases where children are involved in OCSEA crimes being examples of good practices, one challenge can be faced due to the constitutional obligation to hold criminal charges in a “public hearing.” Although the press may be excluded from the proceedings “for reasons of morality, public order or national security,” this might not cover OCSEA crimes, depending on interpretation. 51

49. Ibid.
50. Ibid.
OUTCOME

To engage industry in developing solutions to prevent and tackle child sexual abuse. The public can proactively report child sexual abuse offences. Industry has the power and willingness to block and remove child sexual abuse material online and proactively address local child sexual abuse issues.

CAPACITY 16: Takedown Procedures and Reporting

Local removal and blocking of child sexual abuse material online. Procedures for timely removal of child sexual abuse material when a company confirms its presence.

Statutory protections for industry to report child sexual abuse, including content transmission to law enforcement or a designated agency.

Global and cross-sector collaboration.

FINDINGS:

- Uganda currently does not have any specific legal or regulatory procedures that obliges Internet Services Providers (ISP) to monitor, remove or block child sexual abuse materials. However, it has general regulations that partially addresses the issue, without holding the ISP responsible for any illegal material that is shared, published, or kept by a third-party.
  - According to the Electronic Transactions Act 2011, “A service provider shall not be subject to civil or criminal liability in respect of third-party material which is in the form of electronic records to which he or she merely provides access if the liability is founded on—(a) the making, publication, dissemination or distribution of the material or a statement made in the material; or (b) the infringement of any rights subsisting in or in relation to the material.” 52
  - Furthermore, the Act also states that “where a service provider refers or links users to a data message containing an infringing data message or infringing activity, the service provider is not liable for damage incurred by the user if the service provider:

    a. does not have actual knowledge that the data message or an activity relating to the data message is infringing the rights of the user;
    b. is not aware of the facts or circumstances from which the infringing activity or the infringing nature of the data message is apparent;
    c. does not receive a financial benefit directly attributable to the infringing activity; or
    d. removes or disables access to the reference or link to the data message or activity within a reasonable time after

being informed that the data message or the activity relating to the data message infringes the rights of the user.”

- According to the above, even though ISPs are not obliged to proactively monitor, and remove/block any infringed material, they should do so in a reasonable time if it is reported. In this sense, The Computer Misuse Act, \(^{54}\) establishes Child Pornography \(^{55}\) as an offense, which if reported to the ISPs, should be removed.

- However, in the practice, it is unclear which entities have the faculty to make the reports and the mechanisms to do so beside the Uganda Communications Commission (UCC).

- The Uganda Communications Commission is the national authority in charge of regulating and licensing the ISPs in accordance with Section 5 of the Uganda Communications Act 2013. The Commission is mandated to monitor, inspect, license, supervise, control, and regulate all communications services. \(^{56}\)

**CAPACITY 17: Innovative Solution Development**

Technological solutions to prevent and address child sexual exploitation and abuse online.

**FINDINGS:**

- In February 2021, The Internet Watch Foundation (IWF), in partnership with the NITA, Ug-CERT, the Internet Society Uganda Chapter, the MIA, MTN, META (Facebook), Child Helpline International, and ICMEC launched the campaign; ‘Help Children Be Children’ which seeks to end OCSEA. \(^{57}\)

- In the framework of this campaign, a portal to report images or videos of OCSEA was created. MTN, which is one of the biggest Internet Service Providers in Uganda, has a direct link from its homepage to the portal. \(^{58}\) Anyone can make a report anonymously. “Once reported, the images and/or videos will be assessed by IWF analysts and if found to contain child sexual abuse, they can be blocked and removed from the internet”. \(^{59}\)

- According to the TIP Coordinator for the UPF, there have been other initiatives from the private sector with meetings held by Huawei, services providers, and telecom networks for the development of technological solutions, but it has been mainly focusing on cybercrime, which has its own taskforces. Nevertheless, there do not appear to be anything specific for OCSEA. \(^{60}\)

- Other than the campaign, portal, and meeting initiatives mentioned above, there are not any other technological mechanisms developed to prevent and address OCSEA. Given that there are no regulations or legal mandates that oblige the industry to proactively monitor, detect, block, or remove CSAM, there are no real incentives for the development of technological tools from the private sector to address the issue.

**CAPACITY 18: Responsible Business Conduct**

Child protection and safeguarding policies, due diligence and remediation that address child sexual exploitation and abuse online.

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55. The term Child Pornography is used (instead of Child Sexual Abuse Material) given the Computer Misuse Act refers to that term.
56. Uganda Communications Act, 2013, Part II, Section 5.
58. https://report.iwf.org.uk/mtn
60. Interview with the Trafficking in Persons Coordinator for the Uganda Police Force, June 9, 2023.
FINDINGS:

- As stated above, the Uganda’s Communication Commission is the national entity that regulates and license Internet Service Providers in Uganda. On its website the UCC have the list of licensed ISPs, which was last updated on April 24th, 2023.\(^61\)

- According to NITA, the main ISPs in the country are MTN Uganda and Airtel Uganda.\(^62\)

- The db-ip portal, a resource for IP address geolocation and network intelligence, provides a list of the top 20 organizations with the largest IP allocations in Uganda. The top four providers with the largest IP allocations Airtel Uganda, Research and Education Network for Uganda, MTN Uganda, and Uganda Telecom.\(^63\)

- The most popular application companies for children that operate in Uganda are TikTok, Facebook (still being banned but people use VPNs to access), Snapchat, and Instagram. X (formerly Twitter) is used more on a corporate level.\(^64\)

- Beside initiatives like the campaign “Help Children Be Children” and the subsequent reporting portal in which MTN Uganda and META participate, there have not been many more actions from the app companies or ISPs to address OCSEA.

- Moreover, in Uganda in order for service providers (application companies and ISPs) to provide information regarding a case of child sexual exploitation and abuse a warrant from a judge is needed.\(^65\)

- In the Regulation of Interception of Communications Act, 2010\(^65\), it is established which entities are authorized to apply for a warrant of interception: “(1) An application for the lawful interception of any communication may be made by the following persons— (a) the Chief of Defence Forces or his or her nominee; (b) the Director General of the External Security Organisation or his or her nominee; (c) the Director General of the Internal Security Organisation or his or her nominee; or (d) the Inspector General of Police or his or her nominee.”\(^66\)

- The application “shall be made by an authorized person to a designated judge to issue a warrant for the interception of any communication” \(^67\) and should specify “the service provider to whom the direction to intercept the communication must be addressed, if applicable;”\(^68\) Additionally, under section 5, it is established the reasonable grounds to issue the warrant, which include “(a) an offense which may result to loss of life or threat to life has been or is being or will probably be committed; (b) an offense of drug trafficking or human trafficking has been or is being or will probably be committed;”\(^69\) Additionally, app companies such as META 70 (Facebook, Instagram, and WhatsApp) and TikTok 71 have reporting portals in which LE may preserve and request information in cases of CSEA.

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61. [https://www.ucc.co.ug/list-of-telecom-providers/](https://www.ucc.co.ug/list-of-telecom-providers/)
62. Interview with risk analyst in the director of information security at National Information Technology Authority – Uganda, June 8, 2023.
63. [https://db-ip.com/country/UG](https://db-ip.com/country/UG)
64. Interview with risk analyst in the director of information security at National Information Technology Authority – Uganda, June 8, 2023.
67. Ibid.
68. Ibid.
GAPS SECTOR 5: Industry

- Uganda does not have a regulatory system to remove or block OCSEA. Moreover, there are no specific regulations or procedures established for service providers to monitor, remove, or block CSAM.

- Even though the Electronic Transactions Act 2011 mentions that service providers should remove or disable access to materials that infringe on the rights of the user, there is not a specific regulation that refers to the removal of CSAM by ISPs.

- Given that there are no regulatory procedures or protocols, it is unclear how each ISP manages OCSEA cases in practice or even how to make the report to each provider.

- Besides some efforts like the campaign “Help Children Be Children” and the IWF reporting portal, there are no technological mechanisms developed from the industry sector to prevent and address OCSEA.
OUTCOME

Awareness raised among the public, professionals and policy makers

Potential future offenders are deterred. Child sexual abuse offending and reoffending is reduced.

CAPACITY 19: Research and Data

Data, research and analysis on the threat of and response to child sexual exploitation and abuse online. Robust administrative data systems (e.g. police, courts, social services) to monitor service delivery, access and effectiveness and provide regular insights for decision-makers.

FINDINGS:

• Uganda does not have a robust software or data platform that facilitates investigations of OCSEA cases. Moreover, given that there is not a clear typology for OCSEA, most cases are typified under trafficking, 72 which makes it more difficult to have information, data, and analysis about OCSEA.

• There have been some attempts in terms of reporting by the Coordination Office for Prevention of Trafficking in Persons, which published “The National Report on Countering Trafficking in Persons in Uganda for 2021” 73 with quantitative and qualitative data. Nevertheless, the report focuses on TIP and does not make a differentiation between online and offline cases.

• Uganda’s National Child Helpline Sauti 116 also has made some efforts in collecting data through the reports made to the line. The information is public on their website, and they do distinguish the category of Online Sexual Abuse and Violence. 74

• International stakeholders have produced reports and analyses that help to establish the baseline of OCSEA in Uganda. As is the case of “Disrupting Harm” 75

CAPACITY 20: Universally Agreed Terminology

Information and policies communicated clearly and in alignment with international standards.

FINDINGS:

• There are not any internal instructions from the institutions of the protection system, the police, the prosecution, or the judiciary that requires the use of appropriate terminology in CSEA material.

• The Luxembourg Guidelines are not applied in any official
document or procedures from the national institutions regarding OCSEA cases. Nevertheless, when conducting interviews with official institutions, its public workers seem to be aware of the correct use of terminology.

- Terms such as “child pornography” are still used in regulations like The Computer Misuse Act, 2011. Interview with the Trafficking in Persons Coordinator for the Uganda Police Force, June 9, 2023.

GAPS SECTOR 6: Research and Data

- There is not a centralized reporting, monitoring, evaluation and analysis system or platform for OCSEA cases.
- The police force does not make a clear differentiation between online and offline cases of CSEA in its reports, which makes it difficult to have accurate indicators of the problematic in the country or even quantify and typify it.
- Given the lack of information and national database on OCSEA in Uganda, the creation of public policies that effectively addresses the issue are incipient.
- There is no document or set of indications that lists appropriate terms related to CSEA that follow international guidelines such as the Luxembourg Guidelines.
SECTOR 1: Policy, Legislation and Governance

SHORT TERM

1. Collect figures and data from government institutions and civil society organizations related to CSEA that have information such as gender, age, race, and whether the behaviors generated were online or offline. This will favor the visibility of the OCSEA problem and will allow public policy decisions to be made in accordance with the dimension of the problem.

2. Create a multi-actor scenario where the main institutions in charge of implementing the NCP meet and where the NGOs that participate in the protection system also have a position. This will favor public policy decisions and determine clear indicators to measure the progress of public and private sector actions that converge towards the same goal, the protection of children in Uganda. This multi-stakeholder scenario must decide the actions to be developed to fully comply with the strategies proposed in the NCP as well as in the following years.

3. Ratify the following international treaties and conventions to favor the creation of programs focused on the defense of children, with a gender approach. Likewise, enable work between similar agencies from other countries in the region and the world in cases of OCSEA.

   - The Hague Convention on the Civil Aspects of International Child Abduction
   - Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children
   - The Council of Europe’s Convention on Cybercrime (Budapest Convention)

4. Make the violation of boys’ rights more visible within the Penal Code to prevent them from being lost from sight of in future public policies and so they can be equally important and representative as girls, without losing sight of the gender approach.

MEDIUM TERM

1. Ensure that the institution leading the implementation of the NCP is not related to work policies, since sexual exploitation and abuse are not considered work for minors. Additionally, the ability to work with other institutions and with a gender approach are factors that should be respected.

2. Include in reforms to the National Information and Communications Public Policy of Uganda the importance of the actions of ISPs regarding the care and protection of children in digital environments.
3. Include within the Penal Code a broader definition of the sexual act, taking into account that sexual acts are not only acts of penetration. Some actions such as touching, harassment and forcing children to watch CSAM may be included in this definition.

4. Increase the penalties established in the Computer Misuse Act related to cyber bullying and offensive communications, taking into account the vulnerability of minors and the consequences that requesting a simple image can represent for a victim, regarding the times that this can be shared.

5. Adjust the various laws related to children’s rights to the terminology determined in the Luxembourg Guidelines in order to avoid misuse of the terms that cause re-victimizing actions from the State or civil society.

SECTOR 2: Criminal Justice

**SHORT TERM:**

1. Invest in continuous capacity building programs for LE officers on recognizing and handling OCSEA cases and how to interact with various reporting platforms in order to identify and flag OCSEA reports. This includes incorporation of OCSEA as a study subject in the police academies.

2. Harmonization of the roles of policing agencies and departments that receive and act on reports of OCSEA to reduce duplication in efforts and to facilitate smooth coordination of the investigative processes. This will ensure that each agency is aware of its role and the next step to take when handling cases.

3. Create awareness on the importance of psychosocial support for police officers, judges, prosecutors and court officers, and provide the option of in-house counseling.

4. Invest in continuous capacity building of judicial officers, judges, and prosecutors on issues of OCSEA and incorporate it as a study subject in the judicial academies.

5. Come up with simple and relatable campaigns (such as short plays), that focus on deterring child sexual offenses by speaking to its impact and consequences to the victims and perpetrators.

**MEDIUM TERM:**

1. Connect Ugandan LE to Interpol’s ICSE database to enable effective and collaborative investigation of OCSEA crimes, given their cross-border.

2. Build the technical capacity of LE officers to receive and handle NCMEC CyberTips. This includes ensuring that police stations are equipped with the necessary hardware and software tools required for acting on CyberTips.

3. Have a specific budgetary allocation for investigation and handling of OCSEA cases.

4. Have permanent courts established to handle OCSEA cases.

5. Create a database to hold harmonized records of OCSEA cases.
received and prosecuted in the Ugandan Courts.

6. Have a coordinated method of judicial referral of victims and their caregivers for psychosocial support while undergoing the court process.

7. Have Uganda Prisons Service (UPS) work closely with academia and relevant NGOs to carry out research on offender profiles, the likelihood of recidivism, and driving factors for child sexual offenders.

LONG TERM:

1. Harmonize all reported cases on OCSEA and come up with a sex offenders’ registry which provides specifically for OCSEA offenders.

2. Develop an image database for CSEA offenders in Uganda through creation of a harmonized and coordinated criteria of collecting offenders personal details such as fingerprints, and photos.

SECTOR 3: Victim Support and Empowerment

SHORT TERM:

1. Include interpretation services in courtrooms and other victim care services in order to prevent the misinterpretation or misunderstanding of important information that may be relevant to the resolution of the case. Having interpreting services is part of the right of victims to be able to communicate with justice and is also important for those in refugee status.

2. Create control and monitoring tools for Local Councilors in order to prevent them from requesting money or goods in exchange for providing their services. Likewise, create reporting mechanisms where the community can denounce anonymously when these types of cases occur or the Councilor refuses to provide the services.

3. Offer the Child Helpline follow up and call back service for free (currently, only the call to the Helpline is free), by working with phone operators and providers.

4. Refresh the Helpline professionals’ training by providing new training on OCSEA updated to new technological developments and risks.

5. Replace the Helpline’s broken equipment and ensure that there is enough back up as more equipment wears out.

6. Finance a service provider to offer psychosocial support to the Helpline workers on an as-needed basis: whenever a counselor, staff member or volunteer feels the need to talk, there should be a phone number / office they can reach, paid for by the MGLSD.

MEDIUM TERM:

1. Include in the NCP the creation of a multi-actor scenario and the development of a care protocol that contains indicators, the role of the actors, and clear care procedures from the report, through the services, prosecution, and follow-up to the victims and their families. Within this protocol, the actions of all ministries, agencies, schools, health centers, NGOs and other important actors in the process must be included.
2. Connect the criminal justice system with the social services provided by state entities and victim assistance NGOs in order to create a favorable environment for CSEA victims and their families to feel safe, see their rights fulfilled and see justice as a mechanism to claim their rights.

3. Train Local Councilors in interview techniques as first responders responsible for receiving CSEA reports online and offline. Training should include topics such as applied legislation, rights and duties, and technical topics such as trauma-based care. This will prevent re-victimization in the first contact with victims.

4. Train LEA in victim-centered care, trauma-informed approach, and interview techniques, in order to avoid at all costs that children and their families are re-victimized by the State. LE must work with communities to also avoid that they become revictimizing actors.

5. Enforce the access to compensation, legal remedies, and complaint procedures in practice, and train the justice system on the restitution process. The legal framework is already in place, but victims of OCSEA still do not have access to appropriate compensation.

6. Train investigators to conduct full-fledged financial investigations, especially in cases of online exploitation where the abuse led to financial benefits for offenders.

7. Establish a strong trusting relation between the Sauti 116 Helpline and the Ugandan population around reporting OCSEA through online or remote means. Sauti 116 is already a trusted helpline, but people tend to report OCSEA only to helpline counselors and professionals when they organize in-person events. More crimes could be uncovered if more people were to report by phone, text, the online portal, and any other remote means that the helpline offers.

8. Train more professionals on the specific needs an OCSEA case raises, as now only two Helpline counselors have this skillset.

9. Organize monthly counseling sessions offering psychosocial support to the Helpline workers.

10. Devote more resources to ongoing awareness campaigns on Sauti 116 which can be led solely by the Helpline, independent of other partners, to ensure sustainability and knowledge of the service by the general population.

LONG TERM:

1. Increase the human and technical capacity of the local offices of the Community Based Services Department (CBDS) in order to improve the local response to cases of CSEA. Allocate budgets for the maintenance of these offices (logistics, infrastructure, transportation, staffing) and provide training to promote care for victims and their families.

2. Promote joint work between government care entities and NGOs that currently provide attention services to victims. It is important that the Republic of Uganda works to strengthen and increase investment in personnel, infrastructure, transportation, and services for victims and their families. Interdisciplinary NGO teams may train government health officials to build on capacity that already exists internally in Uganda without increasing costs. After this, both the government and the organizations can receive training from other international organizations willing to collaborate in capacity building.

3. Ensure that appropriate budget is designated to offer compensation to victims in cases where perpetrators are unable to provide restitution because they do not have access to personal finances.
4. Amend the legislation to include the possibility to access compensation as appropriate by the guardians, caregivers, and families of the child victim.

5. Ensure that the Helpline is sustainable by replacing its dependence on external international agencies with national government funding, allowing for more staff to join, expanding the call center to accommodate all calls, and ensuring that equipment is replaced as and when needed.

6. Expanding the Helpline to other in-person locations to be closer to the communities.

**SECTOR 4: Society and Culture**

**SHORT TERM:**

1. Raise awareness of OCSEA among the general public through an open and clear national campaign, emphasizing the impact OCSEA can have on children. Indeed, being abused online does not have a lesser impact than being abused offline because of the fear the victim experiences of having his/her images seen at any point in time. The campaign should also include components on online safety and the impact on mental health.

2. Further the efforts of including children into the decision-making process around issues that concern them, especially around prevention, legislation, and investigations of OCSEA crimes.

3. Ensure that all children, from all socio-economic backgrounds and all districts, can be represented in such efforts.

4. Open conversations around providing support to offenders or potential offenders, to offer a platform in which they could seek help if they are on the verge of offending against a child.

**MEDIUM TERM:**

1. Devote more resources to raising awareness around the Reporting Portal, so that Ugandans know where to report CSAM and trust that their report will be anonymous.

2. Update the ICT in Education Policy based on current technological advancements and risks, incorporating elements of online safety education, as originally planned by the MoES.

3. Create incentives to include child participation at all levels of society, or deterrents for those who are not applying the legal framework which insists on enabling children to participate in processes which impact them.

4. Provide psychosocial support to offenders in order to prevent reoffending after their prison sentence, and ensure actual and long-term rehabilitation.

5. Publish communication around the prevention of OCSEA targeted at offenders and potential offenders to raise awareness of the
impact their offending might have on victims, and ensure they are aware of the punitive measures if they indeed offend against children.

6. Provide a platform for potential offenders to seek help if they are on the verge of offending against a child.

LONG TERM:

1. Develop a national Hotline to provide a national response to CSAM.
2. Ensure compliance from ISPs on evidence preservation disclosure and release.
3. Support police investigations of OCSEA.
4. Establish a parliament for children, where they can truly participate in decision-making and be respected as a key component of the policy-making process upon issues that concern them in Uganda.
5. Change the societal dynamic around OCSEA offenders, and view support and rehabilitation, and support for their families, as a prevention mechanism to prevent further offending and protect children more efficiently.
6. Ensure that the Ugandan Constitution defines OCSEA as a crime in which, “for reasons of morality, public order or national security,” the media should not attend trials, especially when the identity of the victim(s) is revealed and/or a child needs to make a statement (whether in person or through video call).

SECTOR 5: Industry

SHORT TERM:

1. Established a consultative group between the UCC and the ISP to provide and share best practices in monitoring and removal of CSAM.
2. Promote training for ISP workers to create awareness and knowledge of OCSEA.
3. Create a typology for OCSEA in the Trafficking in Persons taskforce in order to start differentiating online and offline cases.
4. Promote the existing reporting channels through campaigns and social media awareness in order for the community to learn about the reporting mechanisms.

MEDIUM TERM:

1. The government provides incentives for ISPs to proactively work towards the removal and blocking of CSAM.
2. Link the existing IWF reporting portal to all service providers to unify the reporting mechanisms.
3. Create a Taskforce in the UPF specifically for OCSEA with trained personnel.
4. Provide training to LE on how to preserve and request information from social media providers (Facebook, Instagram, TikTok, etc.) on OCSEA cases.
LONG TERM:

1. Create and disseminate ISP regulatory procedures to remove and block CSAM online.
2. Create an intersectoral committee that counts with the participation of LE, UCC, NITA, MGLSD, and representatives of the ISPs in order to coordinate activities, procedures, and reporting mechanisms on OCSEA cases.
3. Promote the creation of software from the private sector that helps identify CSAM and create alerts for ISPs to remove and block CSAM.

MEDIUM TERM:

1. Coordinate, with NGOs in the country, specialized training for LE and government institutions regarding the appropriate use of terminology in OCSEA cases.
2. Create an intersectoral committee that counts with the participation of LE, UCC, NITA, MGLSD, and representatives of the ISPs in order to coordinate activities, procedures, and reporting mechanisms on OCSEA cases.
3. Promote the creation of software from the private sector that helps identify CSAM and create alerts for ISPs to remove and block CSAM.

SHORT TERM:

1. Elaborate and circulate with government institutions, law enforcement and the industry an applicable and easy-to-understand guide based on the Luxembourg Guidelines for the correct use of terminology in OCSEA cases.
2. Promote the coordination of information to improve the sharing from official institutions in order for law enforcement and the MGLSD to have access to relevant databases for the elaboration of reports on OCSEA.
3. Create awareness through social media and campaigns in the community about the importance of the appropriate use of terminology in CSEA cases.

LONG TERM:

1. Create a centralized reporting, monitoring, and analysis system that can provide accurate information about the situation of OCSEA in Uganda, as well as conducting follow up to active cases.
2. Create an intersectoral working group for the elaboration and promotion of a public policy to articulate the national response on CSEA in the country.
3. Incorporate in Uganda’s legislation the application of the Luxembourg Guidelines for the appropriate use of terminology in the country.

SECTOR 6: Research and Data
In recent years, Uganda has taken important steps that make visible its commitment to improve its institutional capacities to respond to Child Sexual Exploitation and Abuse. The Government of Uganda is a partner of the We Protect Alliance, and since its union it has developed actions aimed at preventing the phenomenon, investigating it, and attending to the victims from an appropriate approach. Other advances made and marked in the We Protect Model are:

A. It has issued a solid legislative framework that includes some behaviors related to risks that children can take online, such as Cyber Harassment, provided for in The Computer Misuse Act.

B. Ugandan police academies contain CSEA in general in their curricula, and, since 2020, are trying to incorporate information about abuse in digital environments.

C. A compensation system has been established for victims and their relatives.

D. The Sauti 116 Helpline is part of the Child Helpline International Network and provides a confidential mechanism for reporting situations of abuse and services and resources to victims.

E. Uganda has important NGOs capable of providing care services to victims and the State works to generate links between institutions, victims, and NGOs.

These advances add to the precedents achieved and help Uganda to consolidate a public policy that will allow it to advance in the coming years in:

- Inclusion of digital environments as protective environments for children
- Prevention of risks associated with CSEA online and offline
- Application and strengthening of the existing legal framework for the prevention and mitigation of CSEA, adjusted to the Luxemburg Guidelines
- Guarantee of timely and comprehensive care through the generation of inter-institutional protocols that determine the roles of each of the parties within this process
- Gathering of data that allows for solid baselines, understanding the situation of CSEA online and offline, and making public policy decisions based on reality
- Strengthening of the capacities of professionals and those of care, protection, and prosecution for the comprehensive protection of children, preventing their re-victimization