

**ANSWERS**

**TO UN QUESTIONNAIRE ON VIOLENCE AGAINST CHILDREN**

**SUBMITTED**

**TO THE OFFICE OF HIGH COMMISSIONER FOR HUMAN  
RIGHTS**

**BY UGANDA GOVERNMENT**

- 1. Describe any developments with respect to violence against children, which have resulted from your country's acceptance of international human rights instruments, including, for example, the Convention on the Rights of the Child and its optional protocols, the Palermo Protocol or regional human rights instruments. Provide information on cases concerning violence against children in which your country's courts or tribunals have referred to international or regional human rights standards.**

Uganda ratified the Convention on the Rights of the Child (UN CRC) in 1990 and immediately a Child Law Review Committee was appointed by Government to review all laws affecting the welfare of children and to bring them in line with the CRC. The implementation of this law has been on going since August 1997 when it was brought into force. The law has been translated into local languages and a lot of sensitization has been done with a view of reducing infringement on the general rights of children and in particular, violence against children. There is specific violence that has been meted against children especially by the rebellion in Northern Uganda by Joseph Kony. The case of this violence has been reported to the International Court of Justice (ICC) and the UN Child Rights Committee through the Uganda CRC periodic country report. The strategy to address this has been through the training enforcement authorities including the army who have normally received children who have participated in armed conflict or have been victims of it. The case of violence against children by these rebels has reached the International Court of Justice and the perpetrators are being investigated. Further more Uganda has ratified the following optional protocols to the Child Rights and ILO Conventions:

- (a) The Optional Protocol to the Convention on the Rights of the child on the involvement of children in armed conflict.
- (b) The Optional Protocol to the Convention on the Rights of the child on the sale of children, child prostitution and child pornography.
- (c) The ILO Convention No.182 on the prohibition of the worst forms of child labour.
- (d) The ILO Convention No.138 on the minimum age for admission to employment, (1973)

The implementation of these conventions is intended to minimize violence committed against children.

- 2. Describe how forms of Violence against children are addressed in your country's Constitution, legislation and subsidiary legislation, and, where appropriate, Customary Law.**

Violence against children in Uganda is addressed through the following legal arrangements:

- (i) The Constitution: Article 24 of the Constitution states that "No person shall be subjected to any form of torture, cruelty in human or degrading treatment or punishment.
- (ii) The Penal Code: Section 81 of Penal Code Act States that about threatening violence: Any person who;
  - a) with intent to intimidate or annoy any person threatens to injure, assault, shoot or kill any person, or to burn, break or injure any property; or
  - b) with intent to alarm any person, discharges a fire arm or commits any breach of peace, commits an offence and its liable to imprisonment for a period not exceeding four years.

Section 187 about Manslaughter states that "Any person who by unlawful act or omission causes the death of another person commits the felony termed manslaughter and is liable to imprisonment for life.

Section 188 about Murder states that "any person who of malice a fore-thought causes the death of another person by unlawful act or omission commits murder and shall if convicted be sentenced to death.

Section 123 about rape states that "any person who has carnal knowledge of a woman or girl without her consent by force or by means of threats or intimidation of any kind or by fear of bodily harm, or by means of false representations as to the nature of the act or in the case of married woman by personating her husband commits a felony termed rape/ defilement and if convicted is liable to suffer death.

Section 128 about Indecent Assault "any person who unlawfully and indecently assaults any woman or girl commits a felony and is liable to imprisonment for 14 years with or without corporal punishment.

It shall be no defence to a charge for an indecent assault on a girl under the age of 18 years to prove that she consented to the act of indecency.

Section 216 states that "Acts intended to cause grievous harm or prevent arrest any person who with intent to maim, disfigure, disable any person, or to do some grievous harm to any person or to resist or prevent the lawful arrest or detention of any person commits a felony and is liable for imprisonment for life.

(iii) **Children's Act Cap.59**

Section 9 states that "No child shall be employed or engaged in any activity that may be harmful to his or her health, education, mental, physical or moral development

Section 147 about "Indecent Assault on boys states that "any person who unlawfully and indecently assaults a boy under the age of eighteen years commits

a felony and is liable to imprisonment for 14 years with or without corporal punishment.

**3. Provide details of any specific legislative provisions on:**

- As already mentioned in No.2 above, Prevention of all forms physical, sexual and mental violence, injury or abuse, neglect or negligent treatment, and sexual abuse and Protection of children from all forms of violence are addressed through the Constitution, the Penal Code Act and the Children's Act.
- Redress, including compensation, for child victims of violence;
  - Redress is normally handled through civil proceedings such as Local Council Secretary for Children Affairs for and Human Rights Commission. It is not widely applicable, as many children who face violence do not report these cases to the authorities.
- Penalties for perpetrators of violence against children; are a subject of the relevant sections of the Penal Code Act and there are specific punishments. They range from Felony or misdemeanor to capital punishment. Where perpetrators are children if the case is proved against them, then they are committed to reformatory facility for a period not exceeding 3 years. For example Sec.97 (1) of the Children's Act Cap.59 states that " The Minister shall establish a National Rehabilitation Centre for Children and such other centers as he or she may deem necessary which shall each be a place for the detention, rehabilitation and re-training of children committed there".
  - Re-integration and rehabilitation of child victims of violence
    - There is a provision in the Children's Act for children who face violence or are likely to face violence. They can be placed on an interim or Care Order by Court of Law for purposes of rehabilitation and to ensure that the Children are removed from hostile environment. This is strengthened by the provision of an Exclusion Order under the Children's Act Sec.35 and 36.
    - Further more, Children who have suffered violence as a result of armed conflict are screened by the Amnesty Commission and referred to trauma counseling centres where they under go rehabilitation before they are reintegrated back into their communities.

**4. Indicate whether there are specific legislative provisions that address all forms violence including physical, sexual and psychological violence, injury or abuse, neglect or negligent treatment and sexual exploitation against children which take place in:**

- Yes, there are specific legislative provisions that address all forms of violence against children. They are covered in the relevant sections of the Penal Code Act, Children's Act and the relevant articles of the Constitution. However, they are general in nature and therefore do not follow the categories mentioned in the questionnaire.

5. **Indicate whether corporal punishment of children, in any setting, including in the family, is explicitly prohibited in your legal system. Provide details of any legal defences available to those who administer corporal punishment to children, including in the family. Provide information on penalties applicable to those who administer corporal punishment to children, including in the family.**

"Under the Children's Act Section 95(9) states that "No child shall be subject to corporal punishment".

6. **Provide information on whether the penal code permits corporal punishment and/or capital punishment as a sentence for crimes committed by under 18 year olds.**

All crimes that are committed by children are addressed under the Children's Act Cap.95. The Act provides that children under 18 years who have committed capital offences should be detained in a reformatory facility for a maximum period of three years. They are neither subjected to corporal punishment nor capital punishment.

7. **Provide details on whether bullying/hazing and sexual harassment are explicitly addressed by legislation.**

No the Act does not provide for treatment of children who commit violence against other children.

8. **Provide information on the way in which harmful or violent traditional practices including but not limited to female genital mutilation, child marriage or honour crimes are addressed in your country.**

Female genital mutilation is practiced in Eastern |Uganda on a small scale  
The Government has put in place sensitization programs to sensitize parents on the dangers of genital mutilation and early marriages with a view to eliminating the practice. It is therefore illegal for any person below that age to get married. Parents who encourage their children to get married before that age can be prosecuted under the law. However marriage laws still need to be amended. The Domestic Relations Bill has been tabled before parliament and will be debated soon.

Encouraging girl child education is another way through which the issue of genital mutilation and early marriages are being addressed.

9. **Provide Information on the applicability of specific provisions to address all forms of violence against children to non-citizens and stateless children, including asylum seekers and displaced children. If specific provisions do not apply to such children, provide details of protection offered to them.**

The Children's Act does not discriminate against other children who may not be Ugandans. All children within the boundaries of Uganda are subject of the Children's Act.

10. **Provide information on any difference in the definition of violence and the applicable legal framework according to the sex or sexual orientation of the victim and/or of the perpetrator, including, but not limited to infanticide, sexual violence in marriage, incest and sexual abuse within the family, and physical chastisement.**

In Uganda defilement is sexual intercourse with a girl below 18 years. A similar act with a boy would be referred to as indecent assault and the punishment to the perpetrator differs. However there is an amendment Bill that will address this anomaly. The review of the Domestic Relations Bill is also intended to protect children from early marriages and disinheritance.

- There are no differences in the definition of types of violence as applied in the legal framework basing on sex of the victim. All persons are treated equally before the Law.

11. **Provide information on any recent comprehensive review of the legal framework to address violence against children**

- The enactment of the Children Act was a major comprehensive review of the legal framework to address children issues in general but all aspects including violence against children was addressed with exception of child labour. Efforts are being made by government to review the Children's Act and issues of child labour will be addressed. The legal framework was very much in line with the CRC.

12. **Provide information on any studies and surveys, which have been undertaken to assess the impact of legal measures to address violence against children.**

The following surveys have been undertaken:

- A desk review of Gender and Access to Justice in Uganda commissioned by the Justice Law and Order Sector. (JLOS)



- Criminal Justice Base Line Survey 2002 commissioned by Justice Law and Order Sector. (JLOS)
- A Survey on Knowledge, Attitude, Behavior and Practices on the Children's Statute and Children's Rights by Ministry of Gender, Labour and Social Development and National Council for Children. (December 2001).
- A study of the reform of the law on rape , defilement and other sexual offences(ULRC 2000)
- A study on the reform of the law on Domestic Relations (ULCR 2000)

**13. Identify those parts of the court structure in your country tasked with addressing violence against children. Indicate if your family or juvenile courts have specific responsibility for this issue.**

The issue of violence against children depends on the nature of the violence against the child. The High Court, the Magistrates' Court, the Family and Children Court or Lower Courts all have jurisdictions to handle cases of violence against children depending on the seriousness and nature of the violence: e.g. the Family Children's Court has jurisdiction to address issues of violence if the violence is committed by a child against another child.

**14. Provide Information on any legislatively defined minimum age required for valid consent to sexual activity. Is this age different for girls and boys? Is this age different in respect of heterosexual and homosexual activities?**

The Ugandan Law defines age of consent to sexual activity to be any period following the 18<sup>th</sup> birth day for both girl and boy children.

**15. Provide information on the minimum age of marriage for women and men**

The legal age of marriage is set at 18 years as per the Children's Act and the Constitution. However the marriage laws still have different ages.

**16. Provide Information on legislation and other measures to prevent the commercial sexual exploitation of children, including through prostitution and other unlawful sexual activities. Provide details on means to ensure that child victims of such exploitation are not criminalized. Provide information on legislation or other measures to prohibit all forms of sale or trafficking in children including by their parents.**

- The Constitution of Uganda as well as Section 2 of the Children Act Cap. 59 defines a child as a " person below the age of eighteen years"



- The Penal Code Act Cap 120, under Chapter XIV, offences against morality, (Sections 123- 151). Children do not have the capacity to consent to sexual activity, so the adult is liable to the crime.
- The Executive Committee (Judicial Powers) Act, Cap.8, (Second Schedule items 5 and 6).
- The Magistrate's Court Act, Cap. 16 (Sections 40, 101 and 128).
- The Trial on Indictments Act, Cap.23, (Sections 73 and 137).
- The Evidence Act, Cap.6 (Sections 32).
- The Venereal Disease Act, Cap.284.
- The Children Act, Cap.59.
- S.131 of the Penal Code Act provides that;

Any person who:

- Procures or attempts to procure any girl or woman under the age of 22 years to have unlawful carnal connection, either in Uganda or else, with any other person or person,
- Procures or attempts to procure any woman or girl to leave Uganda or elsewhere, a common prostitute,
- Procures or attempts to procure any woman or girl to leave Uganda, with intent that she may become an inmate of or frequent a brothel elsewhere; or
- Procures or attempts to procure any woman or girl to leave her usual place of abode in Uganda, such place not being a brothel, with intent that she may, for the purpose of prostitution, become an inmate of or frequent a brothel either in Uganda or elsewhere, commits an offence and is liable to imprisonment for seven years.

However, section 131 (2) of the Penal Code Act, cautions that, "**no person shall be convicted of any offence under this section upon the evidence of one witness only, unless that witness is corroborated in some material particular by evidence implicating the accused**".

- In effect, the above S.131 prohibits all forms of sale or trafficking in children including their parents because it says "any person" which covers anybody and everyone.
- In addition, S.133 of the Penal Code Act prohibits of a girl child under the age of eighteen.

- Under S.134 (3) of the Penal Code Act no legal proceedings civil or criminal shall be taken against a child victim of unlawful detention with sexual intent. In effect, child victims are not criminalized.
  - S.137 of the Penal Code Act states that, “any **person who keeps brothels commits an offence is liable to imprisonment for 7 years.**
  - S.138 of the Penal Code Act, defines a prostitute and prostitution that "**a prostitute**" is a person who, in public or else where, regularly or habitually holds himself or herself out as available for sexual intercourse or other gratification for monetary or other material gain, and "**prostitution**" shall be construed accordingly.
  - S.139 of the Penal of the children i.e. prostitution and other unlawful sexual activities. Below are some of the measures taken:
  - The Government has prepared a memorandum on The Sexual Offences (Miscellaneous Amendments) Bill 2004 meant to cover all the above legislations.
- **Amendment of The Penal Code Act, Cap 120**
    - Section 123, which creates the offence of rape. In the new section, the expression "sexual act" replaces to the expression "sexual intercourse" because the former is wider. The bill defines "sexual act" to mean penetration of the vagina, mouth or anus however slight by a sexual organ or by any object by a person on another person's organ. This definition caters also for women who force men into sex.
    - The Bill amends section 124 and proposes life imprisonment as the punishment for a person convicted of rape as opposed to the death sentence in the current law.
    - The new section 124 provides for a mandatory imposition by the court of imprisonment for life where there are aggravating factors e.g. if the offender is infected with sexually transmitted diseases, the age of the victim and the extent of harm caused to the victim as a result of the offence. The section also permits the court to impose a lesser penalty than life imprisonment where aggravating circumstances do not exist.
    - This part further seeks to amend sections 123, 124, 125,126,127, 128,130,133,140,145, 146, 147, 148, and 149 of the Penal Code Act to deal with other sexual offences such as attempt to rape or defile, elopement, indecent assault, incest, conspiracy to rape or defile, unnatural offences, indecent practices, abduction and detention against the victim's will or consent and defilement of a person with mental disability.
    - This part also amends the Penal Code Act to effect consequential modifications in recognition of the fact that both a male person and female person can commit a sexual offence.

- **Amendment of The Executive Committees (Judicial Powers) Act, Cap.8**
  - The Bill seeks to amend the Second Schedule to Cap.8 by deleting items 5 and 6, which refer to impregnating a girl under the age of 18 years and elopement with a girl under the age of 18 years respectively.
  - This amendment is intended to remove the jurisdiction of trying these cases from local councils because the study revealed that these trails were in most cases mishandled.
  
- **Amendment of The Magistrates' Court Acts, Cap.16**
  - The Bill seeks to amend section 40 of the Magistrates' Courts Act to provide for proceedings in camera by Magistrates Courts when trying sexual offences. The intention is to protect the victims especially young children from public trials and to lessen the ordeal and embarrassment of the victims.
  - Section 101 is also amended by removing the mandatory corroboration of the evidence of a child. It gives the court discretion to require corroborating evidence or not.
  - The Bill also seeks to amend section 128 of the Magistrates' courts Act, which allows a person, accused of a criminal offence a right to make an un-sworn statement. The Bill thus proposes that the right of an accused person to make an un-sworn statement in a sexual offence be abolished.
  
- **Amendment of Trial on Indictments Act, Cap.23**
  - The Bill seeks to amend section 73 of Cap.23 to abolish the right of an accused person to make an un-sworn statement in sexual offences.
  - The Bill also seeks to amend section 137 to promote proceedings in camera by the High Court when trying sexual offences.
  
- **Amendment of The Evidence Act, Cap.6**

The bill seeks to introduce a revised section 132 of the Evidence Act, which provides that the court shall not require corroboration of evidence of a child unless it has good reason to do so. The existing section 132 only makes an accomplice a competent witness. The new section adds to an accomplice a victim of an offence and a child
  
- **Amendment of the Venereal Diseases Act, Cap.284**



The Bill seeks to amend Cap.284 by adding Acquired Immune Deficiency Syndrome (AIDS) as a sexually transmitted disease.

**17. Provide information on legislation and other measures to prohibit the production, possession and dissemination of child pornography. In particular, please provide information on any controls on pornography produced and/or disseminated via the Internet.**

- There is no specific legislation on child pornography and harmful information.
  - However under S.148 of the Penal Code Act, "any person who, whether in public or in private, commits any act of gross indecency with another person or procures another person to commit any act of gross indecency with him or her or attempts to procure the commission of any such act by any person in public or in private, commits an offence and is liable to imprisonment for seven years".
  - This provision covers obscene acts but may not stretch to pornographic and harmful information communications technology Bill is required to bridge the existing gap.

**18. Provide information on any legislation or guidelines to protect children from injurious information and material transmitted through the media, Internet, videos, electronic games, etc.**

- Same as in No.17, no specific legislations or guidelines to protect children from injurious information and material transmitted through the media, internet, video, electronic games, etc. there is a new area of the legislations on electronics and media generally.

**19. Provide information on legislation, regulations or administrative directives requiring reporting of all forms of violence against and abuse of children in all settings to appropriate bodies. If reporting legislation, regulations or administrative directives exist, please indicate whether all citizens are required to report, or whether the obligation falls on certain professional groups only. Provide details of any sanctions for non-reporting.**

- The reporting obligation relating to violence against children is covered under the Children's Act Cap.59 which say "The Secretary for Children Affairs after receiving the report (on violence against a child or an infringement on the rights of the child) summon the person against whom the report was made under Section (1) to discuss the matter, and a decision shall be made by the Secretary for children's affairs in the best interest of the child.

**20. Provide information on any complaints procedures relating to all forms of violence against children**

- The reporting system is based on a local council administrative system. The system ranges from Local Council I (LC I) which is at village level to Local

Council 5 (LC 5) which is at the district level. At each of these levels there is a Secretary for Children Affairs who is an executive member of the council and is responsible for the general welfare of children in their localities. Where the L.C Secretary is not active, the matter can be reported to police or courts of law. The L.C. system covers both urban and rural areas. In schools the first reporting system is the senior classroom teacher and at work place, it is the Head of Department.

**21. Indicate whether children or persons acting on their behalf can access these procedures. Indicate whether legal aid is available to facilitate submission of complaints, and the circumstances in legal aid will be available.**

- The procedures are well known to the general population. A lot of sensitization has been done through Para Legal training and community policing by the Police Department therefore most people knows what to do. The legal representation has been unaffordable until recently when legal aid was made available for poor people and children. NGOs and professional bodies including Association for Women Lawyers (FIDA), Uganda Law Society and Legal Aid Clinic provide limited legal services to the poor including children and women. The services are mainly concentrated in the urban areas.

**22. Describe steps, which have been taken to raise awareness of possibilities to submit complaints about violence against children.**

- There has been sensitization by Government, NGO's, Faith Based Organizations, Child Rights Activists.
- Secondly the procedures for reporting violence committed against a child are covered under the children's Act Cap.59.
- The Family and Child Protection Units in the police force have been established as channels through which complaints of violence against children can be reported.

**23. Provide information on any special procedural or evidentiary rules, which may apply in proceedings with respect to violence against children.**

Depending on the gravity of the matter, if a case is of the capital nature, then the matter will be handled by the high court, but if it is of less gravity, it is handled by the Family and Children Court. Family and Children Courts have been established throughout the country specifically to handle children's cases.

**24. Provide information on the usual outcome of complaints of violence against children**

Depending on the gravity of the matter, if it is of capital nature then the punishment is stipulated in the relevant sections of the Penal Code Act ranging from long term imprisonment to death penalty. However children are not subjected to death penalty even if they are proved guilty of a capital offence. For cases reported to the Human Rights Commission, the Commission normally gives reasonable compensation.

25. **Provide information on the usual outcome of legal proceedings in which children and juveniles are found guilty of perpetrating violence (e.g. imprisonment, corporal punishment, community service, perpetrator rehabilitation, and family therapy)**

- Where children are proved guilty of an offence of a capital nature, they will be committed by court to a reformatory facility in Uganda known as the National Rehabilitation Centre for a period of not more than 3 years. The objective of the centre is to detain, retrain and rehabilitate the juvenile offenders. For minor offences however, they are cautioned or placed on probation under the supervision of a probation and social welfare officer

26. **Are there any Government authorities, structures and mechanisms, including at federal, state/provincial, municipal and local level, which are currently responsible for addressing violence against children? If YES, identify these authorities, structures and mechanisms and describe how coordination is ensured.**

- (a) Yes, there are Government Authorities, Structures and Mechanisms for addressing violence against children. But they do not function fully and effectively due to lack of resources.
- (b) At each of 4 levels of Local Councils, there is an official in charge of Children Affairs who handles all issues of children including violence on children.
- (c) In addition there are district probation/welfare officers who are responsible for providing welfare services to children and ensuring compliance of the UNCRC and all other legal instruments protecting children in Uganda.
- (d) At the national level, the National Council for Children (NCC) monitors and advocates for children's welfare including de-campaigning violence against children
- (e) There is a Department for Youth and Children, and a Minister responsible for Youth and Children at the national level where policies on children's welfare including advocacy on good child care practices as provided in the various guidelines which have been already disseminated.

(f) At the central level, coordination is provided by National Council for Children (NCC), which comprises of representatives from all ministries, sectors, NGOs and major religious denominations. Issues are jointly discussed; recommendations are made and forwarded to the Ministry of Gender, Labour and Social Development. The Ministry initiates/develops policies, laws and statutory regulations on issues affecting children including violence. Uganda Human Rights Commission monitors rights violations generally.

**27. Is there a lead Government authority tasked with responsibility for addressing violence against children? If YES, provide details.**

(a) Yes, there is a Government authority for addressing violence against children.

(b) This authority is the Ministry of Gender, Labour and Social Development in general and the Department of Youth and Children Affairs in particular.

**28. Are there specific financial and /or human resources allocated by your country to address violence generally?**

Yes, The Ministry of Gender especially the Department of Youth and Children addresses violence against children and gets a vote from the National Budget like any other Government Programs

**30. Do international or bilateral donors provide resources to our country for activities to address violence against children?**

Yes, A number of International or Bi-lateral donors for instance UNICEF, Save the Children provides resources generally on improving the welfare of children including the reduction of incidences of violence against children.

**31. Does your country provide any assistance to other countries' efforts to respond to the problem of violence against children?**

Yes, Uganda has provided assistance by hosting cross-country Seminars, conferences for instance Sudan/Uganda Cross Boarder Meetings to develop contingency plans for formally abducted children.

**32. If your country has a national human rights institution, such as a human rights commission or ombudsman, or a child-specific human rights institution, does it have any role or competence in the area of violence against children, including receiving complaints?**

Yes, Uganda has a Human Rights Commission where complaints are received and the Inspector General of Government (IGG) is an ombudsman which receives all complaints including all violence against children.

**33. Are there any particular parliamentary structures (for example special committees) to address violence against children? If YES provide details.**



Yes, there is a Parliamentary Committee on Social Services which addresses a wide range of issues including those affecting children, such as violence on children. There is also a parliamentary caucus that addresses the welfare of children.

**34. Have there been any recent parliamentary initiatives to address violence against children?**

Yes, generally, parliamentarians have been involved in sensitisation on dangers of violence against children to their constituents and a specific parliamentary caucus has been formed to promote this cause.

**35. Describe significant civil society initiatives addressing violence against children in your country, including the types of institutions involved (such as academic institutions, based groups, faith based groups, child and youth – led groups, trade unions, employer’s organisations, national non-governmental organisations, international non-government organisations) and the major activities engaged in (including advocacy, awareness raising, research, prevention, rehabilitation and treatment of children harmed by violence, provision of services, provision of resources).**

The main civil societies institutions involved in addressing violence against children are community-based organisations, Non-Government Organisations; Faith based organisations and Women’s Associations. The activities to address the violence against children include advocacy, awareness raising, research, preventive measures, rehabilitation, counselling and medical treatment. However, these services are scattered and are largely urban based.

**36. Describe the support provided by your Government for these activities and the efforts made to co-ordinate civil society and government initiatives.**

The Government provides a supportive legal and regulatory environment in which these institutions operate. The National Council for Children co-ordinates all child-based organisations agencies/NGO's on behalf of Government. Other structures include research centres/institutions. The Government has translated the Children's Act into 11 local languages to ease dissemination, increase awareness and promotion of compliance of legal instruments in the country.

**37. Describe the role played by the media in addressing violence against children.**

The media plays an instrumental role in highlighting cases of violence against children, and in educating, raising – awareness and de-campaigning violence against children. This is done through print and electronic media both in the National and the Local Languages, Dance, Music and Drama plays a major role as

a medium to effectively communicate to the people on dangers of violence against children.

**38. Provide information on the involvement and consultation of children in designing activities, and in implementation and monitoring of programmes and policies to address violence against them. Provide details, including ages and other details of the children involved.**

- As guaranteed by the National constitution 1995 article 34, sub-section 4, which states that " Children are entitled to be protected from social or economic exploitation and shall not be employed in or required to perform work that is likely to be hazardous or to interfere with their education or to be harmful to their health or physical, mental, and spiritual, moral or social development. A group of children (below the age of 18 years) from 14 districts of Uganda participated in the Constitutional Review process which took place in Uganda in 2003 and recommended among other things legal protection of children and vulnerable persons against all forms of abuse, harassment or ill-treatment (see page 7 (2)) of the report attached. "We want to defend and serve our country Uganda" MGLSD and Save the Children Alliance Report of 30th January 2003.
- Another group of 116 children participated in a study to establish the level of deprivation amongst children who have been convicted or charged/committed offences, particularly theft; Theft was focused on as it constitutes the most predominant offence that children are convicted of and yet it is regarded as a minor offence by the Children's Act 1996. Theft is supposed to be handled by Local Council Courts. The children pointed out that taking children in conflict with the Law to Police Stations was a weakness - it aimed at punishing children.
- Regarding children's involvement in implementation and monitoring of programmes which address violence against them; the two samples of study of the Children's Act 96 and the submission of views by children to the Constitutional Review Commission are two very important examples of children's participation at National Level. All the children who participated were of primary school ages and included some orphans.
- Another recent event where Uganda's children participated at a major policy frame work development was in harmonizing "the Poverty Eradication Action Plan (PEAP) and the World Fit for Children (WFFC) as adopted by UN Special Session on children in May 2002. This document contains a specific set of targets and strategies for realizing children's rights globally. Uganda as a party to the World Fit for Children agreement is committed to integrating these goals into her national and sector policies as well as its poverty eradication strategies.
- The children's concern was that the revised PEAP must have the poverty monitoring and evaluation strategy, which incorporates all the (WFFC) goals. They pointed out in particular the inclusion of goals to curb-abuse, exploitation, and violence as well as how children who are disabled and those facing particular

disadvantages may be involved in decision- making, so as to improve their quality of life.

39. **Describe the involvement, if any, of children in designing special procedural or evidentiary rules applying in court proceedings with respect to hearings concerning violence against children. Provide details including ages and other details of the children involved.**

- At the time of the child- Law Reform 1990-92 children were consulted; and it gave rise to separate courts; Family and Children's courts where children are heard in Camera to avoid further trauma to sexually abused children. The children who participated were below 18 years of age. The Group comprised of both School and out of School Children.

40. **Describe the amount and type of resources made available to support children's participation in activities to address violence against children**

In Ministry of Gender, Labour and Social Development under Youth and Children Affairs Department works with many development partners who supplement Government effort by supporting government programmes that include participation of children in activities to address violence against fellow children; these numerous civil society organizations continuously make the participation of children a real right.

Such organizations include Federation of Uganda Women Lawyers ((FIDA), - Law Development Centre (LDC), African Network for the Protection and Prevention of Child Abuse and Neglect. (ANPPCAN), AVSI. Hope After Rape - Save Children in Uganda. Most of these NGO's help children participate effectively on issues that affect them e.g. on the commemoration of the "Day of the African Child" which is 16<sup>th</sup> June every year. There is the Straight Talk Foundation which is well know for its continuous advocacy on the dangers of HIV/AIDS/STD, early pregnancies and therefore advocates for abstinence among children and adolescents. Most UN agencies and Civil Society Organizations who work with children put in large sums of money on this right. It is not easy to establish figures or budgets but they are quite substantial some run programmes for as long as three years.

41. **Does your Government have comprehensive policy concerning violence against children?**

In order to operationalise the UNCRC and the National Constitution, Uganda passed the children's Act in 1995. At regional level; Uganda ratified African Charter on the Rights and Welfare of the Child (ACWRC) in 1994.

Further more, in pursuit of the pledge to Uganda's children at the UN Children's meeting of 1990; Uganda adopted a National Plan for Action for Children (UNPAC) to cover the goals of the 1990. (Survival, Development and Protection). Concern for children and their welfare is central Uganda's policies.

Children's rights are entrenched in the Uganda Constitution 1995-Article 34 (1-7). The Children's Act is to provide for the care, protection and maintenance of children, to provide for local authority support for children; to establish a family and children's court, to make provision for children charged with offences and for other connected purposes. The establishment of Special Courts is to give children individual privacy/dignity desired by UNCRRC.

Besides, there are other rules to enforce the provisions of the Children's Act namely: The Babies and Children Homes Rules, Statutory Instruments Nos.13 and 14 1991 (respectively) which specify the rules and regulations for any one to establish and operate a home to keep needy Babies or children. They set standards of the quality of service desired by Uganda Government

**42. Does your Government deliver, or provide direct support for delivery by other agencies, of specific programmes aimed at preventing and responding to violence against children**

According to the Local Government Act 1997, the role of Central Government is to provide policy guidelines, set standards and give technical advice on the work of the agencies. The supervision is at two levels, at the District Level and at National Level.

The Government of Uganda through a Statutory Instrument, the non-government Statute of 1989, does give direct support to registered agencies with which it has signed a Memorandum of Understanding at National level and at the Districts; the CAO issues them a certificate to operate.

The direct support is in form of tax clearance for goods (not on the prohibited list) such agencies may import into the country to enhance their work in complimenting Government programmes.

The Government issues visas and work permits to expatriates of such agencies and also vets the renewal of such documents. The specific programmes include those by Save Children Alliance in Uganda; who among other things have introduced child rights' clubs in schools in 16 districts where they work. Through the child rights, clubs, the children have taken a central role in participating on issues that affect them e.g. child abuse, child labour e.t.c

Late last year, the Government through the Ministry of Disaster Preparedness started direct support to the children through the established centres and in the same vain the Ministry of Gender, Labour and Social Development gave 100 basins, five bales of cloth to one NGO in Soroti where abused children by Lords Resistance Army were being rehabilitated.

**43. Does your Government monitor the impact of these policies and programmes directed towards violence against children?**

- The Uganda Government's Central Ministries have direct mandate to set standards, develop policies and guide lines to be used by the registered NGO's District staff including extension staff at various levels of service provision.
- Consequently, Central Ministries have a primary duty to establish quality management check lists; set expected indicators for them to look out for while doing the monitoring of services being delivered including those of the agencies carrying out activities which remedy or prevent violence against children.
- The Government monitors these policies and programmes. The Government through the National Council for Children has developed a wide range of indicators. Using these indicators, the Council periodically compiles a M&E report from districts, institutions and specific programmes as well as reports from surveys and studies on violence against children.

**44. Does your Government participate in any internationally coordinated activities concerning violence against children?**

- Yes, the Government of Uganda has been involved in a number of internationally co-coordinated activities namely:
  - The United Nation's Special Session for Children May 2003: in New York where issues of violence against children were discussed on specific round table workshops.
  - Children and Residential Care, new strategies for new millennium 2<sup>nd</sup> International Conference in Stockholm May 2003, it highlighted incidences of child abuse in residential homes.
- Uganda participated at the 14<sup>th</sup> ISPCAN Congress on child abuse and neglect in Denver, U.S.A, and ANNPCAN Uganda Chapter was officially acclaimed as a partner in child abuse and neglect.

**45. Over the past five years, has there been any victimisation, epidemiological or other population based surveys of any forms of violence against children in your country?**

Yes, "Killing the Future: An analysis of media reports on child abuse 1994 – 2001" by the National Council for Children 2002.

**46. Have there been any small scale or representative interview studies with parents and children on violent victimisation of children?**

The only study that has been done is Child Sexual Abuse in Kampala, Mpigi and Wakiso districts "June 2004" conducted by Association of women lawyers (FIDA), a National NGO working for the well-being of children.

47. **Over the past five years, has your Government conducted or commissioned any scientific research projects on the problem of violence against children?**

Yes. "Study on Children in Need of Special Protection Measures in Uganda" A study was made by the Ministry of Gender, Labour & Social Development in collaboration with UNICEF.

48. **Have studies or surveys been undertaken into the impact of legal measures to address violence against children?**

Yes, Knowledge, Attitude, Behaviour and Practices on the Children Statute and Children's Rights in Uganda by National Council for Children and "Killing the Future" a Child Abuse analysis Report before and after the enactment of the Children Statute by National Council for Children.

49. **Does your Government have a system for formal inquiries into all child deaths in which it is known or suspected that violence may have played any part?**

Yes. The government has a formal system of conducting inquiries with all child deaths. Uganda police criminal investigation department basically does this.

50. **Are regular (e.g. annual) reports published describing the statistical profile of the known or suspected violent deaths investigated by the system?**

Yes, Police investigates such statistical profile of the unknown or suspected violence- death. Normally such data is compiled annually, half yearly, quarterly and adhoc reports are required by the authority.

51. **If reports on the national profile of known an suspected violent deaths are published by your Government, indicate how the data is broken down for the purpose of reporting**

The data is broken down in the following categories:

As victims: There are children who suffer as a result of offences committed against them i.e. crimes, juveniles victims in terms of male and females, categorised between (0-8) years and (9-17) years in both incidences.

They could be accused persons by males or females, with specific age groups as (0-17) years and adults. This enables the Government capture the statistics of whether the accused, against the children are fellow juveniles.

- As a accused: The children are categorized as male and female, with age brackets ranging from (0-8) years and (9-17) years and the corresponding crimes on the other hand, there are victims of juveniles categorized by male/ females; between ages (0-17) years and adults. This basically helps to capture statistics of juveniles /children as accused, who could have committed crime.

51(a) CAUSES OF DEATH BY CATEGORY

ACCUSED PERSONS

YEAR	MALES		FEMALES		TOTALS
	(0-17) Yrs	ADULTS	(0-17) Yrs	ADULTS	
<b>MURDER</b>	17	35	2	20	74
<b>INFANTICIDE</b>	31	97	5	25	158
<b>MURDER</b>	9	69	2	22	102

<b>INFANTICIDE</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>12</b>	<b>17</b>
<b>MURDER</b>	<b>21</b>	<b>42</b>	<b>2</b>	<b>21</b>	<b>86</b>
<b>INFANTICIDE</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>15</b>	<b>17</b>
<b>MURDER</b>	<b>12</b>	<b>65</b>	<b>15</b>	<b>46</b>	<b>138</b>
<b>INFANTICIDE</b>	<b>21</b>	<b>4</b>	<b>4</b>	<b>0</b>	<b>29</b>

Source: Police Annual Report 200-2003

52. Provide the total number of reported cases of violence against children in 2000, 20001, 2002 and 2003

(a) SUMMERY OF JUVENILES AS VICTIMS OF CRIME

	MALES	MALES	FEMALE	FEMALE	
	(0-8)YRS	(9-17)YRS	S	S	
YEAR			(0-8)YRS	(9-17)YRS	TOTALS
2003	<b>401</b>	<b>1131</b>	<b>668</b>	<b>2896</b>	
2002	<b>169</b>	<b>685</b>	<b>461</b>	<b>4667</b>	
2001	<b>266</b>	<b>465</b>	<b>827</b>	<b>5091</b>	
2000	<b>77</b>	<b>227</b>	<b>84</b>	<b>317</b>	

Source: Police Annual Report 2000- 2003



**(b) NUMBER OF CASES BY CATEGORY**

	TOTALS	TOTALS	TOTALS	TOTALS
CRIME	2000	2001	2002	2003
MURDER	27	58	54	79
INFANTICIDE	25	53	18	153
DEFILEMENT	-	5230	4586	2461
ROBBERY	-	30	29	64
CHILD THEFT	21	49	28	62
ASSAULT	249	532	448	451
THEFT	104	131	242	639
NEGLECT	31	24	209	557
OTHER	248	368	358	630

**Source:** Police Annual Report 2002-2003

**53. Provide the total number of convictions and reported cases for the various categories of crimes of violence recorded against children in 2000, 2001, 2002, 2003**

**(a) CHILDREN (JUVENILES) IN CRIME BY CASES 2003**

CRIME	JUVENILES AS VICTIMS				ACCUSED PERSONS			
	MALES		FEMALES		MALES		FEMALES	
	0-8 YRS	9-17YRS	0-8 YRS	9-17YRS	0-17YRS	ADULTS	0-17YRS	ADULTS
MURDER	28	27	23	1	17	35	2	20

<b>INFANTICIDE</b>	<b>24</b>	<b>5</b>	<b>5</b>	<b>119</b>	<b>31</b>	<b>97</b>	<b>5</b>	<b>25</b>
<b>DEFILMENT</b>	<b>0</b>	<b>0</b>	<b>369</b>	<b>2092</b>	<b>5014</b>	<b>4408</b>	<b>524</b>	<b>55</b>
<b>ROBBERY</b>	<b>0</b>	<b>35</b>	<b>0</b>	<b>29</b>	<b>33</b>	<b>235</b>	<b>1</b>	<b>5</b>
<b>CHILD THEFT</b>	<b>14</b>	<b>16</b>	<b>9</b>	<b>23</b>	<b>4</b>	<b>23</b>	<b>3</b>	<b>16</b>
<b>ASSAULT</b>	<b>39</b>	<b>243</b>	<b>28</b>	<b>141</b>	<b>90</b>	<b>233</b>	<b>41</b>	<b>113</b>
<b>THEFT</b>	<b>20</b>	<b>483</b>	<b>4</b>	<b>132</b>	<b>438</b>	<b>152</b>	<b>38</b>	<b>133</b>
<b>NEGLECT</b>	<b>208</b>	<b>88</b>	<b>150</b>	<b>111</b>	<b>18</b>	<b>300</b>	<b>18</b>	<b>58</b>
<b>ANY OTHER</b>	<b>68</b>	<b>234</b>	<b>80</b>	<b>248</b>	<b>195</b>	<b>413</b>	<b>29</b>	<b>88</b>
<b>TOTAL</b>	<b>401</b>	<b>1131</b>	<b>668</b>	<b>2896</b>	<b>5840</b>	<b>5896</b>	<b>661</b>	<b>513</b>

**Source:** Police Annual Report 2003

(b) **CHILDREN (JUVENILES) IN CRIME BY CASES** **2002**

CRIME	JUVENILE AS VICTIMS				ACCUSED PERSONS			
	MALES		FEMALES		MALES		FEMALES	
	0-8 YRS	9-17YRS	0-8 YRS	9-17YRS	0-17YRS	ADULTS	0-17YRS	ADULTS
<b>MURDER</b>	<b>24</b>	<b>16</b>	<b>14</b>	<b>10</b>	<b>9</b>	<b>69</b>	<b>2</b>	<b>22</b>
<b>INFANTICIDE</b>	<b>8</b>	<b>1</b>	<b>8</b>	<b>1</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>12</b>
<b>DEFILMENT</b>	<b>1</b>	<b>4</b>	<b>327</b>	<b>4254</b>	<b>669</b>	<b>3102</b>	<b>195</b>	<b>7</b>
<b>ROBBERY</b>	<b>1</b>	<b>20</b>	<b>1</b>	<b>7</b>	<b>17</b>	<b>43</b>	<b>0</b>	<b>0</b>

<b>CHILD THEFT</b>	11	4	7	6	0	14	0	15
<b>ASSAULT</b>	24	232	22	170	53	310	32	97
<b>THEFT</b>	5	202	2	33	82	300	27	44
<b>NEGLECT</b>	71	66	46	26	3	119	2	19
<b>ANY OTHER</b>	24	140	34	160	109	395	24	73
<b>TOTAL</b>	169	685	461	4667	943	4356	282	289

**Source:** Police Annual Report 2002

c) **CHILDREN (JUVENILES) IN CRIME BY CASES** 2001

CRIME	JUVENILE AS VICTIMS				ACCUSED PERSONS			
	MALES		FEMALES		MALES		FEMALES	
	0-8 YRS	9-17YRS	0-8 YRS	9-17YRS	0-17YRS	ADULTS	0-17YRS	ADULTS
<b>MURDER</b>	23	18	8	9	21	42	2	21
<b>INFANTICIDE</b>	12	0	7	34	1	0	1	15
<b>DIFILMENT</b>	0	0	642	4588	548	2378	0	1
<b>ROBBERY</b>	0	28	0	2	18	36	0	17

<b>CHILD THEFT</b>	<b>16</b>	<b>5</b>	<b>15</b>	<b>13</b>	<b>0</b>	<b>8</b>	<b>1</b>	<b>176</b>
<b>ASSAULT</b>	<b>42</b>	<b>227</b>	<b>33</b>	<b>180</b>	<b>128</b>	<b>179</b>	<b>63</b>	<b>31</b>
<b>THEFT</b>	<b>15</b>	<b>45</b>	<b>9</b>	<b>62</b>	<b>101</b>	<b>198</b>	<b>21</b>	<b>46</b>
<b>NEGLECT</b>	<b>117</b>	<b>20</b>	<b>45</b>	<b>66</b>	<b>5</b>	<b>151</b>	<b>0</b>	<b>30</b>
<b>OTHER</b>	<b>41</b>	<b>122</b>	<b>68</b>	<b>137</b>	<b>117</b>	<b>262</b>	<b>14</b>	<b>339</b>
<b>TOTAL</b>	<b>266</b>	<b>465</b>	<b>827</b>	<b>5091</b>	<b>939</b>	<b>3254</b>	<b>102</b>	<b>676</b>

**Source:** Police Annual Report 2001

**(d) NUMBER OF CASES BY  
CATEGORY (TOTALS)**

<b>YEAR</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>
<b>MURDER</b>	<b>27</b>	<b>58</b>	<b>54</b>	<b>79</b>
<b>INFANTICIDE</b>	<b>25</b>	<b>53</b>	<b>18</b>	<b>153</b>
<b>DEFILEMENT</b>	<b>0</b>	<b>5230</b>	<b>4586</b>	<b>2461</b>
<b>ROBBERY</b>	<b>0</b>	<b>30</b>	<b>29</b>	<b>34</b>
<b>CHILD THEFT</b>	<b>21</b>	<b>49</b>	<b>28</b>	<b>62</b>
<b>ASSAULT</b>	<b>249</b>	<b>532</b>	<b>448</b>	<b>451</b>

<b>THEFT</b>	<b>104</b>	<b>131</b>	<b>242</b>	<b>639</b>
<b>NEGLECT</b>	<b>31</b>	<b>248</b>	<b>209</b>	<b>557</b>
<b>ANY OTHER</b>	<b>248</b>	<b>368</b>	<b>358</b>	<b>630</b>

**Source:** Police Annual Report 2002-2003

## **VII AWARENESS, ADVOCACY AND TRAINING**

- 54. Over the last five years has your Government conducted or commissioned any campaigns for raising awareness of and preventing violence against children?**

Yes, there was a recent campaign against corporal punishment in schools and homes.

- 55. How were the campaign messages and information disseminated? (check all that applies)?**

<b>Print media</b>	√
<b>Radio</b>	√
<b>Television</b>	√
<b>Theatre</b>	√
<b>Schools</b>	√
<b>Others</b>	

- 56. Over the last five years, has your Government provided, commissioned or sponsored training programmes in the area of violence against children?**

	Prevention	Protection	Redress	Rehabilitation	Penalties
<b>Medical Professional (including pediatricians, nurses, psychiatrists and dentists)</b>				√	
<b>Public health practitioners</b>				√	
<b>Social workers and psychologists</b>	√	√			
<b>Teachers other educators</b>	√	√			
<b>Court officials (including judges)</b>			√		
<b>Police</b>			√		
<b>Prison officers</b>			√		√

Juvenile offenders personnel Institution personnel Parents /guardians	√	√	√	√	√
---	---	---	---	---	---