THE UGANDA NATIONAL PLAN OF ACTION ON CHILD SEXUAL ABUSE AND EXPLOITATION (2008-2012)

REVIEWING PROGRESS AND MOVING FORWARD

Draft

ECPAT-UGANDA
January 2008

1. INTRODUCTION

The Uganda National Plan of Action on Child Sexual Abuse and exploitation (NPA)was developed as a follow up of the 1st World Congress against Commercial Sexual Exploitation of Children (CSEC) that was held in Stockholm, Sweden in 1996. The plan was developed by ECPAT- Uganda which is a group of Child Rights organizations with a focus on issues of sexual exploitation of children together with the Ministry of Gender, Labor and Social Development. The plan covers the period 2003-2007. As the plan period comes to an end ECPAT Uganda/ UCRNN commissioned a validation process with a view to update that plan and make it more relevant to the current realities, opportunities and challenges in responding to the problem of Child Sexual Abuse.

1.1. The Terms of Reference for the Review and validation process

The broad goal of this process was to enhance the relevance of the National Plan of Action on Child Sexual Abuse and exploitation as a national framework for comprehensively responding to the problem of Child sexual Abuse in Uganda.

The specific objectives were to;

1. Assess the current relevance of the plan in light of the changes that have happened since the plan was developed
2. With the input of other relevant stakeholders generate a revised and updated plan to guide future interventions and activities.

1.2. Approach and methodology

The review team deployed a qualitative approach that combined the use of secondary data as well as interviews with key governmental and non-governmental actors whose institutional mandate includes responding to the problem of child sexual abuse.

The team reviewed a range of secondary data sources which included the following;

- The national Plan of Action on Commercial Sexual Exploitation of Children (2003-2007)
- International Instruments that have been adopted since 2003 that have a bearing on sexual exploitation of children.
- Recent studies of sexual abuse and exploitation of children
- Other post -2003 national policy frameworks that have a bearing on addressing the problem of child sexual abuse and exploitation.

- Government reports on the implementation of related national and International instruments.

The review team also conducted interviews with key actors including;

- Representatives of relevant Government Ministries and departments
- Representatives of key UN agencies
- Representatives of NGOs with interventions in the area of Child Sexual Abuse.

The information from the above two streams of data collection was analyzed qualitatively and used to generate an assessment report on the status of implementation, achievements and possible areas of improvement in the current national plan of action. The results of the assessment provide a basis for considering the necessary pathways for carrying the National Plan of Action on child Sexual Abuse forward.

2. 0. BACKGROUND TO THE PLAN

The 1st World Congress against Commercial Sexual Exploitation of Children (CSEC) was held in Stockholm, Sweden in 1996. The Congress was the first major global initiative to galvanize a global alliance and partnership between governments and civil society actors to tackle the growing problem of commercial sexual exploitation of children. The congress resulted into a commitment to a global Declaration and Agenda for Action that was adopted by 122 governments that were represented at the Congress. The Agenda for Action provides a comprehensive framework for country –level action by governments and civil society in tackling the problem of sexual exploitation of children. It calls for action in five key areas namely; 1) Coordination and Cooperation; 2) Prevention; 3) Protection 4) Recovery, Rehabilitation and Re-integration; 5) Child Participation. In order to give national level practical application to the global Agenda for Action, several governments embarked on the development of National Plans of Action against Commercial Sexual Exploitation of Children as frameworks for identifying country level priority issues and marshalling the necessary resources for action. The Second World Congress against Commercial Sexual exploitation of Children was held in Yokohama 2001. During the Congress governments reviewed the progress made in implementing the global agenda for action and re-committed themselves to more rapid action to respond to the increasingly sophisticated problem of Commercial sexual exploitation of children. During the Second World Congress the number of countries adopting the global agenda for Action rose to 159[1]. To- date (2007) 161 countries have adopted the Agenda[2]

Uganda though not officially represented at governmental level at the first World Congress in 1996[3] adopted the Stockholm Declaration and Agenda for Action in 1996 and re-affirmed its commitment in Yokohama in 2001[4]. Subsequent to the first World Congress, two workshops were held in Uganda, the first in Mukono (1998) and in Kampala (2001) to work towards the development of a National Plan of Action. Both workshops were spearheaded by civil society organizations working in the area of child sexual abuse and exploitation. The government of Uganda was well represented in both these workshops by representatives from the Ministries of Gender, Labour and Social Development, Justice and Constitutional affairs, as well as the Family Protection Unit of the Uganda Police Force. Overall the workshops provided the first opportunity for the government of Uganda (through the Ministry of Gender, Labour and Social Development) to own up to the commitments made during the World Congress. It was during these workshops that the process of developing a National Plan of Action on Child Sexual Abuse and Exploitation was effectively kick started.

It should be noted that at the time of preparing the NPA, it was largely felt that Commercial Sexual Exploitation of Children (CSEC), though existent, was relatively rare in Uganda. It was therefore considered appropriate to extend the scope of Uganda's National Action Plan to include other forms of child sexual abuse[5].

3.0. HIGHLIGHTS OF THE NATIONAL PLAN OF ACTION ON CHILD SEXUAL ABUSE AND EXPLOITATION

The overarching goal of the Uganda National Plan of Action against Commercial Sexual abuse and Exploitation is strengthening the national child care and protection framework so that it effectively targets and addresses child sexual abuse and its impact. The plan is hinged on five intervention pillars namely;

- Policy and legislation
- Protection
- Prevention
- Rehabilitation and Support Services
- Coordination and Monitoring

Under each of the above intervention areas the plan outlines specific objectives to be achieved, strategies/process activities, outputs/ outcomes to be realized. These are elaborated here below;

3.1 Policy and Legislation

Under this intervention pillar, the plan set out to ensure that by the end of 2007, the Government of Uganda and its development partners would have strengthened the

policy and legislative environment for the care and protection of children exposed or vulnerable to sexual abuse and exploitation.

This was to be achieved by; reviewing all existing policy and legislation related to CSAE , formulating appropriate policy and legislation wherever necessary, lobbying for the approval of the proposed changes in policy and legislation and translation of policies and legislation into implementation initiatives.

The key envisaged outcomes under this pillar included: the Sexual Offences Bill reviewed, enacted and implemented, reasons for non-enforcement of legislation identified and recommendations made, legislation and policy implementation guidelines provided by ministries, a functional monitoring and evaluation mechanism for legislative and policy implementation in place.

3.2. Protection

The major objective under protection was to ensure that by 2007, the Government and its development partners will have made the police, health, education, judicial and community-based processes more accessible and supportive of children requiring protection from, or after, potential or actual child sexual abuse and exploitation.

To achieve this the plan proposed to among other things; review all vulnerable children policies, develop sensitisation packages on protection and roles of key actors, undertake sensitisation, develop a training module and undertaking training for various target groups on improving access for children to protection as well as implementation of Children's Act (2004) provisions on Emergency Protection, Search & Production and Exclusion Orders.

The major outcomes envisaged hereunder included; the integration of protection from CSAE in all vulnerable children policies, National Sensitization Packages on CSAE developed and used to sensitize families, children and communities, Judicial service officers, teachers, police, health workers, and community leaders trained on increasing children's access to protection, children at risk or being sexually abused and exploited removed from harmful or potentially harmful situations and placed in places of safety.

3.3. Prevention

The set objective for prevention was the scaling up of good practices in the prevention of CSAE by the Government of Uganda (by 2007) by working with established structures, based on reliable information and national statistics.

The above objective was set to be achieved through; conducting a national survey on CSAE, development of a National Implementation Strategy for Prevention of

CSAE (NISP) based on existing initiatives and survey, identification of a focal organization in each district to spearhead implementation of NISP, compilation of training modules on initiatives that form the strategy, training of focal organizations on the said initiatives, championing of NISP by focal organizations in their districts and continued collaboration with media

It was expected that as a result of the above interventions, by 2007, the magnitude, nature and cause of CSAE would be established and understood, initiatives that promote prevention of CSAE would be scaled up, a national strategy for prevention of CSAE would have been developed and implementation initiated and that the media would remain a key player in the fight against CSAE.

3.4. Rehabilitation and Support Services

The key objective under this pillar was to ensure that by 2007, the Government of Uganda will have increased access for children affected by CSAE to quality rehabilitation services by building the capacities of families, communities and institutions providing these services.

To achieve the above the plan proposed to ; develop national minimum standards & implementation guidelines for community and centre based rehabilitation care and support , assess existing rehabilitation centers and community-based carers based on minimum standards, sensitize existing centre staff and community based care givers on minimum standards, make efforts to meet capacity gaps of existing support services, training key actors in rehabilitation care and support, ensure that referral mechanisms are operational .

There were three key planned outcomes under this objective namely; nationally approved standards and implementation guidelines for community and centre based rehabilitation care and support, existing rehabilitation centres and community based care givers assessed for quality and supported an effective and functional referral and networking mechanism for sexually abused children and those at risk of abuse .

3.5 .Co-ordination and Monitoring

Under this last intervention pillar it was planned that by 2004 the Government will have established/ strengthened a multi-sectoral mechanism for co-ordination and monitoring the NAP.

This would involve the development and operationalisation of an information system based on the survey findings, as well as the encouragement of greater inter-ministerial collaboration.

The outcomes of the above interventions would be an established co-ordination mechanism that draws together all key actors in the field of CSAE, an effective and functional management information system and strengthened Inter-ministerial collaboration in addressing issues of CSAE

4. 0 THE STATUS CURRENT OF THE PLAN

The development of the National Action Plan on Child Sexual Abuse and Exploitation was largely a CSO-driven process. The initial process of developing the plan was led by Slum Aid Project. It was eventually taken over by ECPAT Uganda (then being hosted by Hope After Rape) with substantial input from other NGOs such as ANPPCAN Uganda Chapter, UYDEL, UCRNN etc…. When UCRNN took over responsibility for hosting ECPAT it was also charged with the finalization of the plan as well as ensuring its adoption by government. Representatives of various government ministries and institutions were actively involved at the various stages of developing the plan though they did not lead the process. Even at the stage of developing the plan, it was clear that that there would be a challenge in relation to government ownership of the plan as evidenced by a number of deliberate efforts that were made to ensure government ownership of the plan after it was developed. These included a proposed meeting with the then Director of Labour and Community Development as well a national workshop convened by the Ministry of Gender, Labour and Social Development all geared at handing over the process of leadership for the plan to government.

The biggest drawback to the adoption and enactment of the plan by government seems to lie in the very process of it inception and subsequent development. Notwithstanding the generally accepted partnership between government and civil society in the policy development, any government policy instrument/plan ought to follow a clearly established and **government-led development/enactment process.** It would then appear that in this case, the role of the NGOs should have been limited to advocating for government to initiate a participatory process of developing the plan. The CSOs could then have played a supportive role to the process and made their input into a government led and government owned planning process.

At the time of this review, according to the Commissioner for Youth and Children, government did not recognize the existence of a National Plan of Action on child sexual Abuse because no such plan was ever adopted. None of the government major reports under the various relevant international treaties submitted after 2003 make any reference to the existence of such a plan. Almost all of the key government officials and most CSO representatives interviewed (apart from those that were personally involved in the process) were not aware of the existence of the NPA. All

in all, despite the fact that a text of the plan is available, officially, Uganda had not adopted substantive National Action Plan on Child Sexual Abuse.

5.0 CHANGES IN THE CONTEXT SINCE THE DEVELOPMENT OF THE PLAN:

The National plan of action against Child sexual abuse and exploitation was developed context of inadequate information on the nature and magnitude of the problem of child sexual abuse and exploitation. Though this scenario has not fundamentally changed, over the years more information has been generated on both the magnitude as well as the specific contexts within which child sexual abuse thrives.

5.1. Nature and Magnitude of CSAE

To date the exact nature and magnitude of child sexual abuse is still unknown largely due to gross under-reporting as well the absence of systematic systems for documenting prevalence over time.
Currently the most reliable statistics on child sexual abuse are based on the police crime report which highlights the number of cases of sexual abuse reported to the police. In 2006 a total of 11,928 defilement cases were reported to the police countrywide[6] . It should however be noted that these represent just a small proportion of the actual number of cases as the majority of cases are either not reported or reported to LCs where they are not properly documented or followed.

In a study on violence against children by Raising Voices and Save the Children[7], 75.8 of the children consulted in the study reported having experienced sexual violence such as being touched, given unwanted attention, being exposed to adults having sex, being forced to touch adults in sexual ways or being forced to have sex. A total of 10.7 percent reported experiencing sexual abuse weekly while 8.3 reported experiencing sexual abuse everyday. Most of the children (32.2%) experienced abuse at home, 24.3 at school, 34.2 at both home and schools, while 9.3 experienced sexual abuse in the community. Girls were found to be more vulnerable with 20% of the girls interviewed reporting being forced to have sex. Significant numbers of girls (46.5%) reported being touched sexually against their will, or being coerced to kiss an adult (46.5%). Boys were however also vulnerable though their vulnerability is often invisible. A total of 13.3% of the boys interviewed in the study reported being forced to have sex while 27% reported being touched sexually.

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5.2. Child Trafficking and Commercial sexual exploitation of children;

While at the time of drawing the NPA the problem of Commercial sexual exploitation of children was deemed to be minimal (and thus the plan focused on sexual abuse and exploitation in general) subsequent studies on child trafficking (

ILO/IPEC, ANPPCAN , ECPAT have shed some significant light on the prevalence of child trafficking that is linked to child sexual abuse and propelled the issue of child trafficking to the fore (in a manner that it had not been envisaged by the plan)

According to Action Research on CSAE conducted by ECPAT Uganda[8] , 90% of the respondents described the prevalence of commercial sexual relationship with children in their community as increasing. A response by one taxi driver in Gulu town captures the community perception of the trends related to commercial sexual exploitation of children "I ply the streets here almost everyday and daily I see new faces littered around the red spots"

School children, street hawkers, street children, domestic workers, children working in industries, children already married and children in the war were identified as groups of children at high risk of having commercial sexual relationships in the community. The boys too were identified as being vulnerable to commercial sexual exploitation though girls were more vulnerable than boys. Ninety percent (90%) of the respondents identified early child marriage and child prostitution as the main forms of CSEC, 70% identified child pornography, 30% identified trafficking of children for sexual purposes CSEC.

The most cited factors that pushed these children to engage in commercial sex were the need for money to buy basic necessities, poverty, death of parents and group/peer influence. Other studies on child trafficking have confirmed similar trends.

5.3. Child Sexual Abuse in the context of conflict

The conflict affected districts of northern and north eastern Uganda have over the last twenty years continued to register increasing reports of Sexual violence against children. An estimated 30,000 children were abducted by the rebels. Girls were abducted largely to be used as sexual slaves. Almost all the girls that were abducted were subjected to repeated sexual violence by rebel commanders.
In addition to the sexual abuse perpetrated by the rebels against abducted children, there is evidence that the sexual abuse of children at community level (within the IDP camps) is escalating. A study by UCRNN/CSOPNU[9] identified defilement as one of the leading criminal cases in northern and north eastern Uganda. Fifty percent (50.5%) of the children interviewed reported being sexually abused.

The UCRNN/CSOPNU study also notes that Child prostitution is an emerging phenomenon in the urban centres in Northern and North-Eastern-Uganda as a direct consequence of the conflict. Contrary to the strong local cultural norms and values that prescribed a high standard of sexual decency among women and girls, increasingly more and more young girls are openly prostituting themselves e.g at "Apoli[10] lane" in Lira town where young girls are openly offering themselves for sex.

In Gulu and Kitgum on disco days there is rampant child sexual abuse as girls as young as ten go to trans-night dancing where they are abused. The children are reportedly given alcohol to douse their senses before being abused.

In the camps, in the context of rampant poverty, young girls are reportedly being lured into sex by older men especially soldiers who are among the few people with access to money. Key informants such Probation Officers reported a significant increase in the number of children engaging in commercial sex especially in the age group 14 – 17 years. Activities such as nude dancing that take place in bars and drinking places mainly conducted by children and young girls between the age of 12-17 years were also noted as major antecedents to sexual exploitation of children[11].

6.0 PROGRESS IN THE IMPLEMENTATION OF THE PLAN

Considering that the plan was not officially adopted by government, it is not possible to specifically assess the progress that government has made in its implementation. However in some key areas under which intervention was envisaged, positive developments that are incidental to the plan can be identified.

6.1. Legislation and Policy

The review identified a number of policy/legislative actions which have been undertaken since the development of the plan. Some of these policy/legislative initiatives were already under way at the time of development of the NPA.

In the legislative arena, two major initiatives have been undertaken namely the ratification of the Optional Protocol to the Convention on the Rights of the Child on sale of children, child prostitution and child pornography **(** 2002) as well as the Amendments to various laws related to child sexual Abuse.

The Optional Protocol on the Sale of children, child prostitution and child pornography was ratified by government at the time the NPA was being concluded. In 2006 Government of Uganda prepared its initial report on the implementation of the protocol. On the whole the report points to the fact that dismal progress has been made in its implementation. The government report on the implementation of the protocol largely cites general measures and frameworks that pre-date the ratification of the protocol, acknowledges glaring gaps in crucial areas, and lacks any specific targeted measures and initiatives taken to implement the protocol.

In December 2006 parliament passed a number of amendments to the Penal Code Amendment Act,, The Magistrates Amendment Act , and the Trials on indictment Act .
The amendments were in a number of important areas including;

- definition of sexual abuse
- categorization of sexual abuse (aggravated defilement)
- jurisdiction (Chief Magistrates Courts for non-aggravated defilement)
- Sentences/penalties (life imprisonment for non-aggravated defilement) and other disposals (e.g compensation of victims)
- Procedural improvements (discretionary in camera hearings, HIV tests)

Overall the above legislative reforms attempted to address a number of important gaps that have been identified over the years within the legislative framework on child sexual abuse. Interviews with most key actors pointed to the fact that much as the reforms are positive and welcome, they are quite scattered and do not constitute a comprehensive legislative response to the problem of child sexual abuse and exploitation particularly in relation to the initially proposed Sexual Offences Bill. Glaringly missing in the amendments are provisions to guarantee enhanced access to justice by child survivors through expeditious and victim friendly trial processes. In this regard, it is necessary to audit the above amendments so as to identify specific gaps that require additional legislative measures.

At the time of the review, considering that the amendments had just been operationalised, it was not possible to concretely assess, the exact impact of the legal reforms. However discussions with the Family Protection Unit of Uganda Police Force did highlight a number of operational challenges that may still hinder the effective implementation of the legal reforms. These include;

- The continued preference by many parents to settle defilement cases out of the formal justice system and only refer cases when such approaches have failed. In many cases it is too late and important evidence has been lost.
- The duration of court processes (in most cases over one year) which leads to loss of memory and interest by both parents/guardians and the children.
- The lack of facilitation for police surgeons to undertake medical tests on survivors and testify in court. Police surgeons are currently based at the regional level and even then they operate privately. Private Doctors are very expensive and often unwilling to testify in court. This results into a major gap in prosecution.
- The issue of mandatory testing for abusers for HIV/AIDS presents specific challenges as no specific provision is made for meeting the costs of these tests. Even in situations where NGOs are supporting survivors medically, it cannot be assumed that they will meet the costs of such tests , yet such tests are crucial for cases to proceed.
- Inadequate transport facilities to support law enforcement within the police.
- Lack of adequate counseling services for survivors in the process of accessing justice.

- The law still provides for the death sentence in cases where caregivers are convicted of sexually abusing children. Without any guaranteed long-term alternative care arrangements for the survivors, such cases (which are many) will continue to elude justice.

At the time of the review, there was also an ongoing process to enact a specific law against Human Trafficking with specific provisions on the trafficking of children for sexual exploitation. This effort that was being spearheaded by Uganda Women's Parliamentary Association, provides an opportunity for improving the legal framework for the protection of children from commercial sexual exploitation.

The major policy intervention enacted in relation to child sexual abuse and exploitation is the Social Development Sector Strategic Investment Plan (SDIP) 2003-2008. The plan which provides the operative framework for the attainment of the Poverty Eradication Action Plan (PEAP) social sector goals has as one of its key sector targets, the support to people in difficult circumstances. Among other categories the SDIP seeks to support initiatives to rehabilitate, resettle, reintegrate and empower child laborers, abused and neglected children as well as orphans. Interventions for sexually abused children are not explicitly mentioned but are clearly implied under support to abused children. Unfortunately the Uganda Poverty Status Report, 2005 does not show any concrete investment or progress in support to abused children including sexually abused children.

Other key policy actions include the enactment and implementation of the Orphans and Vulnerable Children's (OVC) policy and the Child Labour Policy both by the Ministry of Gender, Labour and Social Development. These two policies have a direct bearing on sharpening responses to child sexual abuse within particular contexts. Whereas major strides have been made to implement the OVC policy, an implementation plan and budget for the child labour policy is still in the process of being developed.

At the time of the review, the Department of Gender in the Ministry of Gender, Labour and Social Development was in the process of developing a national policy and plan on gender –based violence. This process which is being undertaken in close partnership with UNICEF and other key actors in the area of gender based violence provides a unique opportunity to specifically and comprehensively incorporate issues of child sexual abuse and exploitation in a national policy instrument.

There have also been other policy developments particularly in the areas of Health and education that also have a bearing on the overall response to the problem of child sexual abuse and exploitation. Through the Annual Education and Sports sector review processes, the UPE policy has been periodically reviewed in order to enhance enrolment and retention of children (especially girls children) in school in the wake of

growing drop out rates due among other things to sexual abuse and early marriage. In addition the Universal Secondary Education policy was also introduced in 2007. While increased access to secondary education especially for girls has enormous potential for reducing vulnerability to sexual abuse, the overall impact of the policy in this regard is yet be ascertained.

In April 2007, the Ministry of Health issued a training manual on sexual and gender based violence for health workers so as to improve the training of midwives, clinical officers, medical officers and other health professionals on responding to the major conditions related to sexual and gender-based violence.

6.2 Prevention

Compared to other areas under the plan, relatively more interventions have been undertaken in relation to prevention. The NAP had envisaged the development of a national prevention strategy based on a comprehensive nationwide survey on the nature and magnitude of child sexual abuse and exploitation. Whereas none of the above have been realized, there has been significant progress in the area of research as well as preventive awareness interventions.

As already pointed out, there have been a number studies undertaken largely by NGOs specifically focusing on specific forms of child sexual abuse. In addition there have also been general studies on children's rights issues that have incorporated issues of child sexual abuse. Some of the organizations and institutions that have undertaken research relevant to child sexual abuse include, ILO/IPEC, ANPPCAN Uganda Chapter, Raising Voices/ Save the Children in Uganda, UCRNN, UYDEL, UBOS (DHS), ECPAT Uganda to mention but a few. As a result of these research initiatives, there is presently greater information and awareness about the problem of child sexual abuse in relation to HIV/AIDS, armed conflict, and child trafficking/CSEC.

In addition to specific research studies there is also more information being generated from programme interventions. The capacity of the police to compile and disseminate crime statistics has improved over the last five years (challenges still remain). The crime statistics report has thus become a major source of useful information on the reported cases of child sexual abuse[12] . As part of the interventions by various actors in the conflict affected areas of northern Uganda with support from UNICEF, a system has been established to capture baseline data on the prevalence of gender-based violence at district level. In 2007 a total between 350-500 women and girls in Acholi,Lango&Teso districts had reported cases of sexual and gender-based violence and benefited from exiting services. Additional information on the prevalence child sexual abuse is also available from the Toll free helpline telephone facility that is operated jointly by UCRNN, ANPPCAN Uganda Chapter

and Action for Children as well the telephone hotline that has been established in Northern Uganda.

It should however be noted that not withstanding the above limited progress, there is a still a big gap in the area of prevention –related research on child sexual abuse. Most of the above studies are limited in terms of geographical and thematic focus so much so that it is still not possible to generate a national baseline status and capture trends on child sexual abuse over time. A national system for monitoring prevalence of child sexual abuse is still elusive.

The increased research has also resulted into a growing level of awareness about the problem of child sexual abuse as more information becomes available about an issue that has for quite a long time been kept out of the public realm and debate. This growing awareness has also been enhanced by the interventions of various actors especially NGOs that have undertaken specific awareness intervention programmes on child sexual abuse. Almost all actors interviewed as part of this review process highlighted awareness raising as their major intervention. Awareness activities by the various organizations have taken the form of community level awareness seminars, public dialogues, production and dissemination of information materials as well as media activities and campaigns. However, in the absence of an effective system for monitoring prevalence rates both nationally and locally, it is not possible to ascertain the extent to which the interventions of the various actors in terms of awareness creation have translated into effective prevention outcomes.
With more and more cases being reported every year almost all actors are still unable to attribute the apparent trend (of increased cases) between increased awareness of the problem and increased prevalence.

6.3. Protection, Rehabilitation and Support Services

There are a number of interventions under the plan that were geared at responding directly to the needs of children at risk or child survivors of sexual abuse. Some of the key interventions in this area include access to; health/medical services, legal support/justice, safe shelters/alternative care arrangements rehabilitation/educational services and psycho-social support. The effective provision of all the above services pre- supposes the existence of effective and accessible reporting structures and systems.

The majority of the key actors interviewed identified this area as constituting the biggest gap in the over all response to the problem of child sexual abuse.

There are a number of statutory and community based centers for reporting cases of child sexual abuse and exploitation. These include local councils, school authorities, community based organizations and NGOs, police stations as well as specialized institutions such as the Human Rights Commission. From the limited available

records as well as the general perception of most actors, the number of cases being reported to the various reporting centers has been increasing over the last five years. As already pointed out, it is not possible to adequately attribute this trend to either increased awareness of prevalence. The few studies that have been carried out in the general population e.g by Raising Voices do highlight a high level of prevalence of child sexual abuse that is not in any way matched with the level of reporting of cases of child sexual abuse to the formal institutions i.e the police[13] in the areas studied. This mismatch would seem to validate the assumption that the majority of cases of sexual abuse and exploitation of children are largely unreported or if reported they remain within the informal community circles.

The key actors interviewed as part of the review identified a number of factors that undermine effective reporting of cases of sexual abuse and exploitation. These include; intimidation of survivors and caregivers, fear of adverse consequences especially in cases where the survivors are dependent in one way or the others on the abusers, collusion by parents and care givers for economic gain, a sense of powerlessness and vulnerability on the part of survivors and care givers, inadequate referral mechanisms, limited accessibility to reporting centres including the absence of survivor friendly reporting provisions. In the absence of both legal[14] and practical incentives for reporting, many survivors and caregivers do not yet appreciate the normative utility of reporting especially in the face of practical needs that have to be met for the recovery of abused children. The above challenges are further exacerbated by the absence of a survivor friendly system right from the reporting centers throughout the entire service provision chain.

The above challenges not withstanding, over the last five years the number of child sexual abuse cases reported annually to key reporting centers such as the police and NGOs has steadily increased. As the number of cases reported has continued to grow, the gaps in the area of service provision have become even more evident.

Access to health services

Access to health services by sexually abused children remains a major challenge for most survivors. Considering that many of the victims of child sexual abuse are also economically vulnerable, they are often dependent on the public health services which are often unable to meet the unique needs of sexual abuse survivors. The absence of any specialized health unit in any hospital in Uganda to respond to the needs of sexually abused children underscores the fact that sexual abuse remains largely unrecognized as a serious public health issue in Uganda. This makes it difficult for survivors of child sexual abuse to access the requisite medical care for recovery in a timely manner and also undermines the preservation of the necessary medical evidence for subsequent prosecution of the abusers. It is hoped that the adoption of a training manual on SGBV by the Ministry of health with improve the capacity of health professionals to diagnose and effectively treat survivors of child sexual abuse.

Access to Justice

Not withstanding the recent improvements in the legal framework on child sexual abuse, access to justice remains a big challenge in service provision chain. Of the relatively few cases of child sexual abuse that are reported to the police, an even smaller proportion ever makes it through the justice system. The justice system continues to grapple with major challenges including limited infrastructure for effective investigation by the police, unfriendly and intimidating court processes, long delays in the disposal of cases all of which undermine the confidence of both children and caregivers in the justice system. In 2006 for example, of a total of 11,928 sexual abuse cases that were reported to the police only 1,565 made it to court[15] . Most cases that go into the justice system take more than a year to be disposed of. In spite of this however, there is some notable improvement in the prosecution of child sexual abuse cases over the years as the number of convictions has continued to grow albeit very slowly.

Temporary shelter/alternative care services

Most studies and reports on child sexual abuse do point to the fact that many children are sexually abused within their care environments (by relatives and care givers). In many such cases there is always a need to move children from these environments into temporary care facilities so as to facilitate effective intervention and enhance the recovery process. After the initial intervention, it also necessary to provide more long-term alternative care arrangements.

There is no reliable data on the number of residential facilities for abused and vulnerable children in the country. However many child care actors believe that over the recent five years, the number of organizations "claiming" to be providing such services has increased. These range from orphanages and children's homes to rehabilitation and vocational centers for vulnerable children. There are major concerns about the capacity, professional competence and legality of many of these facilities (beyond the scope of this review). Yet in spite of the apparent wide spread availability to such facilities, temporary shelter for abused children poses one of the biggest challenges in service provision according to ANPPCAN Uganda Chapter. There are a few residential facilities that are specifically designated as temporary shelters (Central Police Station, WAYS, Naguru Reception Centre etc…). Put together such facilities do not match the demand for temporary shelter services. As a consequence, child survivors of sexual abuse end up staying within the same care environments (in which they were abused) as the intervention process proceeds. This greatly compromises their safety and ability to seek justice and undermines their prospects for quick recovery.

In addition to temporally care, many child survivors of sexual abuse within their care environments require long-term alternative care arrangements. In the absence of a well developed formal foster care system in Uganda, the only available option is often reliance on the extended family system. However given the sensitivities and complexities associated with intra-familial sexual abuse as well as the economic constraints facing most poor/rural families, integration of sexually abused children within the extended family system remains challenging. The failure to provide long-term and effective alternative care arrangements for sexually abused children pre-disposes children to secondary sexual abuse. There is evidence to indicate that a number of children who escaped from sexual abuse in homes (by relatives or employers) end up in child commercial sex to meet their survival needs.

Rehabilitation and psycho-social support

Over the last five years there is evidence of increased awareness on the need for psychosocial support services for abused children. This is also partly attributed to the growth in the programmes for formerly abducted children many of whom have been subjected to sexual abuse. As part of the responses for children affected by armed conflict in northern Uganda there has also been a noticeable increase in terms of rehabilitation and psycho-social support programmes for sexually abused children. Beyond the conflict affected regions, a number of NGOs working on child sexual abuse provide counseling support to survivors (e.g . HAR, ANPPCAN Uganda Chapter, ECCA etc……). Organizations such as UYDEL, WAYS and SAP provide specific rehabilitation programmes for children that are vulnerable to commercial sexual exploitation. On the whole commendable progress has been made in this area. Challenges however still persist especially with regard to coverage of such services, availability of professional child counselors, programme content and quality assurance.

One major gap that is linked to the rehabilitation and recovery of sexually abused children is the limited options for educational support. In spite of the advent of both Universal Primary Education in 1997 and Universal Secondary Education recently, many vulnerable children/ survivors of child sexual abuse are not able to access the formal education system as part of their recovery process due to the hidden costs associated with both UPE and USE. Yet there are hardly any complementary educational support programmes to meet the needs of such children.

6.4. Child participation

The global Agenda for Action on Commercial sexual exploitation of children, which constitutes the defining framework for the development of the national plans of action, identifies child participation as one of major intervention areas. The absence of this component both in the process and content in the draft Uganda National Plan of Action was a major omission. This not withstanding, the review encountered important albeit limited initiatives by some NGOs e.g Hope After Rape, ANPPCAN,

ECCA etc… that are geared empowering children to play an active role in prevention and protection efforts in relation to child sexual abuse. Such efforts include life skills promotion among children, establishment of peer support mechanisms such as child rights clubs, as well as child- led outreach initiatives.

6.5. Coordination

The NPA had envisaged the establishment of a multi-sectoral coordination mechanism that would enable the harmonization of the interventions from the various actors and sectors within both government and civil society. The key government sectors that are critical to child sexual abuse intervention include the Ministries of internal affairs (police and prisons), justice, health, education, gender labour and Social Development, as well as specialized / autonomous governmental agencies such the Directorate of Public Prosecutions, the National Council for Children and the Human Rights Commission.

Within the civil society/ NGO sector there are organizations and institutions intervening in the fields of advocacy, legal aid/access to justice, shelter and community re-integration, community mobilization and awareness, rehabilitation, counseling and psycho-social support, medical care etc..

At the time of the review there was no evidence of any multi-sectoral coordination mechanism within and between government and civil society. There was however an indication of inter-sectoral coordination within the context of the Justice, Law and Order Sector through periodic meetings. Unfortunately such efforts have not yet translated into substantial improvements in the provision of services in the sector.

The absence of an effective multi sectoral coordination mechanism perpetuates major gaps and incoherence at the level of both policy and practice. Major obstacles in relation to child sexual abuse such as the use of Police Form 3, police and court procedures, sexual abuse within schools and other formal institutions, resource allocation and maximization, require close policy interface between the various sectors. Similarly, the effective provision of support services by the various CSO actors also requires better coordination of such services so that child survivors of sexual abuse can benefit from a more comprehensive package of services.

7.0 STRATEGIC OPTIONS FOR THE WAY FORWARD

The foregoing discussions has highlighted he current status of enactment and implementation of the Uganda National plan of Action on Child Sexual Abuse. It is clearly evident that there is no national substantive plan on child sexual abuse in Uganda though an advanced draft of the same was developed and is available. This

not withstanding, there have been significant positive efforts and initiatives to address the problem of child sexual abuse along the lines that were previously envisaged at the time of drawing up the national action plan. Yet in spite of all this major gaps still remain in many important areas of response to the problem of child sexual abuse in Uganda. It is the recognition of these realities and challenges that should inform and define the way forward.

All of the key actors interviewed in the course of this review did highlight the need for a coherent national framework to guide interventions against child sexual abuse. For most respondents, more than anything else, the need for such a framework is driven by apparent growing magnitude, scope and complexity of the problem of child sexual abuse. For most respondents the key pillars that define the current draft plan (legislation and policy, prevention, protection, rehabilitation and support, coordination) were largely found to be still valid and relevant though they need to be widened and refined to reflect recent changes in the scope and complexity of the problem of child sexual abuse as well as the specific gaps and challenges identified above.

It is therefore the considered opinion of this review that there is a strong case for taking the idea of the National Plan of Action on Child Sexual Abuse forward. There are however divergent views on what constitutes an appropriate strategy for achieving this. There is widespread consensus that any such plan must be elaborated within a clearly government led/driven process and must thus be consistent with other government planning frameworks.

The major points of divergence is related to two strategic options;

- A stand –alone plan of action along the lines of the current draft plan.
- A framework of action on child sexual abuse that is incorporated into other national policy and planning initiatives.

The case for a distinct and stand-alone national plan is hinged on the fact that the problem of child sexual abuse is big and growing into a serious national crisis. In this context it is felt that piggybacking the national response on child sexual abuse onto other plans and planning processes will diminish the importance of the issue and undermine effective action.

On the other hand, the proponents of incorporating the national plan into other planning processes argue that the problem of child sexual abuse is closely linked to and happens in the context of other broader social problems such as poverty, child labour, armed conflict and human trafficking. It is therefore argued that the problem of child sexual abuse should be incorporated into the broader initiatives to respond to the above problems such as the PEAP/ SIDP, Child labour Policy. It is further argued that attracting resources for a stand alone national plan on child sexual abuse

might not be a viable option under the present circumstances where the PEAP is the operative framework for resource allocation. It was pointed out that all key child protection NGOs are part of the Social Sector Investment Plan working group. It would therefore be feasible to identify an appropriate committee of this group through which the interventions envisaged under the plan can be incorporated.

The review does not consider the above two options as necessarily mutually exclusive. The two approaches can actually compliment each other. It is therefore proposed that the current draft National plan of Action should be refined and updated to capture all the important dimensions and aspects in view of changes in the nature and magnitude of the problem. The outcome should then be used as a working document for leveraging a specific section within the Social Development Sector Investment Plan (which is the social sector operative tool for the PEAP). It is understood that it might not be possible to include detailed plans on child sexual abuse in main SIDP text in view of the wide-ranging issues within the social sector. However, the possibility of annexing the detailed plans to the main SIDP can be explored.

Furthermore aspects of the plan can be incorporated in other national planning processes such as the ongoing policy development and planning process on gender-based violence.

Lastly it recommended that as part of the process of carrying forward the national plan on child sexual abuse, CSOs should, in addition to working with the Executive arm of government, strike strategic links with parliament. Whereas the Executive arm of government has the mandate to develop and execute plans and policies, members of parliament, if adequately mobilized through the provision of appropriate and timely information can be key policy movers. The Parliamentary Forum for Children (PFC) did express great interest in working with civil society organizations to ensure an effective national response to the problem of child sexual abuse as one of the priority areas of intervention for the Forum.

Endnotes

[1] *ECPAT International .Global Monitoring Report on the status of action against Commercial Sexual Exploitation of Children. 2007.*

[2] *Ibid*

[3] Uganda was represented by a few Civil Society Actors

[4] *ECPAT Global monitoring report 2007.*

[5] *Ministry of Gender Labour and Social Development, The Uganda National Action Plan on child sexual abuse and exploitation (2003-2007). June 2003.*

[6] *ANPPCAN Uganda Chapter (2007), Child Abuse Situation Analysis Report for 2006.*
[7] *Raising Voices and Save the Children in Uganda (2005)Violence against children , the voices of Ugandan children..*
[8] *ECPAT Uganda (2006), Action Research on CSEC- Prevalence trends and statistics on child sexual abuse.*
[9] *CSOPNU/UCRNN (2007), The impact of armed conflict on children in Northern and North- Eastern Uganda.*
[10] *Apoli in Luo, literally is an antelope. However in current slang it is used to refer to prostitutes; after a Luo song that called badly dressed women and prostitutes "apoli"*

[11] *CSOPNU/UCRNN (2007), The impact of armed conflict on children in Northern and North-Eastern Uganda.*
[12] *Reported cases are not a sufficient proxy for the prevalence rate of child sexual abuse given the low level of underreporting.*
[13] *Child sexual abuse being a criminal offence is under all circumstances supposed to be reported to the police .*
[14] *The amended penal code now provides for compensation of survivors by the abusers. However the efficacy of this provision is yet to be tested considering that it is dependent on the ability of the abuser to pay fr the comopensation.*

[15] *ANPPCAN Uganda Chapter (2007), Child Abuse Situation Analysis Report for 2006.*