

# DISRUPTING HARM IN UGANDA

Evidence on online child  
sexual exploitation and abuse



Funded  
by



End Violence  
Against Children

Implemented  
by



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**Our online lives are advancing constantly. The internet and rapidly evolving digital communication tools are bringing people everywhere closer together. Children are increasingly conversant with and dependent on these technologies, and the COVID-19 pandemic has accelerated the shift online of many aspects of children’s lives.**

The internet can be a powerful tool for children to connect, explore, learn, and engage in creative and empowering ways. The importance of the digital environment to children’s lives and rights has been emphasised by the United Nations’ Committee on the Rights of the Child in [General Comment No. 25, adopted in 2021](#). The General Comment also stresses the fact that spending time online inevitably brings unacceptable risks and threats of harm, some of which children also encounter in other settings and some of which are unique to the online context.

One of the risks is the misuse of the internet and digital technologies for the purpose of child sexual exploitation and abuse. Online grooming, sharing of child sexual abuse material and livestreaming of child abuse are crimes against children that need an urgent, multi-sectoral and global response. These crimes are usually captured in permanent records in the form of digital images or videos, and perpetually reshared online, victimising children over and over again. As risks of harm continue to evolve and grow exponentially, prevention and protection have become more difficult for governments, public officials, and providers of public services to children, but also for parents and caregivers trying to keep-up with their children’s use of technology.

With progress being made towards universal internet connectivity worldwide, it is ever-more pressing to invest in children’s safety and protection online. Governments around the world are increasingly acknowledging the threat of online child sexual exploitation and abuse, and some countries have taken steps to introduce the necessary legislation and put preventive measures in place. At the same time, the pressure is mounting on the technology industry to put the safety of children at the heart of design and development processes, rather than treating it as an afterthought. Such safety by design must be informed by evidence on the occurrence of OCSEA; *Disrupting Harm* makes a significant contribution to that evidence.

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The Global Partnership to End Violence against Children, through its Safe Online initiative, invested US\$ seven million in the *Disrupting Harm* project. *Disrupting Harm* uses a holistic and innovative methodology and approach to conducting comprehensive assessments of the context, threats and children's perspectives on online child sexual exploitation and abuse. This unprecedented project draws on the research expertise of ECPAT, INTERPOL, UNICEF Office of Research – Innocenti, and their networks. The three global partners were supported by ECPAT member organisations, the INTERPOL National Central Bureaus and the UNICEF Country and Regional Offices. It is intended that the now developed and tested methodology is applied to additional countries around the world.

*Disrupting Harm* is among the most comprehensive and large-scale research projects ever undertaken on online child sexual exploitation and abuse at a national level and has resulted in 13 country reports and two regional reports. It provides the comprehensive evidence of the risks children face online, how they develop, how they interlink with other forms of violence and what we can do to prevent them.

The findings will serve governments, industry, policy makers, and communities to take the right measures to ensure the internet is safe for children. This includes informing national prevention and response strategies, expanding the reach of *Disrupting Harm* to other countries and regions, and building new data and knowledge partnerships around it.

Disrupting harm to children is everyone's responsibility.



**Dr Howard Taylor**  
Executive Director  
End Violence Partnership

# EXECUTIVE SUMMARY

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**Funded by the Global Partnership to End Violence against Children, through its Safe Online initiative, ECPAT, INTERPOL, and UNICEF Office of Research – Innocenti worked in partnership to design and implement *Disrupting Harm* – a multifaceted research project on online child sexual exploitation and abuse (OCSEA). OCSEA refers to situations that involve digital or communication technologies *at some point* during the continuum of abuse or exploitation; it can occur fully online or through a mix of online and in-person interactions between offenders and children. The *Disrupting Harm* research was conducted in six Southeast Asian countries and seven Eastern and Southern African countries, including Uganda. Data is synthesised from nine different research activities to generate each national report which tells the story of the threat and presents clear recommendations for action.**

## Perceptions of online risks

Forty percent of children in Uganda aged 12–17 are internet users, meaning they used the internet in the past three months – and 53% of internet-using children go online at least once a week. Overwhelmingly they use smartphones, which they often share, to go online. Caregivers are highly concerned that children will talk to strangers on the internet or encounter sexual images. Beyond that, frontline workers and public officials consider that awareness about OCSEA in Uganda is low and that it is considered a new issue for many citizens. Caregivers generally use the internet less than the children they care for, and their ability to guide them on safety may be limited.

Children’s awareness of online risks varies. Some of the 1,016 internet-using children aged 12–17 who took part in the *Disrupting Harm* Uganda household survey have engaged in potentially risky behaviour in the last year. Fifteen percent had met someone face-to-face after first encountering them online (according to the children, many of these encounters did not result in immediate harm and most children described being pleased about the outcomes). Seven percent had shared naked images or videos of themselves. While children themselves stated that such content is most frequently shared voluntarily, for example with romantic partners, this still has the risk of others on-sharing the content without permission. And some children had shared sexual content because of threats or pressure.

## Potential and actual instances of sexual exploitation and abuse

Through the survey children were also asked whether they had been subjected to a range of potential and actual instances of OCSEA within the past year. OCSEA refers to situations that involve digital or communication technologies at some point during the continuum of abuse or exploitation. OCSEA can occur fully online or through a mix of online and in-person interactions between offenders and children.

Potential instances of OCSEA included unwanted requests for children to talk about sex and unwanted requests for images showing their private parts. Actual instances of OCSEA included being offered gifts in return for sexual images and being threatened or blackmailed online to engage in sexual activities. The proportions of children who said that these things had happened to them varied between 8% and 21%, depending on the question, with little variation between boys and girls.

Most children who were subjected to possible grooming attempts refused to do as asked, but a small proportion complied with unwanted requests. Ten percent of 15–17-year-old internet-using children said that they had accepted money or gifts in return for sexual images or videos. Meanwhile nine percent of children said sexual images of them had been shared without their permission in the past year.

Children are subjected to potential and actual instances of sexual exploitation and abuse largely via online channels, but also offline, in-person. In some

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instances, the affected children experience exploitation and abuse equally in-person and online. Experiences of exploitation and abuse online occur largely on social media and platforms which are popular in the country.

Consistent with the evidence about violence against children offline, persons already known to the child were responsible for most potential and actual instances of OCSEA disclosed by respondents to the household survey. These persons were often minors themselves, but there were many instances in which the offenders were adults. Depending on the context, these situations could mean varying levels of harm, and they *could* be evidence of grooming.

Persons previously unknown to the child or persons the child could not identify were responsible for about one in four of the potential and actual instances of OCSEA identified in the household survey. This has significant implications for prevention, as many activities focus on the threat of harm from strangers rather than people the child already knows.

### **Disclosure and reporting of online sexual exploitation and abuse**

Most incidents of OCSEA go undisclosed and formally unreported. Approximately one-third of the children surveyed who had been subjected to OCSEA had told nobody, and those who did tell confided mainly in their friends. Only a minority had told their caregivers or other adults and very few had gone to the police or spoken to a social worker or helpline. The main reasons for not disclosing were a lack of awareness about where to go or whom to tell and feeling embarrassed or ashamed or that it would be emotionally too difficult to talk about. Some children did not disclose because they did not think the incident was serious enough, because they were worried that they would get in trouble, because they felt that they had done something wrong, or because they did not think people would believe them.

Factors underlying children's failure to disclose instances of OCSEA, particularly to tell adults, include not being aware that an offence is in fact being committed against them, lack of familiarity with formal reporting mechanisms, and discomfort in society in discussing sex, which make it difficult to talk about OCSEA and increase the likelihood that adults will blame and penalise the child. The risk of legal self-incrimination also deters victims

from coming forward given that pornography, homosexuality, and sexual activities between children are illegal.

Most caregivers responded in the survey that they would tell somebody if their children were sexually harassed or abused, and 48% said they would report it to the police. However, *Disrupting Harm* research suggests that when things actually happen, very few OCSEA cases are reported via formal reporting mechanisms such as the Uganda Child Helpline and the police. In the interviews with government duty-bearers, justice professionals and law enforcement officials, and the survey of frontline workers, the low level of reporting was attributed to the failure of communities to perceive instances of OCSEA as crimes, lack of knowledge of reporting mechanisms, poor treatment of victims, privacy concerns, common discomfort around openly discussing sex, and fear of stigma from the community.

### **Law enforcement data**

Within the Uganda Police Force, the Criminal Investigations Department is responsible for the investigation of all crimes in the country. More specifically, the Sexual and Gender-Based Violence Unit is engaged in investigating cases of sexual and gender-based violence, including OCSEA cases, such as those referred by the Uganda Child Helpline. However, other units may handle these cases as well. There are documented standard operating procedures for investigations of sexual and gender-based violence and violence against children. The Child and Family Protection Unit falls under the Directorate of Chief Political Commissariat of the Uganda Police Force. Its mission is to protect victims.

Despite these arrangements, government duty-bearers and criminal justice professionals interviewed spoke of limited awareness of OCSEA among law enforcement officers. They indicated that relevant training has been insufficient, may not be specific to OCSEA and may not reach investigating officers, particularly in rural areas. They also pointed to limited funding and equipment for the investigation of OCSEA-related crimes. The Ugandan law enforcement authorities have detailed data on the numbers of offences related to child sexual exploitation and abuse, however instances involving an online element are not specifically disaggregated.

### Investigating cases

Six girls were interviewed who had experienced OCSEA and who had tried to obtain justice through the police and the courts. Some of their caregivers were also interviewed. All the girls were disappointed and hurt by their encounters with most local leaders and police officers. There were delays in taking action and requests for 'informal fees'. Some were interviewed by male police officers although they would have preferred a female officer. They had to narrate their traumatic experiences repeatedly. They felt that their cases were not taken seriously, that the police were not familiar with OCSEA, and that they were blamed for what had happened to them. Only one case moved beyond the reporting phase to the courts. This case ended in an out-of-court settlement and no conviction.

The research conducted with public officials, frontline social service providers and justice professionals also produced evidence that out-of-court settlements occur, particularly where poor families are involved, that prosecutions are subject to delays, that police sometimes ask families to make payments for transport or other expenses, and fear or certain perceptions of the justice system may deter families from reporting cases of OCSEA. Those contacting the Uganda Child Helpline are not always interested in pursuing court cases but often aim only to receive personal support.

While the Computer Misuse Act (2011) is a landmark piece of legislation, investigators are hampered when bringing charges by the fact that online grooming or sexual extortion online are not listed as specific offences, as well as by their own lack of familiarity with OCSEA.

### Children, justice and social services

The Children Act (2016) envisages the establishment of family and children courts in every district. These arrangements are in effect in most locations. In some places, good practices are being followed such as the use of child-friendly interview rooms and the use of anatomic dolls as an aid during victim interviews

However, the interviews also revealed that children continue to have to face their abusers in court, and that victims and caregivers may abandon their quest for justice as the process becomes too costly and time consuming, lasting 2-3 years, requiring many visits to the court without any transport services being provided, as well as the traumatising need for the victims to repeat their account of events multiple times.

The Children Act (2016) affords every child the right to protective services, which include support for children during proceedings in a family and children court. However, *Disrupting Harm* research shows that social enquiries to determine children's needs are not always possible due to a lack of resources. Counselling services are contingent upon the availability of civil society partners that can offer this service for free and are not available in some regions. Medical costs must be borne by victims' families. The Children Act (2016) guarantees every child the right to legal aid, but in practice the government does not provide any free legal aid services.

Although article 126(2)(c) of the Constitution of the Republic of Uganda and section 27 of the Computer Misuse Act state the right of compensation to victims, none of the justice professionals interviewed for *Disrupting Harm* were aware of any OCSEA case in which the victim had received formal compensation after a conviction.

### Collaboration with internet service providers and platforms

Internet service providers are obliged to provide the police information in relation to an investigation, when served a court warrant. Internet service providers are said to comply and cooperate well with law enforcement authorities.

Ugandan laws do not oblige internet service providers to monitor content and report or block CSAM. However, they must follow the recommendations of the Pornography Control Committee. In addition, the Uganda Communication Commission has a duty to supervise all telecommunication services, receive complaints from the public and ensure that all domestically hosted offensive content is made inaccessible.

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## International cooperation

Ugandan law enforcement received 19,961 CyberTips from the U.S.-based National Center for Missing and Exploited Children (NCMEC) concerning suspected child sexual exploitation in the country during 2017–2019. A total of 18 electronic service providers submitted at least one report for Uganda, although Facebook was easily the main source. The numbers of CyberTips have been quite stable over the years. Most CyberTips concern the possession, manufacture, and distribution of CSAM. It is not clear what action was taken by Ugandan law enforcement in relation to the CyberTips passed on to them.

A review of the annual transparency reports of major social media platforms for 2017, 2018 and 2019 indicate that the authorities in Uganda only made three requests for user data in 2019, all to Facebook. These figures suggest that Ugandan law enforcement agencies did not regularly engage in cross-border electronic evidence gathering or information sharing during 2017–2019.

The Ugandan police are not connected to INTERPOL's International Child Sexual Exploitation (ICSE) database. Lack of mutual legal assistance or extradition agreements may also hinder the investigation of cross-border cases of OCSEA.

## Current initiatives for children

Interviews with government duty-bearers demonstrated that the Government of Uganda is aware of the threat of OCSEA and the need for cooperation and collaboration to counter it.

The establishment of a National Working Group in 2015 on the Prevention of Online Child Sexual Abuse and Exploitation is a promising initiative. The working group brings together the main public institutions with mandates relevant to OCSEA. It is currently working to ensure that OCSEA is anchored within the programmes of the institutions in question by developing terms of reference outlining their respective responsibilities. A National Plan of Action on Online Child Sexual Abuse and Exploitation is also under development.

Some public institutions have engaged in awareness-raising activities, particularly on internet safety, and an online safety education toolkit has been

developed. The Ministry of Gender, Labour and Social Development has produced Child Online Protection Guidelines as well as a case management handbook for child protection.

At the same time, government officials and frontline workers say that there is low awareness of OCSEA within the government, that the numbers of social services staff are insufficient, and that they lack training on OCSEA.

Civil society organisations play an important role in responding to OCSEA in Uganda. They cooperate with the Ministry of Gender, Labour and Social Development to provide services like counselling and legal aid. They are also involved in awareness-raising activities. However, their programmes do not focus on OCSEA *per se* and do not reach all parts of the country.

## Key insights

The report concludes by highlighting five key insights from the research:

1. Internet-using children in Uganda are subjected to OCSEA now. Most offenders of OCSEA are someone the child already knows. OCSEA can happen while children spend time online or in person but involving technology.
2. OCSEA mostly occurs on social media. Facebook, Facebook Messenger and WhatsApp were the most common reported platforms where it occurred.
3. Many children did not tell anyone the last time they were subjected to OCSEA. Children tend to disclose to people they know rather than reporting to a helpline or the police.
4. Law enforcement, the justice system and social services lack awareness, capacity, and resources to respond to cases of OCSEA. The interviewed children were not successful in bringing their case to justice through the court system.
5. Important OCSEA-related legislation, policies and standards are not yet enacted.

The report ends with a series of detailed recommended actions for government, law enforcement, justice, and social services, communities, teachers, and caregivers, and digital platforms and service providers (see [page 96](#)).

# DISRUPTING HARM METHODS

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**As with all the settings in which children live and grow, the online environment may expose them to risks of sexual exploitation and abuse. Yet the scarcity of the available evidence makes it difficult to grasp the nature of the harm caused, or to make constructive recommendations for governments' approaches to prevention and response. Informed by the 2018 WeProtect [Global Alliance Global Threat Assessment](#)<sup>1</sup> and a desire to understand and deepen the impact of its existing investments, the Global Partnership to End Violence against Children, through its Safe Online initiative, decided to invest in research to strengthen the evidence base – with a particular focus on 13 countries across Eastern and Southern Africa and Southeast Asia.**

The countries of focus in the Eastern and Southern Africa region are Ethiopia, Kenya, Mozambique, Namibia, South Africa, Tanzania, and Uganda. The countries of focus in the Southeast Asian region are Cambodia, Indonesia, Malaysia, the Philippines, Thailand, and Vietnam.

Extensive data collection for nine unique research activities took place in Uganda from early 2020 through to early 2021 and focused on the three-year period of 2017–2019. This was followed by intensive analysis phase that resulted in a series of 13 country reports. Analysis for Uganda was finalised in May 2021. Using the same methodology in all participating countries also allows for inter-country comparisons. In addition, the findings and proposed recommended actions are expected to have relevance for a broader global audience. The desired outcome of this report is to provide a baseline and evidence for Ugandan policy makers to address and prevent online child sexual exploitation and abuse. Recommended actions proposed in the report are aligned with the Model National Response<sup>2</sup> and contribute to the 2030 Agenda for Sustainable Development.<sup>3</sup>

## Summary of methods used by ECPAT in Uganda

### Government duty-bearer interviews

Nine interviews with senior national duty-bearers<sup>4</sup> whose mandates included online child sexual exploitation and abuse at a national level were conducted between April 2020 and September 2020. Due to the COVID-19 pandemic, some interviews were conducted in-person and some virtually. More information on the methodology can be found [here](#), while the preliminary report of the data can be found [here](#). Attributions to data from these respondents have ID numbers beginning with RAI throughout the report.<sup>5</sup>

### Non-law enforcement data collection

A range of non-law enforcement stakeholders gave data and insights on the nature and scale of OCSEA. Data were obtained from the International Association of Internet Hotlines (INHOPE), the Internet Watch Foundation and Child Helpline International. Qualitative insight was provided by several global technology platforms. Where relevant, this information supplements the analysis contributed by INTERPOL (see below).

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1. WeProtect Global Alliance (2018). [Global Threat Assessment 2018: Working together to end the sexual exploitation of children online](#). London: WeProtect Global Alliance.

2. WeProtect Global Alliance (2016). [Preventing and Tackling Child Sexual Exploitation and Abuse: A model national response](#). London: WeProtect Global Alliance.

3. United Nations. (n.d.) [Sustainable Development Goals](#). See: Goals 5.2, 8.7 and 16.2.

4. In this instance, duty-bearers are defined as those who hold specific responsibilities for responding to the risks of OCSEA at a national level. Participants in Uganda represented: Child Helpline Uganda; the Ministry of Gender, Labour and Social Development; Governance and Risk, National Information Technology Authority; Ministry of Education and Sports; National Children's Authority; Office of the Director of Public Prosecutions; Uganda Law Reform Commission; UNICEF Uganda Country Office.

5. The format RAI-UC-01-A is used for IDs. 'RAI' indicates the research activity, 'UC' denotes Uganda, '01' is the participant number and 'A' indicates the participant when interviews included more than one person.

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### Frontline social service providers' survey

A non-probability convenience sample of 50 client-facing frontline child protection workers in Uganda participated in an anonymous online survey in May 2020. This research activity aimed to explore the scope and context of OCSEA as it is observed by those working to prevent and respond on the social support frontline. More information on the methodology can be found [here](#), while the preliminary report of the data can be found [here](#). Attributions to data from these respondents have ID numbers beginning with RA3 throughout the report.

### Access to Justice and Legal Remedies – interviews with OCSEA victims and their caregivers

Interviews were conducted with six 15–21-year-old children or young people and their caregivers between June and August 2020. This research activity aimed to provide a better understanding of how and to what extent child victims of OCSEA can access justice and remedies in Uganda. The participants for this activity came from around Uganda's capital city of Kampala. More information on the methodology can be found [here](#), while the preliminary report of the data can be found [here](#). Attributions to data from these respondents have ID numbers beginning with RA4 throughout the report. Note that the suffix 'child' or 'caregiver' is included in the ID numbers.

### Access to Justice and Legal Remedies – interviews with justice professionals

Eleven criminal justice professionals were interviewed in Uganda. The sample included State and non-State respondents who had experience with OCSEA criminal cases.<sup>6</sup> More information on the methodology can be found [here](#), while the preliminary report of the data can be found [here](#). Attributions to data from these respondents have ID numbers beginning with RA4 throughout the report. Note that the suffix 'justice' is also included in the ID numbers to indicate the interviews with justice professionals.

### Literature review and legal analysis

A literature review was undertaken to inform the research teams. Comprehensive analysis of the legislation, policy and systems addressing OCSEA in Uganda was conducted and finalised in June 2020. More information on the methodology can be found [here](#), while the full report on the legal analysis can be found [here](#).

### Conversations with OCSEA survivors

Unstructured, one-on-one conversations led by trauma-informed expert practitioners were arranged with 33 young survivors of OCSEA in five *Disrupting Harm* countries (nine girls in Kenya, five boys and seven girls in Cambodia, seven girls in Namibia, four girls in Malaysia and one boy in South Africa). Although not held in all countries, these conversations are meant to underline common themes and issues in all 13 *Disrupting Harm* countries. Participants were aged between 16 and 24 but had all been subjected to OCSEA as children. The survivor conversations were analysed collectively for all countries. Quotes from different countries are inserted in all the national reports, including the Uganda report, as examples of common experiences. Attributions to data from these respondents have ID numbers beginning with RA5.

### Summary of methods used by INTERPOL in Uganda

#### Quantitative case data analysis

Data was sought on cases related to OCSEA from law enforcement authorities via the INTERPOL National Central Bureau Kampala. Data was also obtained from the mandated reports of U.S.-based technology companies to National Center for Missing and Exploited Children (NCMEC), and from a number of other foreign law enforcement agencies, with a view to deepening the understanding of relevant offences committed in the country, offender and victim behaviour, crime enablers and vulnerabilities. Crime data were analysed for the three years from 2017 to 2019. More information on the methodology can be found [here](#).

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6. The interview sample included three respondents from the government and eight respondents representing civil society organisations. The government officials included one police officer, one probation and social welfare officer representing the Ministry of Gender, Labour and Social Development and one respondent from the Office of the Director of Public Prosecutions. The eight civil society representatives included two lawyers, three child protection case managers and three social workers. The civil society representatives were drawn from the following national non-governmental organisations: the Uganda Association of Women Lawyers (FIDA Uganda), Somero Uganda, Rahab Uganda, Willow International, Set Her Free, Platform for Labour Action and Dwelling Places. All of the respondents were based in Kampala.

### Qualitative capacity assessments

In addition to seeking data on OCSEA related criminal cases, INTERPOL requested data on the capacity of the national law enforcement authorities to respond to this type of crime and interviewed serving officers. Emphasis was placed on human resources, access to specialist equipment and training, investigative procedures, the use of tools for international cooperation, achievements, and challenges. More information on the methodology can be found [here](#). Attributions to data from these respondents have ID numbers beginning with RA8 throughout the report.

### Summary of methods used by UNICEF Office of Research – Innocenti in Uganda

To understand children's use of the internet, the risks, and opportunities they face online, specifically OCSEA, 1,016 internet-using children were interviewed through a nationally-representative face-to-face household survey. The target population for the survey was children aged 12-17 in Uganda who have used the internet in the three months before the interview. Additionally, one caregiver of each child was interviewed. The survey sample was composed of 572 (56%) boys and 444 (44%) girls; and 158 (16%) 12-13-year-olds, 326 (32%) 14-15-year-olds and 532 (52%) 16-17-year-olds by age.

To achieve a nationally representative random sample, the survey used random probability sampling with national coverage. Fieldwork coverage was 96%; the survey excluded conflict areas and areas occupied by the military, in the south western, West Nile, Acholi and Karamoja sub-regions, and areas that are close to refugee settlements. Coverage is defined as the proportion of the total population that had a chance of being included in the survey sample – i.e., the fieldwork would cover the area where they live if sampled. Regions included Acholi, Ankole, Bugisu, Bukedi, Bunyoro, Busoga, Kampala, Karamoja, Kigezi, Lango, North Central, South Central, Teso, Tooro and West Nile.

The sampling followed a three-stage random probability clustered sample design. At the first stage, 100 primary sampling units were selected. The primary sampling unit list was provided by the Uganda Bureau of Statistics. At the second stage, interviewers randomly selected addresses in the field using random walk procedures and attempted contact at the selected addresses to screen for members of the survey population using a screening question developed for this purpose. At the third stage, individuals (children and caregivers) were selected within each eligible household using random methods.

In every household visited *Disrupting Harm* attempted to collect data on the number of 12-17-year-old children in the household, their gender, and whether they had used the internet in the past three months. This allowed for an estimation of internet penetration rates for all 12-17-year-old children in Uganda. Because of the sensitivity of the issues, some questions were only asked to children aged 15-17 years.

Fieldwork took place between 21 December 2020 and 13 January 2021. Data collection was carried out by IPSOS MORI through the IPSOS Uganda office on behalf of UNICEF.

A more detailed explanation of the methodological approach and the specific methods used for the analysis of the household survey data can be found [here](#).

### Ethical Approval

The ECPAT research components were approved by the Makerere School of Social Sciences. UNICEF's survey protocol was reviewed and approved by the Makerere University School of Public Health and the Uganda National Council of Science and Technology. ECPAT and UNICEF's protocols were also reviewed and approved by the Health Media Lab (HML) Institutional Review Board.

INTERPOL has assessed the threat of OCSEA and the capacity of law enforcement authorities for responding to this threat. Both assessments entailed interviews with law enforcement officials in relevant units dealing with OCSEA. The team of interviewers took an online course on [Responsible Conduct of Research](#) from the Collaborative Institutional training Initiative and followed the [INTERPOL Code of Conduct](#).

### National Consultation

A national consultation took place on 19 August 2021. Government and non-governmental organisations were asked to comment on the *Disrupting Harm* recommendations with the aim of ensuring that the recommended actions were relevant for the Ugandan context.

Figure 1: *Disrupting Harm* methods in Uganda.



# ABOUT ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE

**Child sexual abuse refers to various sexual activities perpetrated against children (persons under 18), regardless of whether the children are aware that what is happening to them is neither normal nor acceptable. It can be committed by adults or peers and usually involves an individual or group taking advantage of an imbalance of power. It can be committed without explicit force, with offenders frequently using authority, power, manipulation, or deception.<sup>7</sup>**

Child sexual exploitation involves the same abusive actions. However, an additional element of a threat or of exchange for something (e.g., money, shelter, material goods, immaterial things like protection or a relationship), or even the mere promise of such, must also be present.<sup>8</sup>

**Online child sexual exploitation and abuse (OCSEA)** refers to situations involving *digital, internet and communication technologies* at some point during the continuum of abuse or exploitation. OCSEA can occur fully online or through a mix of online and in-person interactions between offenders and children.

Labelling child sexual exploitation and abuse as exclusively 'online' or 'offline' does not help to understand, prevent or respond to the issue, nor is it the intention of *Disrupting Harm* to create such an artificial divide. Children can be abused or exploited while they spend time in the digital environment, but equally, offenders can use digital technology to facilitate their actions, e.g., to document and share images of in-person abuse and exploitation or to groom children to meet them in person.

*Disrupting Harm* also focuses on how technology facilitates child sexual exploitation and abuse and contributes evidence needed to understand the role digital technology plays in perpetrating sexual violence against children.

Any characterisation of OCSEA must recognise that the boundaries between online and offline behaviour and actions are increasingly blurred<sup>9</sup> and that responses need to consider the whole spectrum of activities in which digital technologies may play a part. This characterisation is particularly important to keep in mind as children increasingly see their online and offline worlds as entwined and simultaneous.<sup>10</sup>

For *Disrupting Harm*, OCSEA was defined specifically to include child sexual exploitation and abuse that involves:

- Production, possession or sharing of **child sexual abuse material (CSAM)**: Photos, videos, audios or other recordings, or any other representation of real or digitally generated child sexual abuse or sexual parts of a child for primarily sexual purposes.<sup>11</sup>
- **Live-streaming of child sexual abuse**: Child sexual abuse that is perpetrated and viewed simultaneously in real-time via communication tools, video conferencing tools and/or chat applications. In most cases, the offender requesting the abuse in exchange for payment or other material benefits is physically in a different location from the child(ren) and the facilitators of the abuse.

7. Interagency Working Group on Sexual Exploitation of Children. (2016). [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse](#). Bangkok: ECPAT International. 18.

8. Ibid., 24.

9. May-Chahal, C., & Palmer, C. (2018). [Rapid Evidence Assessment: Characteristics and vulnerabilities of victims of online-facilitated child sexual abuse and exploitation](#). Independent Inquiry into Child Sexual Abuse. UK: Lancaster University.

10. Stoilova, M., Livingstone, S., Khazbak, R. (2021). [Investigating Risks and Opportunities for Children in a Digital World: A rapid review of the evidence on children's internet use and outcomes](#). *Innocenti Discussion Papers* no. 2021-01, Florence: UNICEF Office of Research – Innocenti.

11. Interagency Working Group on Sexual Exploitation of Children. (2016). [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse](#). Bangkok: ECPAT International. 40.

- **Online grooming of children for sexual purposes:**

Engagement with a child via technology with the intent of sexually abusing or exploiting the child. While international legal instruments<sup>12</sup> criminalising grooming indicate that this must take place with intent to meet the child in person, it has become increasingly common for offenders to sexually abuse children by, for example, manipulating them into self-generating and sharing CSAM through digital technologies, without necessarily having the intention of meeting them and abusing them in person.

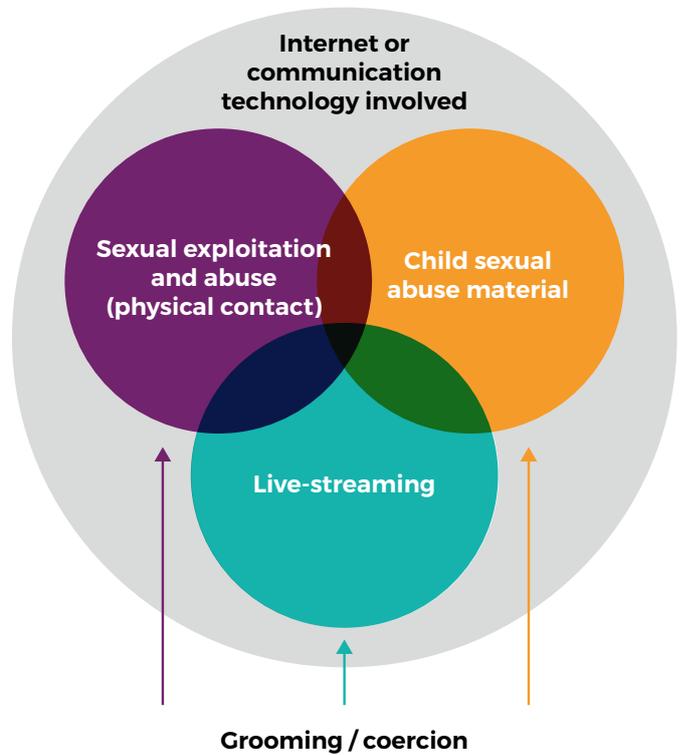
The *Disrupting Harm* reports also address other phenomena that contribute to understanding the contexts and socio-cultural environments in which OCSEA occurs.

**The sharing of self-generated sexual content involving children<sup>13</sup>** can lead to or be part of OCSEA, even if this content is initially produced and shared voluntarily between peers, as it can be passed on without permission or obtained through deception or coercion.

**Sexual extortion of children<sup>14</sup>** refers to the use of blackmail or threats to extract sexual content or other benefits (e.g., money) from the child, often using sexual content of the child that has previously been obtained as leverage.

**Sexual harassment** of a child<sup>15</sup> and **unwanted exposure of a child to sexual content<sup>16</sup>** are other phenomena which *can* represent or enable OCSEA. For example, offenders can deliberately expose children to sexual content as part of grooming to desensitise them to sexual acts. However, for the purposes of evidence-based policy and program development, it is important to acknowledge that there are differences between voluntary viewing of sexual content by children and viewing that is forced or coerced.<sup>16</sup> The former is not included in the definition of OCSEA used in the *Disrupting Harm* study.

Figure 2: Framing the main forms of online child sexual exploitation and abuse explored by *Disrupting Harm*.



**The interviews with survivors of OCSEA illustrated that children were often naive to online risks. A survivor from Namibia said:**

**“So, with the online relationship with that guy, we somehow kept on sending pictures on WhatsApp, and because of the sweet messages, I also came to a point where, I felt safe to send the topless pictures and also the videos started.”**

RA5-NA-04-A

12. The only two legally binding international instruments containing an obligation to criminalise the grooming of children for sexual purposes are: Council of Europe. (2007). [Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse](#). Council of Europe Treaty Series – No. 201, Article 23; and European Parliament and Council. (2011). [Directive 2011/92/EU on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA](#). Article 6.

13. Cooper, K., Quayle, E., Jonsson, L. & Svedin, C.G. (2016). [Adolescents and self-taken sexual images: A review of the literature](#). *Computers in Human Behavior*, vol. 55, 706-716.

14. Interagency Working Group on Sexual Exploitation of Children. (2016). [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse](#). Bangkok: ECPAT International. 52.

15. *Ibid.*, 21.  
16. *Ibid.*, 44.

# ABOUT UGANDA – DEMOGRAPHICS AND INTERNET USAGE



## POPULATION TOTAL 2019

UN data:

**42,270,000**<sup>17</sup>  
(2018: 44,729,000)<sup>18</sup>

Uganda Bureau of Statistics:

**2021: 42,563,460**<sup>19</sup>



## FEMALE POPULATION 2019

UN data:

**22,462,000**<sup>20</sup>  
(2018: 21,696,000)<sup>21</sup>



## MALE POPULATION 2019

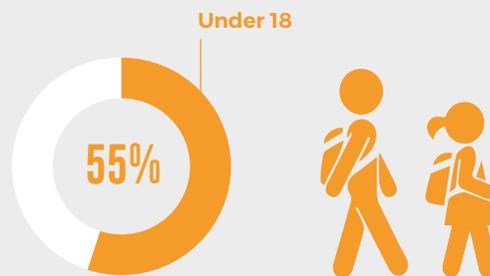
UN data:

**21,807,000**<sup>22</sup>  
(2018: 21,033,000)<sup>23</sup>

## POPULATION UNDER 18 2018

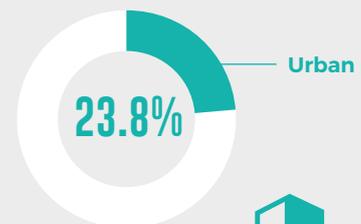
UN data:

**23,085,000**<sup>24</sup>



## URBAN POPULATION

2018: 23.8%<sup>25</sup>



## MEDIAN AGE 2020<sup>26</sup>

**16.7**

Estimate



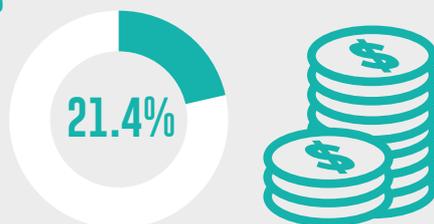
## GDP PER CAPITA 2019 (US\$)

**\$794.3**<sup>27</sup>



## POVERTY RATES

2016: 21.4%<sup>28</sup>



## LANGUAGES

**ENGLISH  
KISWAHILI**

**THE OFFICIAL LANGUAGE  
OF UGANDA IS ENGLISH.  
KISWAHILI IS THE  
SECOND LANGUAGE.**<sup>29</sup>

17. United Nations Population Division. (2019). [World Population Prospects 2019](#). Projections only.

18. *Ibid.*

19. Uganda Bureau of Statistics. [Population Clock](#), mid 2021. Projections only.

20. United Nations Population Division. (2019). [World Population Prospects 2019](#).

21. *Ibid.*

22. *Ibid.*

23. *Ibid.*

24. UNICEF. (2019). [The State of the World's Children 2019](#). Children, Food and Nutrition: Growing well in a changing world, UNICEF, New York. [https://population.un.org/wpp/Publications/Files/WPP2019\\_Volume-I\\_Comprehensive-Tables.pdf](https://population.un.org/wpp/Publications/Files/WPP2019_Volume-I_Comprehensive-Tables.pdf)

25. United Nations Population Division. (2018). [World Population Prospects 2019 File 1: Population of Urban and Rural Areas at Mid-Year \(thousands\) and Percentage Urban, 2018](#).

26. United Nations Population Division. (2019). [World Population Prospects 2019 File POP/5: Median age by region, subregion and country, 1950–2100 \(years\)](#).

27. The World Bank. (n.d.). [GDP per capita \(current US\\$\) – Uganda](#).

28. The World Bank. (n.d.). [Poverty headcount ratio at national poverty lines \(% of population\) – Uganda](#).

29. Republic of Uganda. (2006). [Constitution of the Republic of Uganda \(February 15th 2006\)](#).

## ABOUT UGANDA – INTERNET USAGE

Despite increasing connectivity around the world, few countries regularly update their internet use statistics or disaggregate them for their child and adolescent populations. This presents a challenge in understanding how young people's lives are impacted by digital technologies, particularly in low- and middle-income countries. The infographic below summarises the latest data on internet access and social media use in Uganda, some of which was gathered directly through the *Disrupting Harm* nationally representative household survey of internet using 12-17-year-olds.

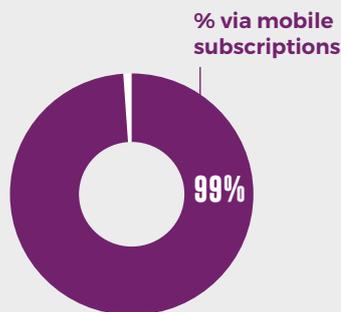
The data presented here provide an important backdrop for understanding the various facets of children's internet use. However, methodological limitations may affect the quality of data from secondary sources. Relying on purposive or other non-probability sampling techniques means that the secondary data cannot be considered representative of the population in question. In addition, variations in data collection methods and definitions of internet use pose a challenge for cross-country comparisons.

### TOTAL INTERNET SUBSCRIPTIONS

Oct -Dec 2020:

**21,443,053**<sup>30</sup>

For comparison, in Oct-Dec 2019 the number of subscriptions stood at 18,877,325 – also 99% mobile<sup>31</sup>



### MOBILE (SIM) PENETRATION

Dec 2020:

**27.6 MILLION = 67%**

Dec 2019:

**26.6 MILLION = 66%**<sup>32</sup>

Internet penetration 2017:

**23.7%**

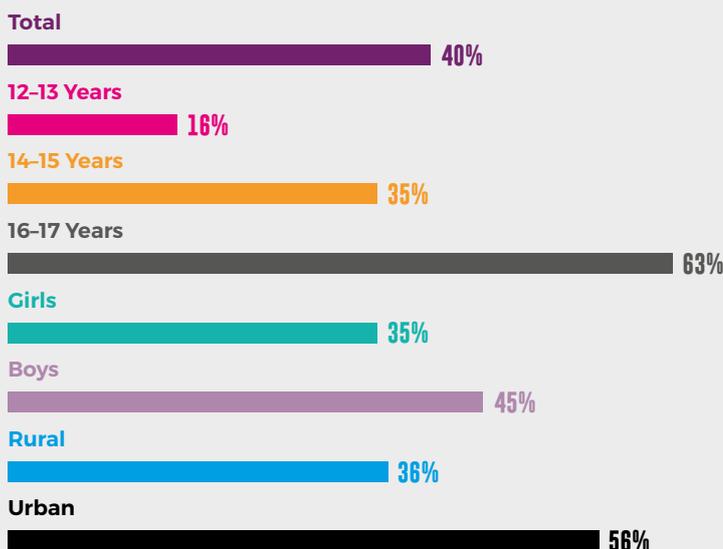
ITU estimate<sup>33</sup>



Source: UCC – Q4 2020 Market performance report<sup>34</sup>

### 2020 INTERNET PENETRATION RATES AMONG 12-17-YEAR-OLDS

Source: Disrupting Harm data



n = 3,464 households.

### INTERNET USE AMONG CAREGIVERS OF INTERNET-USING CHILDREN

Source: Disrupting Harm data

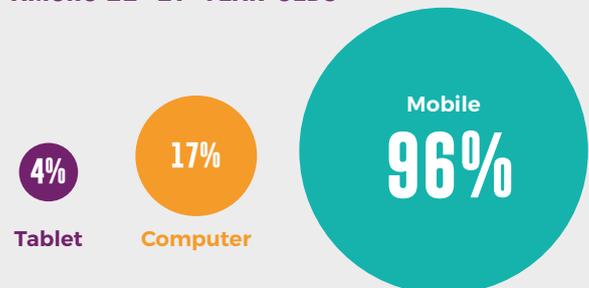


**48%**

n = 1,016 caregivers of internet-using children.

### MOST POPULAR DEVICE TO ACCESS THE INTERNET AMONG 12-17-YEAR-OLDS\*

Source: Disrupting Harm data



n = 1,016 internet-using children.

\*Multiple choice question

30. Uganda Communications Commission. (2020). [Market Performance Report 4Q2020](#).

31. Ibid.

32. Ibid.

33. The World Bank. (n.d.). [Individuals using the Internet \(% of population\) – Uganda](#).

34. Uganda Communications Commission. (2020). [Market Performance Report 4Q2020](#).

## ABOUT UGANDA – INTERNET USAGE

### MOST POPULAR PLACE TO ACCESS THE INTERNET AMONG 12–17-YEAR-OLDS\*

Source: Disrupting Harm data

5%

Mall

13%

Internet café

School  
35%

Other  
51%

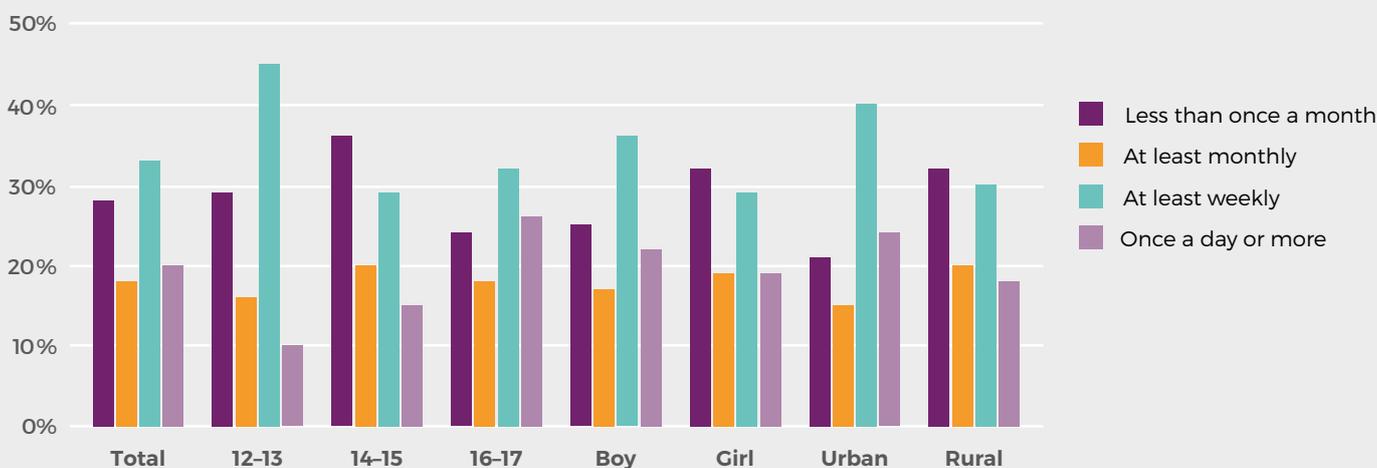
Home  
95%

n = 1,016 internet-using children.

\*Multiple choice question

### FREQUENCY OF INTERNET USE AMONG 12–17-YEAR-OLDS

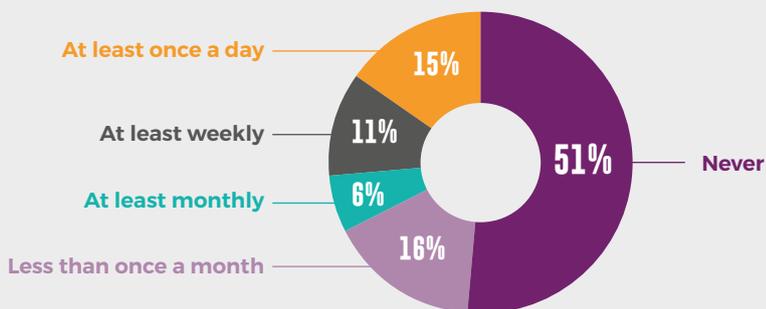
Source: Disrupting Harm data



Base: Internet-using children aged 12-17 in Uganda from the Disrupting Harm study. n = 1,016 internet-using children.

### FREQUENCY OF INTERNET USE AMONG CAREGIVERS OF INTERNET-USING CHILDREN

Source: Disrupting Harm data

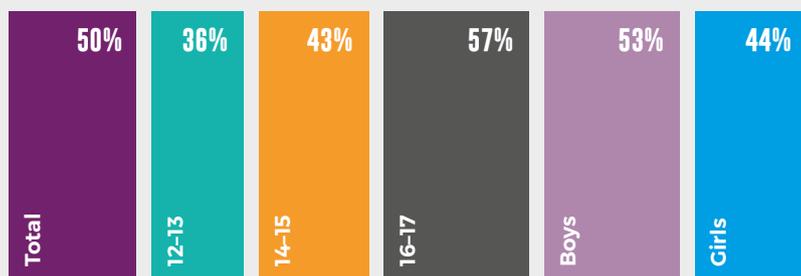


n = 1,016 caregivers of internet-using children.

## ABOUT UGANDA – INTERNET USAGE

### CHILDREN WHO USE SOCIAL MEDIA ON A WEEKLY BASIS

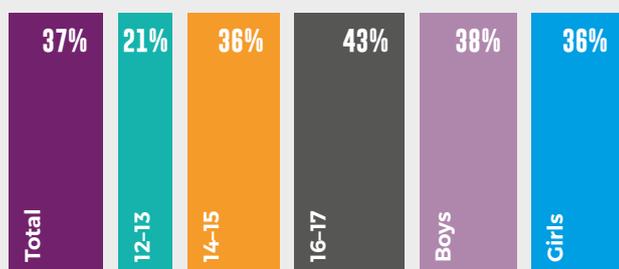
Source: Disrupting Harm data



n = 1,016 internet-using children.

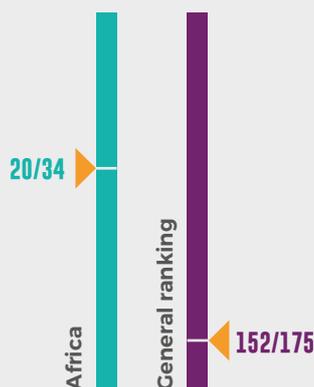
### CHILDREN WHO USE INSTANT MESSAGING APPS ON A WEEKLY BASIS

Source: Disrupting Harm data

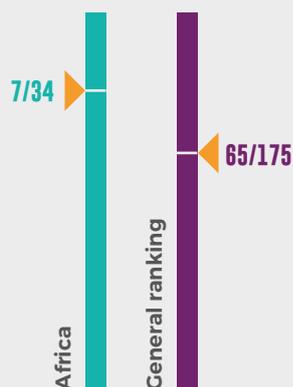


n = 1,016 internet-using children.

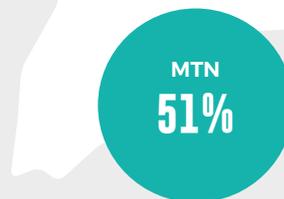
### ICT DEVELOPMENT INDEX RANKING (ITU) 2017<sup>35</sup>



### GLOBAL CYBERSECURITY INDEX RANKING 2018<sup>36</sup>



### MARKET SHARES IN MOBILE DATA SUBSCRIPTIONS (DEC 2020)



35. Connecting Africa. (2020). [New Telecoms Licensing Regime in Uganda](#).

36. International Telecommunication Union ITU. (2019). [Global Cybersecurity Index \(GCI\) 2018](#).

37. Statista. (2021). [Wireless subscriber share in Uganda by carrier from 2015 to 2020](#).

### Overview of Legislation and Policy

The legal framework analysis found that the most relevant pieces of Ugandan legislation on sexual offences in general, which also encompass OCSEA-related crimes, are the **Penal Code Act**,<sup>38</sup> the **Computer Misuse Act**,<sup>39</sup> the former **Anti-Pornography Act**,<sup>40</sup> and the **Children Act**.<sup>41</sup>

The Computer Misuse Act provides a quite comprehensive definition of child sexual abuse material,<sup>42</sup> explicitly criminalises acts associated with it,<sup>43</sup> as well as the attempt to commit these crimes,<sup>44</sup> and criminalises cyber harassment.<sup>45</sup> The former Anti-Pornography Act prohibited pornography in general.<sup>46</sup> In this context, it criminalises certain acts associated with child sexual abuse material (CSAM),<sup>47</sup> although it does not provide a separate definition of CSAM. In August 2021, just before finalisation of this report, the Constitutional Court annulled the act after disputes on interpretations of the law.<sup>48</sup> Although the future of the prohibitions captured in the pornography is now unsure, this report does still refer to the former Anti-Pornography Act as the prohibitions relevant to address OCSEA are expected to be re-enacted.

The Children Act makes it a crime to engage children in any sexually exploitative work or trade, whether paid or not, including the use of a child in “pornographic performances or material.”<sup>49</sup>

The Penal Code sets the age of sexual consent at 18.<sup>50</sup> There is no close-in-age exemption for consensual sexual relationships among peers under 18. In fact, the offence of “child-to-child sex” expressly criminalises sexual acts between children.<sup>51</sup> As the minimum age of criminal responsibility in Uganda is 12 years,<sup>52</sup> children aged 12–18 years could therefore be criminally prosecuted for this offence.

Although it is possible that the provisions of law relating to CSAM could be applied to cases of live-streaming of child sexual abuse, this is not explicitly stated in the legislation, and there is no specific provision criminalising the live-streaming of child sexual abuse. Further loopholes result from the lack of provisions prohibiting online grooming for sexual purposes and sexual extortion committed in the online environment. The representative of the Office of the Director of Public Prosecutions said that: *“We don’t have this specific law that says if you do A, B, C, D it is called online sexual exploitation and therefore you will be liable to this kind of punishment. We don’t have such a provision. So technically speaking, it [what is not defined] is not an offence in our country.”* (RA1-UG-07-A)

A pending **Sexual Offences Bill** criminalises “indecent communication” according to information publicly available as of July 2021.<sup>53</sup> and includes a provision exempting child victims from being penalised for engaging in acts constituting sexual exploitation.<sup>54</sup> At the same time, the law has raised human rights concerns among the international community as it criminalises

38. Republic of Uganda. (1950). [The Penal Code Act 1950](#). Last amended in 2014.

39. Republic of Uganda. (2011). [The Computer Misuse Act No. 2 of 2011](#).

40. Republic of Uganda. (2014). [The former Anti-Pornography Act No. 20 of 2014](#).

41. Republic of Uganda. (2016). [The Children Act \[as amended by the Children \(Amendment\) Act No. 17 of 2016\]](#).

42. Republic of Uganda. (2011). [The Computer Misuse Act No. 2 of 2011](#), Section 23(3).

43. Republic of Uganda. (2011). [The Computer Misuse Act No. 2 of 2011](#), Section 23(1)(a)-(d).

44. Republic of Uganda. (2011). [The Computer Misuse Act No. 2 of 2011](#), Section 21(1).

45. Republic of Uganda. (2011). [The Computer Misuse Act No. 2 of 2011](#), Section 24(2)(c).

46. Republic of Uganda. (2014). [The former Anti-Pornography Act No. 20 of 2014](#), Section 13.

47. Republic of Uganda. (2014). [The former Anti-Pornography Act No. 20 of 2014](#), Section 14(2).

48. Oxford Analytica Dially Brief. (18 August 2021). [Sexual Rights in Uganda Will Win Only Partial Reprieve and BBC](#) (26 August 2021).

[Uganda anti-pornography law dropped after backlash – BBC News](#)

49. Republic of Uganda. (2016). [The Children Act \[as amended by the Children \(Amendment\) Act No. 17 of 2016\]](#), Section 8.

50. Republic of Uganda. (1950). [The Penal Code Act 1950](#). Last amended in 2014. Section 129(1).

51. Republic of Uganda. (1950). [The Penal Code Act 1950](#). Last amended in 2014. Section 129A.

52. Republic of Uganda. (2016). [The Children Act \[as amended by the Children \(Amendment\) Act No. 17 of 2016\]](#), Section 88(1).

53. Republic of Uganda. (2019). [The Sexual Offences Bill No. 32 of 2019](#), Section 6. Pending Bill.

54. Republic of Uganda. (2019). [The Sexual Offences Bill No. 32 of 2019](#), Section 1 read with Section 10. Pending Bill.

consensual same-sex acts, prescribes the death penalty for certain offences, and includes provisions which discriminate based on HIV status.<sup>55</sup> A Senior Legal Officer from the Uganda Law Reform Commission explained that the enactment of the bill is taking a long time due to several contentious clauses. *“There are some contentious clauses that some people do not appreciate,”* the officer explained. *“The things about sex and legislation have their own intricate challenges. When it comes to parliament, issues of bodily autonomy and women, issues of marital rape... – its laden with what do they call explosive content. So, it’s taken with a pinch of salt and people approach it cautiously.”* (RA1-UG-10-A) As of October 2021, the future of the bill is uncertain. In August 2021, just before finalising this report, President Yoweri Museveni rejected the Bill and sent it back to parliament on the basis that some provisions were already legislated in for instance the Penal Code.<sup>56</sup>

Conduct criminalised under the Computer Misuse Act which is committed outside Uganda is punishable as if the offence had been committed in Uganda when “the accused was in Uganda at the material time or the computer, program or data was in Uganda at the material time.”<sup>57</sup> The manager in charge of Governance and Risk at the National Information Technology Authority stated that *“The law provides for extraterritorial jurisdiction, which means that if a crime is committed in Uganda and the [offender] is outside Uganda, this law is still applicable to them. It’s obvious that has to be implemented through mutual legal assistance in different countries.*

*Likewise, the other way round, if a Ugandan here commits a crime in another country that same clause also provides for that person’s prosecution. We haven’t had a case yet, but the law provides for that.”* (RA1-UG-08-A)

The former Anti-Pornography Act was silent on the extraterritorial applicability of its provisions – a potential impediment to international cooperation and mutual legal assistance in respect of OCSEA-related offences.

According to a representative from the National Children Authority, *“You know these issues are kind of a new phenomenon, so we are just starting.”* (RA1-UG-04-A) The recent establishment of a National Working Group on the Prevention of Online Child Sexual Abuse and Exploitation is a promising initiative. The working group brings together the main public institutions with mandates relevant to OCSEA. It is currently working to ensure that OCSEA is anchored within the programmes of the institutions in question by developing terms of reference outlining their respective responsibilities. A national plan of action to prevent and respond to online child sexual abuse and exploitation is also underway. According to the National Coordinator for the Uganda Child Helpline under the Ministry of Gender, Labour and Social Development, *“That’s the policy we are coming up with which will actually show everyone what they are supposed to do and what everyone’s role is.”* (RA1-UG-05-A) As of October 2021, the policy was still reported to be in draft form and had not been finalised.

55. UN High Commissioner for Human Rights. (2021, 7 May). [Press Briefing Notes on Uganda.](#): Human Rights Watch. (2021, 6 May). [Uganda: Reject Sexual Offences Bill.](#)

56. Daily Monitor. (18 August 2021). [Museveni rejects sexual offences and succession Bills.](#)

57. Republic of Uganda. (2011). [The Computer Misuse Act No. 2 of 2011](#), Section 30(2)-(3).

# 1. CHILDREN ONLINE IN UGANDA

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The focus of this report is to present the perspectives of young people and duty-bearers around the sexual exploitation and abuse of children facilitated or committed through digital technologies. However, it is important to situate these offences within the wider context of children's internet use in Uganda. This first chapter therefore, presents a brief overview of children's internet access and the activities enjoyed by most children online before going on to describe the occurrence of riskier online activities and the ways in which these are perceived by children and their caregivers.

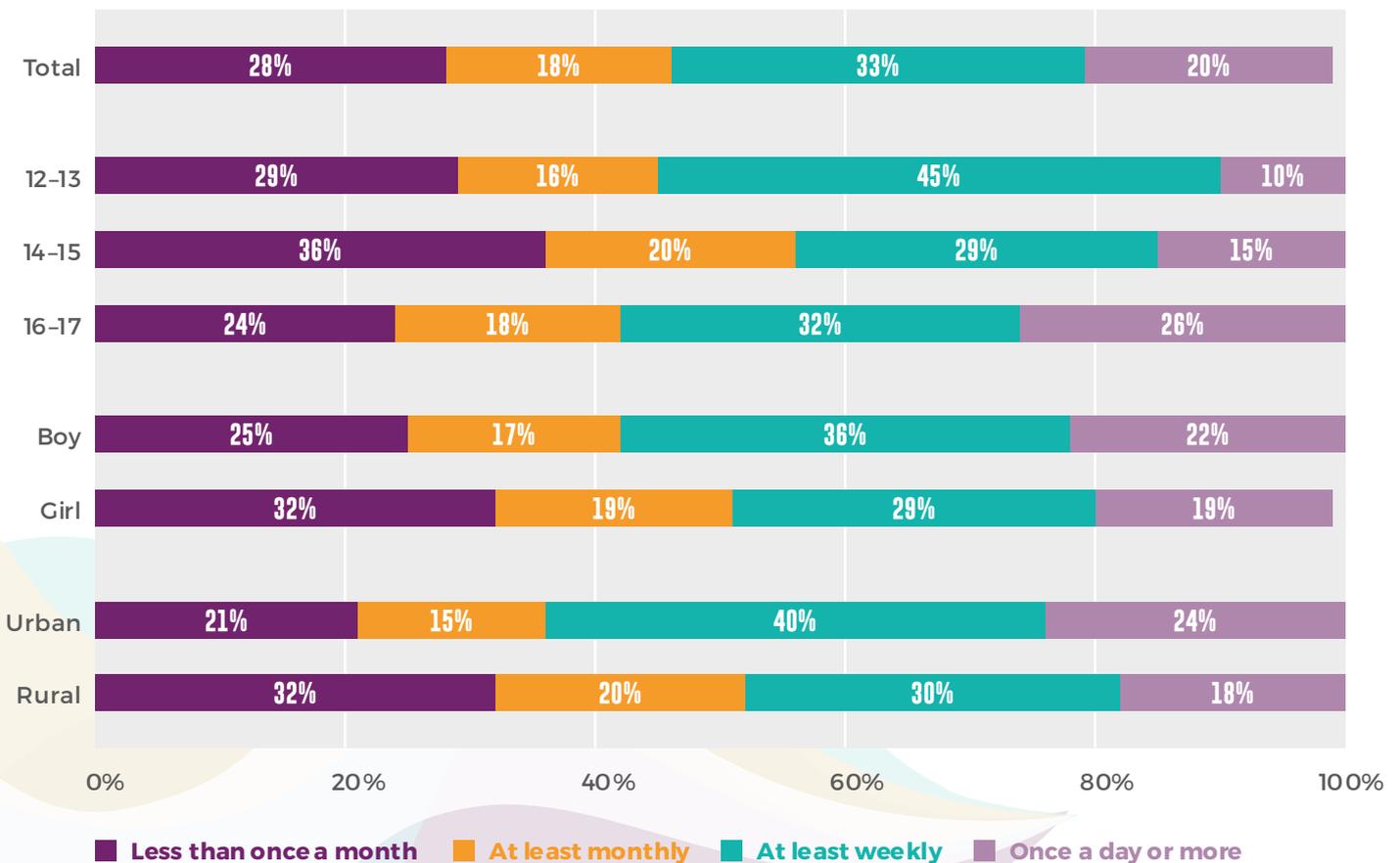
# 1.1 INTERNET ACCESS AND BARRIERS

## Internet access

Data from the *Disrupting Harm* household survey of children suggest that 40% of 12–17-year-olds in Uganda are internet users – i.e., they have used the internet within the past three months.<sup>58,59</sup> This figure rises from 16% among children aged 12–13 and 35% among children aged 14–15 to 63% among children aged 16–17. A higher proportion of boys (45%) are internet users than girls (35%). In rural areas, 36% of children are internet users compared to 56% in urban areas.

Among internet-using children aged 12–17 in Uganda, 20% go online on a daily basis and 33% go online at least once a week. As in other countries around the world,<sup>60</sup> children aged 16–17 are more frequent users. Boys go online somewhat more frequently than girls (see Figure 3). Children living in urban areas use the internet more frequently than children in rural areas.

Figure 3: Frequency of children’s internet use

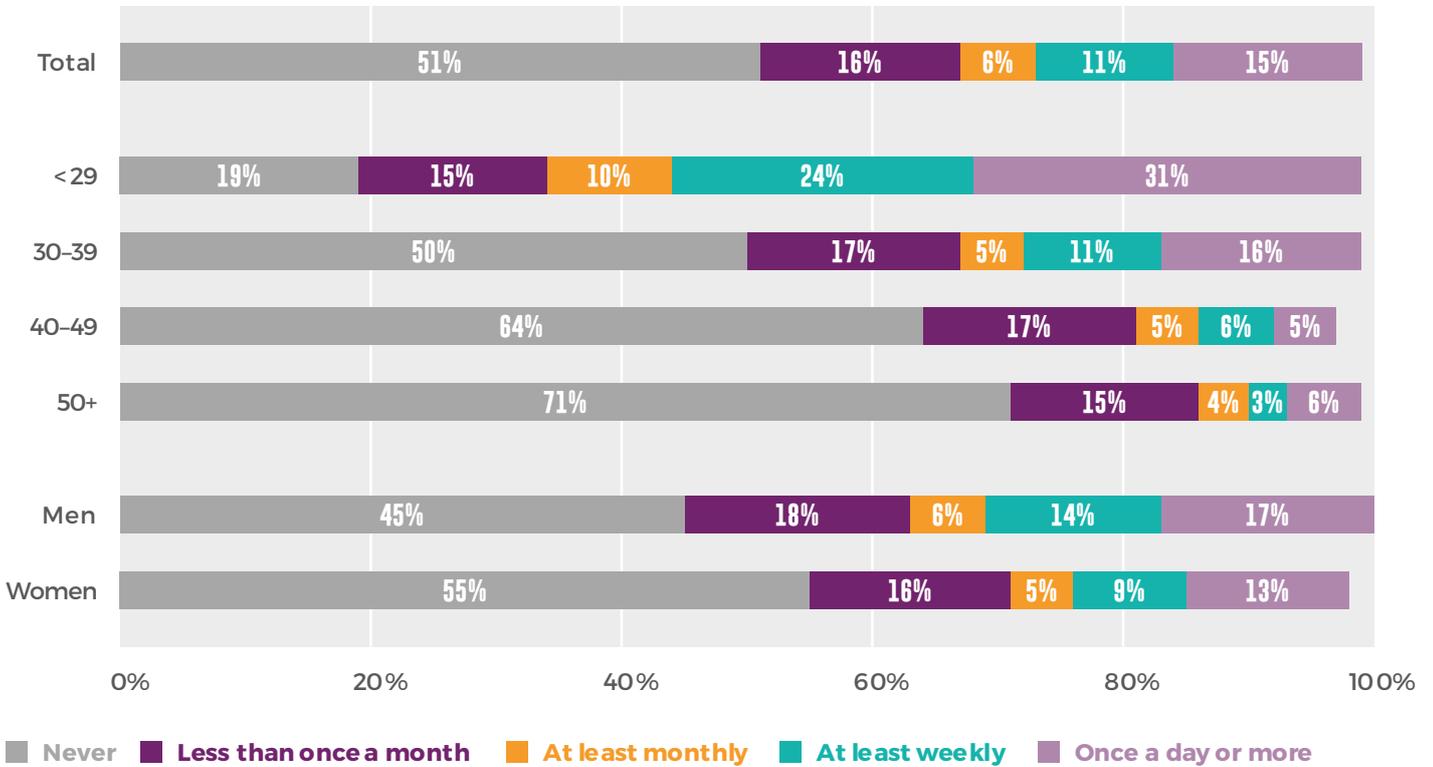


Base: Internet-using children aged 12–17 in Uganda. n = 1,016.

58. While conducting the random walk to identify eligible children to partake in the main survey, *Disrupting Harm* also collected data from every household visited about the number of 12–17-year-old children living there, their gender, age, and whether they had used the internet in the past three months. This allowed for an estimate internet penetration rate for all 12–17-year-old children in Uganda. n = 3,464 households.  
 59. The question used to determine whether a 12–17-year-old was an internet user: Has [PERSON] used the internet in the last three months? This could include using a mobile phone, tablet, or computer to send or receive messages, use apps like Facebook, WhatsApp, Instagram, send emails, browse, chat with friends and family, upload or download files, or anything else that you usually do on the internet.  
 60. See data from [Global Kids Online](#).

## 1.1 INTERNET ACCESS AND BARRIERS

Figure 4: Frequency of caregivers' internet use



Base: Caregivers of internet-using children aged 12-17 in Uganda. n = 1,016.

Half of the caregivers surveyed have never used the internet. Those aged 50 and above are far less likely to be internet users than younger caregivers. Men are slightly more frequent users than women. As many caregivers have limited online experience, it is important to consider the support and knowledge they need, as well as the role that can be played by schools, in guiding their children's use of the internet.

Most internet-using children in Uganda use the internet from home, another common trend across countries globally.<sup>61</sup> Only 35% of children have ever used the internet at school, and few (16%) do so regularly.

### Devices for internet use

As in most other countries, smartphones were by far the most popular devices used by 12-17-year-olds to go online, likely due to their relatively low cost and portability.<sup>62</sup> As many as 96% of internet-using children in this age group in Uganda use smartphones to go online, compared to 16% for computers and 4% for tablets. There were no notable differences by age, gender, or urban-rural location in the type of device used (see infograph on [page 17](#)).

About four out of every five children share their mobile phone with someone else. Among those children who use computers to go online, almost all of them (95%) share the computer with someone else. Only 12% of girls have their own, unshared smartphone compared to 24% of boys. In rural areas, 20% of internet-using children have their own smartphone compared to 17% in urban areas.

61. Smahel, D., MacHackova, H., Mascheroni, C., Dedkova, L., Staksrud, E., Olafsson, K., Livingstone, S., & Hasebrink, U. (2020). [EU Kids Online 2020: Survey results from 19 countries](#). London School of Economics and Political Science, London, UK.

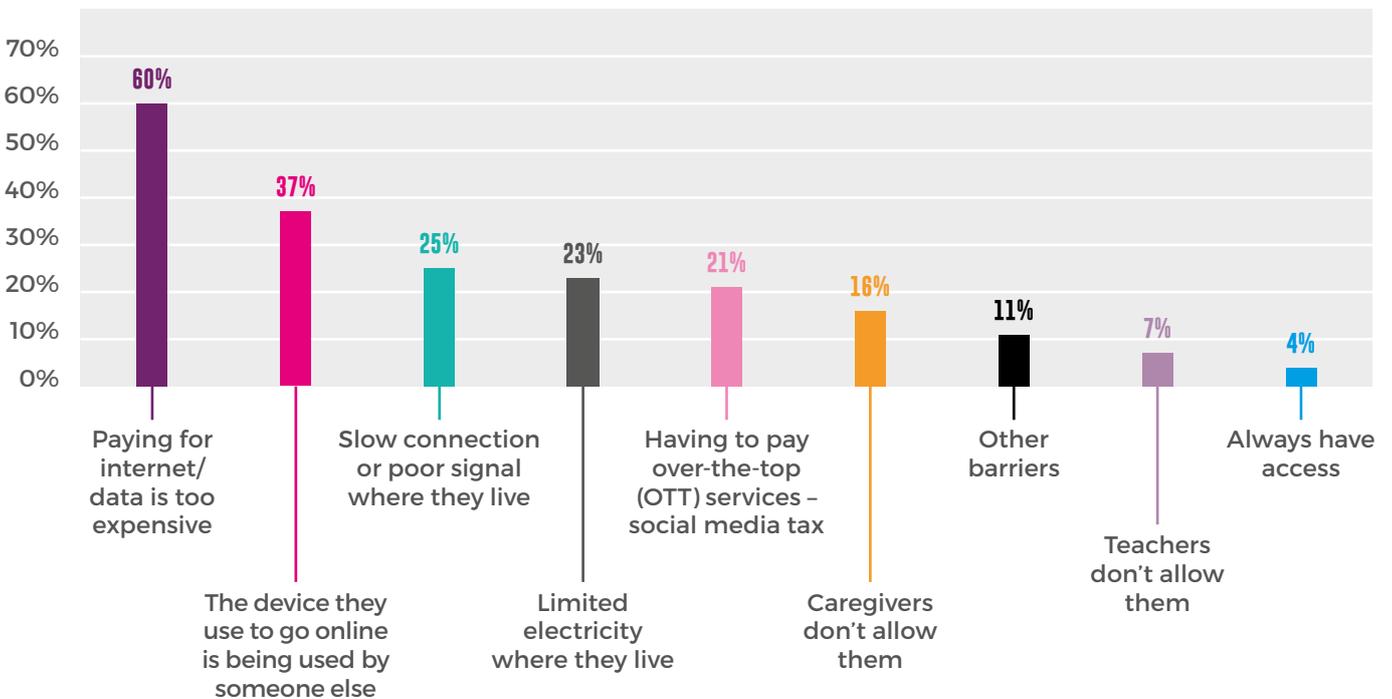
62. Livingstone, S., Kardefelt Winther, D., & Saeed, M. (2019). [Global Kids Online Comparative Report](#). Innocenti Research Report. UNICEF Office of Research - Innocenti, Florence.

### Barriers to access and use of the internet

Almost all internet-using children face barriers in accessing the internet (see Figure 5). The cost of the internet is the greatest barrier. Sixty percent of children said they are unable to go online when they want or need to because access/data is too expensive. In addition, one in five children named “over-the-top” services tax as a further barrier to internet use. These were mostly boys.

The second main barrier to internet access and use is the sharing of devices: over a third of children find themselves unable to go online when they want or need to because someone else is using the digital device. Poor internet connections and lack of power are other common barriers, while some children face parental restrictions. The importance of these barriers varies by age and gender. For instance, more girls than boys reported parental restriction as a barrier.

Figure 5: Barriers to access for internet-using children.



Base: Internet-using children aged 12-17 in Uganda. n = 1,016.

## 1.2 CHILDREN'S ACTIVITIES ONLINE

The most popular online activities among the children surveyed were entertainment activities – namely, watching videos, using social media and instant messaging. Many children also said they go online for schoolwork and to look up new information. Older children aged 14–17 are generally engaged in a wider range of online activities than younger children. However, gaming is most popular among 12–13-year-olds.

It is worth considering that these categories are not intended to be mutually exclusive – for example, a child could go online to watch a video as part of their schoolwork. Nonetheless, Figure 6 below provides a greater understanding of how 12–17-year-olds in Uganda use the internet and the activities they enjoy.

Gender differences are relatively minor, as is typical in other countries,<sup>63</sup> although boys seem to be slightly more likely than girls to engage in most of the activities, particularly using social media, searching for information, and searching for news online.

Figure 6: Activities children engaged in online at least once a week.

Online activities	Total	12–13	14–15	16–17	Boy	Girl
Watching videos	52%	49%	53%	52%	54%	49%
Using social media	49%	36%	43%	57%	53%	44%
Using instant messaging	37%	21%	36%	43%	38%	36%
School work	35%	27%	35%	37%	34%	37%
Searching for new information	34%	27%	27%	40%	39%	28%
Searching for news	33%	26%	28%	38%	38%	27%
Following celebrities and public figures on social media	32%	22%	23%	40%	34%	30%
Playing online games	31%	37%	32%	29%	34%	28%
Talking to family or friends who live further away	29%	23%	26%	32%	31%	26%
Watching a live-stream	27%	21%	22%	32%	28%	26%
Participating in a site where people share their interests	21%	15%	18%	25%	25%	17%
Searching for information about work or study opportunities	19%	15%	17%	21%	17%	20%
Searching for health information	16%	6%	17%	19%	15%	17%
Creating their own video or music	12%	9%	10%	15%	14%	10%
Discussing political or social problems	11%	6%	8%	14%	11%	10%
Looking for information on local events	10%	7%	10%	12%	11%	9%
Seeking emotional support	8%	6%	7%	9%	8%	7%
Creating a blog or website	5%		3%	7%	4%	6%

Base: Internet-using children aged 12–17 in Uganda. n = 1,016.

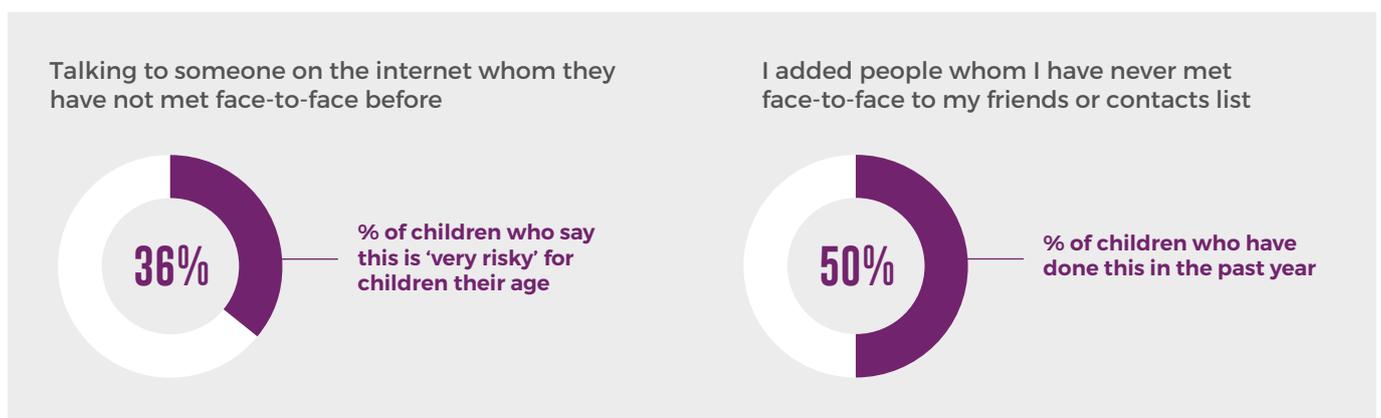
63. *Ibid.*

# 1.3 PERCEPTIONS AND EXPERIENCES OF RISKY ONLINE ACTIVITIES

Discussion of online risks for children often hinges upon adult-centric perceptions. To ensure children's perceptions are understood, they and their caregivers were asked about their engagement in, and perceptions of, various online risky activities.

## 1.3.1 Contact with strangers online and in person

Figure 7: Children's risk assessment of speaking to someone online that they didn't know.



Base: Internet-using children aged 12-17 in Uganda. n = 1,016.

### Perceptions of risk

A common concern around children's online activities is their exposure to 'stranger danger'. When asked to rate the riskiness of various forms of online behaviour, 72% of the caregivers in the household survey said that talking to people online whom they have never met in person was 'very risky' for children. By contrast, only 36% of internet-using children ranked this activity as 'very risky' for children their age. In the same way, 49% of children considered sending their personal information to someone they had never met face-to-face 'very risky', compared to 76% of caregivers, and 48% of children thought that meeting someone face-to-face whom they had first got to know online was 'very risky', a perception shared by as many as 77% of caregivers.

While most children recognised that these activities carried some level of risk, 22% said that speaking to strangers online was 'not risky at all', and 12% were not sure if it was risky or not. Similarly, 18% of children found it 'not risky at all' to share personal information

with strangers and 17% found it 'not risky at all' to meet up in person with someone that they had first got to know online. This may simply be how young people sometimes make new friends. Alternatively, this could indicate a lack of awareness of how speaking to strangers online might lead to harmful outcomes.

### Engagement in potentially risky online activities

In actual practice, as many as 63% of the children surveyed said that they looked for new friends or contacts on the internet, while 52% of children added people they had never met before to their contact lists, and 31% shared their personal information with someone they had never met face-to-face. Notably, one in four children had shared a photo or video of themselves with someone they had never met face-to-face.

Of the children surveyed, 15% had met someone in person whom they first met online.

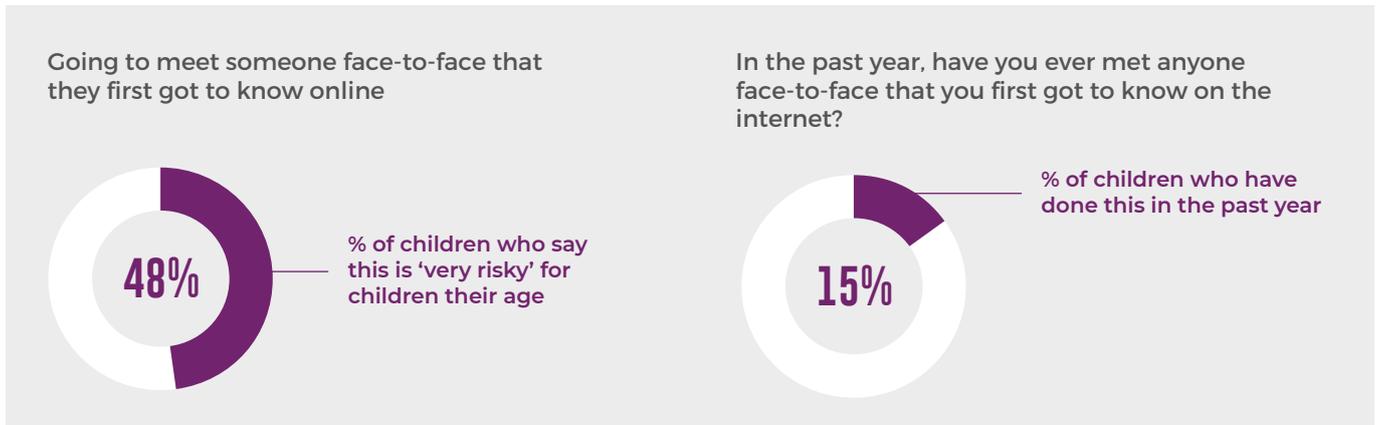
### 1.3 PERCEPTIONS AND EXPERIENCES OF RISKY ONLINE ACTIVITIES

Figure 8: Children’s risk assessment of sharing their personal information with someone online that they did not know in the past year.



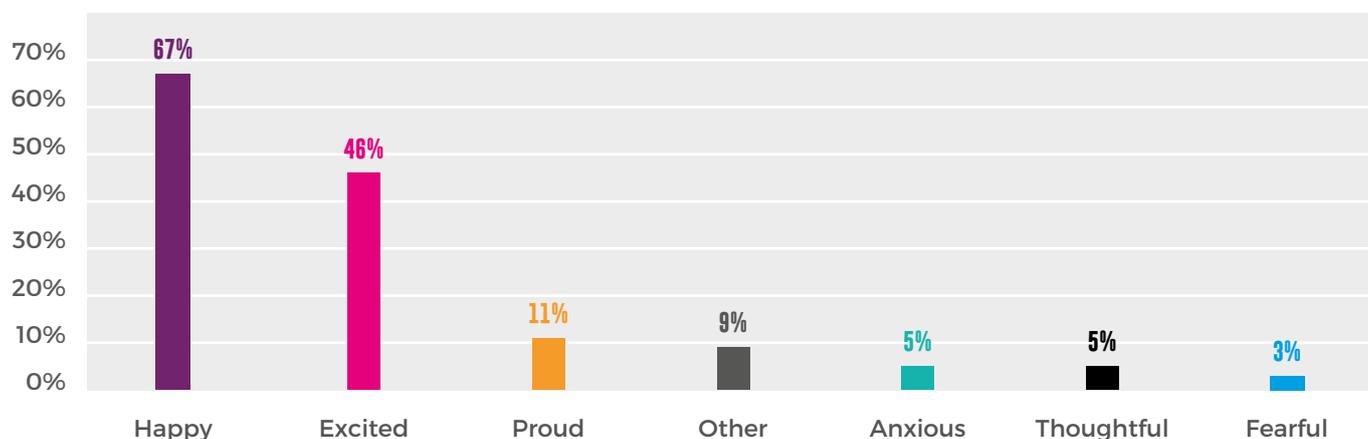
Base: Internet-using children aged 12-17 in Uganda. n = 1,016.

Figure 9: Children’s risk assessment of meeting someone online that they did not know in the past year.



Base: Internet-using children aged 12-17 in Uganda. n = 1,016.

Figure 10: How children felt the last time they met someone face-to-face whom they had first got to know on the internet.



Base: Children who met someone face-to-face that they first got to know online in the past year. n = 153 children.

Figure 10 shows that the great majority were happy about the experience of meeting someone face-to-face they had first got to know on the internet. Research done across more than 30 countries around the world has produced similar findings.<sup>64,65</sup>

There are clearly disparities between children's and caregivers' perceptions. Clearly, meeting someone you do not know face-to-face for the first time can be very risky. But there are many different types of such encounters, like connecting with new children in the community first online and then in person, or going to group events with caregivers. The experiences of most internet-using children in Uganda seem to indicate that the risk of harm from meeting someone you do not know face-to-face for the first time is relatively low. However, if harm occurs, it can be very severe. A child protection project officer from Somero Uganda recalled one such case: *"The [offender] was a champion in exploiting children sexually as he had various strategies that he used and one of them was identifying girls through Facebook. Then he'll send them messages, talk to them, you know make them his friend, then invite them home or take them for a drink. [...] the case went through and the [offender] was imprisoned."* (RA4-UG-05-A-Justice)

While many children in Uganda are aware that engaging with strangers online carries a level of risk, we need to ensure *all* children are informed and taught how to engage safely and responsibly.

#### Caregivers' responses to potentially risky behaviour

Cases such as the one cited above probably explain why caregivers are so worried. Adults tend to view all unknown people online as being ill-intentioned, whereas children's immersion in online platforms encourages them to regard strangers as new friends and contacts. For many caregivers, the natural reaction to online risks is to remove their children's devices or restrict their internet use in other ways in a bid to protect them from possible harm. When asked in the household survey what they would do if their child was bothered by something online, 35% of caregivers said they would restrict their child's internet access.

64. Smahel, D., MacHakova, H., Mascheroni, G., Dedkova, L., Staksrud, E., Olafsson, K., Livingstone, S., & Hasebrink, U. (2020). *EU Kids Online 2020: Survey results from 19 countries*. London School of Economics and Political Science, London, UK.

65. Livingstone, S., Kardefelt Winther, D., & Saeed, M. (2019). *Global Kids Online Comparative Report. Innocenti Research Report*. UNICEF Office of Research - Innocenti, Florence.

## 1.3 PERCEPTIONS AND EXPERIENCES OF RISKY ONLINE ACTIVITIES

### Is Restricting Children's Internet Access the Answer?

Many caregivers instinctively react to online risks by restricting children's internet use in a bid to protect them. Such *restrictive practices* are quite common in Uganda. For example, 23% of the children in the household survey reported that they are not allowed to use social media, and 19% are not allowed to watch videos online. In addition, 19% said that their caregivers often limit how long they can stay online (another 47% did so sometimes). Sixteen per cent also reported that they are unable to use the internet when they want to because of parental restriction. These were significantly more girls (20%) than boys (13%).

This approach might reduce children's exposure to online risks in the short term, but it also reduces their digital skills and familiarity with the online environment in the long term. On the other hand, *supportive engagement* by adults has been associated with positive skills development for children in other countries. Supportive mediation could include engaging in online activities

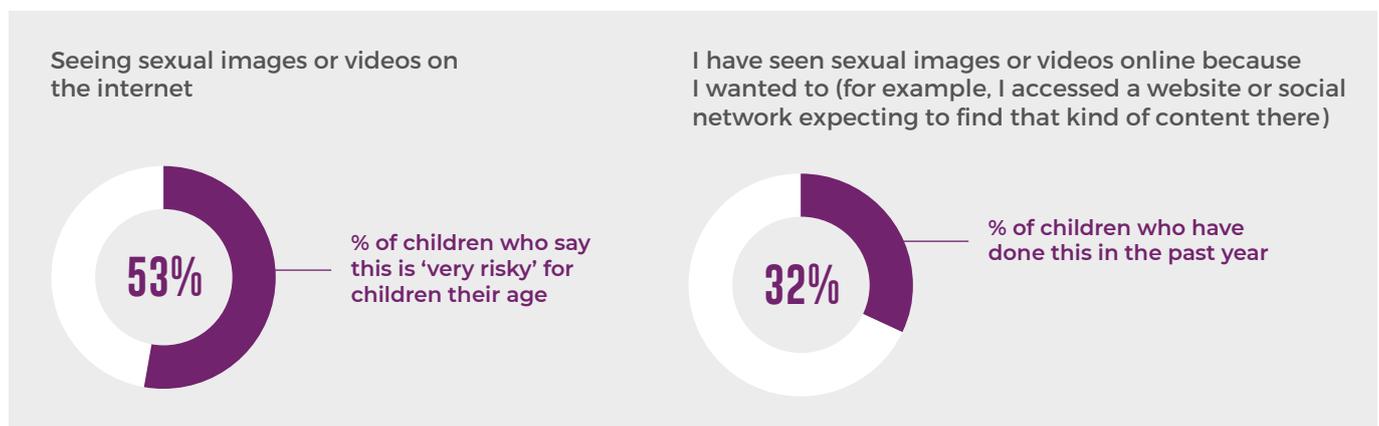
together, talking to children about their internet use, and educating them about the risks that exist online and how best to avoid them. In these ways, we allow children to benefit from the many useful activities and skills that the internet has to offer, while providing parental guidance and support.<sup>66</sup>

More than half (53%) of the internet-using children in Uganda have not received any information on how to stay safe online, including what to do if they are being bothered online, what content not to share online, and basic skills such as how to change their privacy settings. While caregivers in Uganda use the internet less frequently than their children and may worry that they do not have enough knowledge to guide them, they can still talk to their children about what they do online, risks in interacting with people, and provide an open and supportive environment that encourages help-seeking if concerns arise. Parents and caregivers should be supported to provide as much guidance as possible and this can be backed up and supplemented by other entities such as schools or specialised organisations.

### 1.3.2. Seeing sexual images online

As shown in figure 11, about half (53%) of the children surveyed believed that seeing sexual images or videos on the internet is 'very risky'.

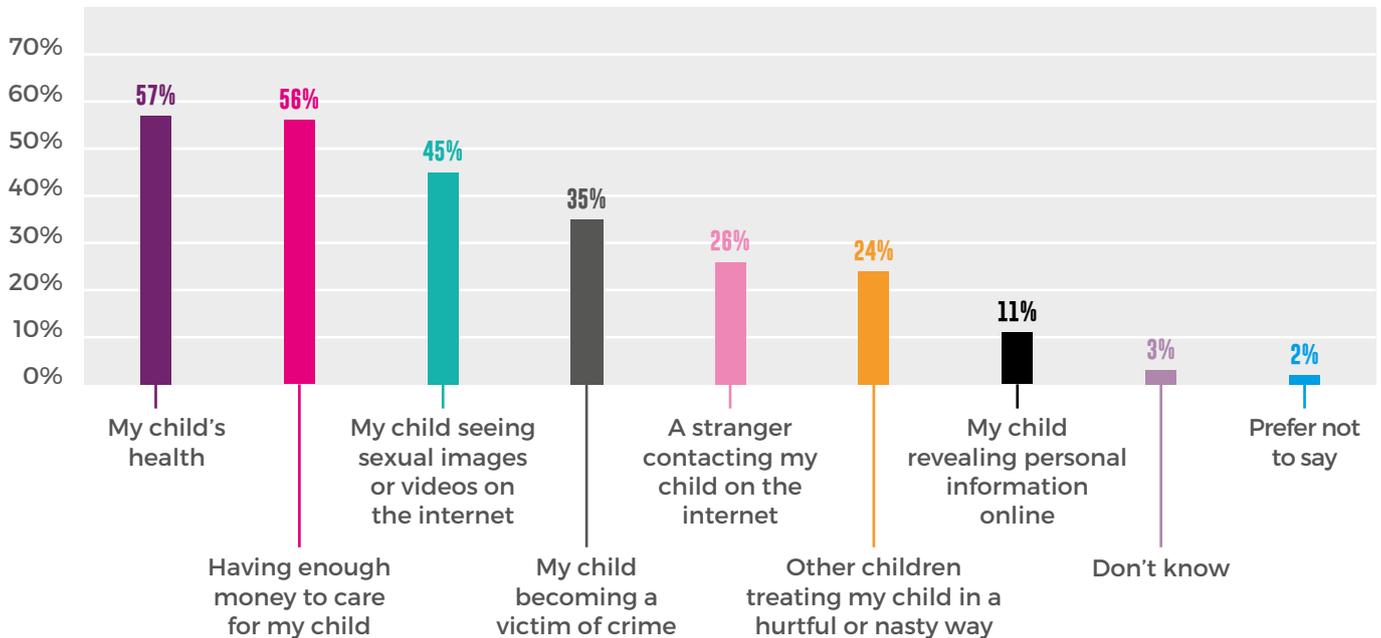
Figure 11: Children's risk assessment of seeing sexual images or videos online versus children who have actively looked for this content in the past year.



Base: Internet-using children aged 12-17 in Uganda. n = 1,016 children.

66. *Ibid.*

Figure 12: Caregivers' top concerns regarding their children.



Base: Caregivers of internet-using children aged 12-17 in Uganda. n = 1,016.

Among caregivers, the perception of risk was once again much higher: 87% considered seeing sexual images online 'very risky' for children. When asked to select their top three concerns for their children, 45% of the caregivers in the household survey chose "my child seeing sexual images or videos on the internet" as one of them. The only concerns that caregivers chose more frequently related to the child's health and their financial capacity to support them.

The great majority of the frontline workers who took part in the separate online survey considered "access and exposure to pornography" to be a factor that increases children's vulnerability to OCSEA.

Accidental or intentional glimpses of sexual content are one thing; being exposed to sexual images as part of a grooming process intended to desensitise the child and pave the way for subsequent requests for images or sexual acts, is another. While viewing violent or degrading sexual content, can serve to normalise harmful gender norms and sexual behaviour, seeing some pornography appears to be an increasingly present experience for young people.<sup>67</sup> Addressing both phenomena is needed.

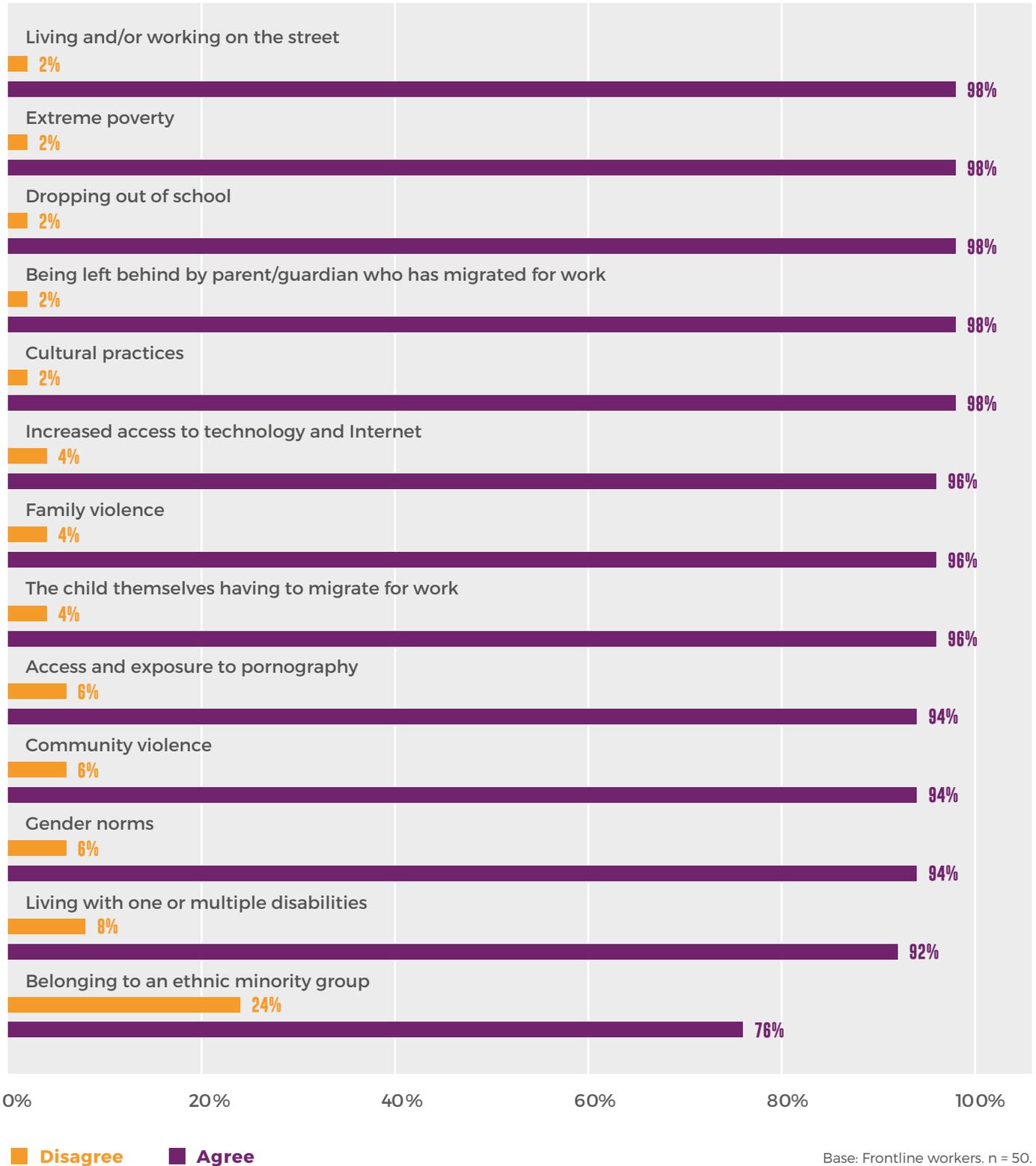
Of the internet-using children in the household survey, about one-third said that they had either "sometimes" or "often" seen sexual images or videos online *intentionally* within the past year. It is possible that children under-report seeing such images intentionally because it is a sensitive and private issue. Nearly half of the children said that they had either "sometimes" or "often" seen sexual images or videos online *by accident*. In general, older children aged 14-17 and boys were more likely to have had these experiences. The children who had seen sexual images or videos online by accident came across this content most frequently on social media, when using search engines, via direct messages and in online advertisements, in that order.

According to an OCSEA Counsellor of the Uganda Child Helpline, "The majority [of cases we receive] are exposure to adult pornography, then also online grooming for sexual purposes, whereby someone is grooming this child into the habit of sharing their naked pictures, making them feel like it is normal, but to meet them later, or maybe abusing them physically." (RA1-UG-03-A)

67. See for example, Crabbe, M. & Flood, M. (2021). [School based Education to Address Pornography's Influence in Young People: A proposed practice framework](#). American Journal of Sexuality Education.

### 1.3 PERCEPTIONS AND EXPERIENCES OF RISKY ONLINE ACTIVITIES

Figure 13: Frontline workers' perceptions of factors affecting children's vulnerability to OCSEA.



### 1.3.3 Making and sharing self-generated sexual content

#### The Rise in Self-Generated Sexual Content Involving Young People

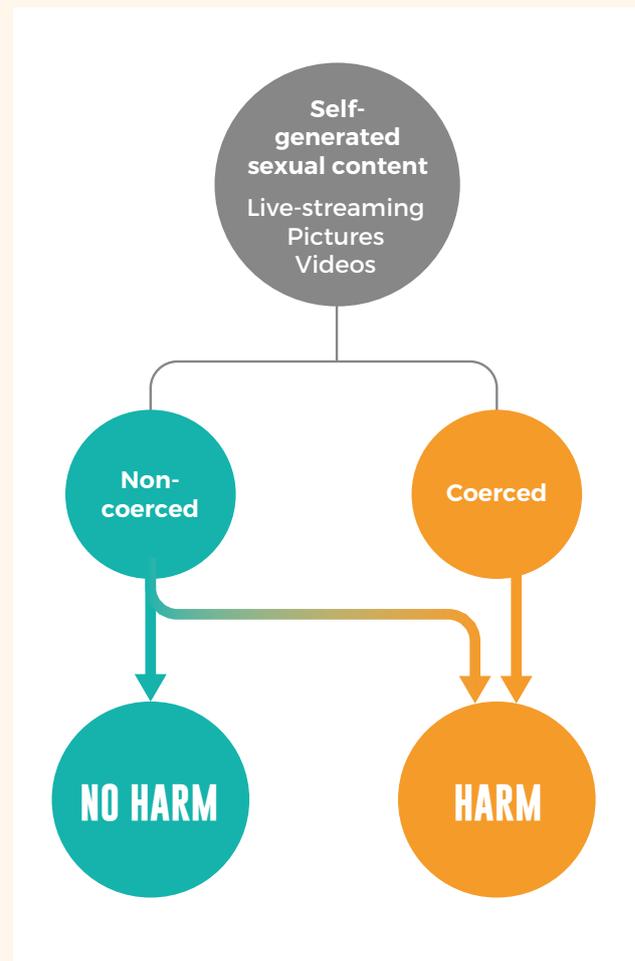
Around the world, the increasing use of technology is leading to shifts in notions of privacy and sexuality among children, particularly adolescents.<sup>68</sup> Forms of behaviour that are increasingly normative to young people can be bewildering for adults who grew up in a different time. For example, chatting and video live-streaming is frequent, whether among small private groups of friends or large, anonymous public audiences. While much of this is harmless, making and sharing self-generated sexual content using these tools is also increasing, and bringing significant risks.<sup>69</sup>

The sharing of self-generated sexual content by children is complex and includes a range of different experiences, risks, and harms. As the data show across all *Disrupting Harm* countries, some self-generated content is created and shared by adolescents willingly. Such exchanges are increasingly becoming part of young people's sexual experiences. However, the *Disrupting Harm* data also show that the creation and sharing of self-generated sexual content can be *coerced*, for example through grooming, threats, or peer-pressure (see [chapter 2.2](#)).

While coercion can clearly be seen as a crime and leads directly to harm, children who share images willingly can also face negative consequences.<sup>70,71</sup>

Victims who are coerced or manipulated into sharing sexual content may be reluctant to report their case for fear of being held responsible and maybe could have been criminalised under the former Anti-Pornography Act for the production of the content.<sup>72</sup> This adds an extra layer of complexity to the issue of self-generated sexual content by young people.

Figure 14: Mapping the consequences of sharing self-generated sexual content involving children.



[A proposed practice framework](#). American Journal of Sexuality Education.

68. Livingstone, S. & Mason, J. (2015). [Sexual Rights and Sexual Risks Among Youth Online: a review of existing knowledge regarding children and young people's developing sexuality in relation to new media environments](#). European NGO Alliance for Child Safety Online, London.

69. Thorn & Benson Strategy Group. (2020). [Self-Generated Child Sexual Abuse Material: Attitudes and Experiences](#).

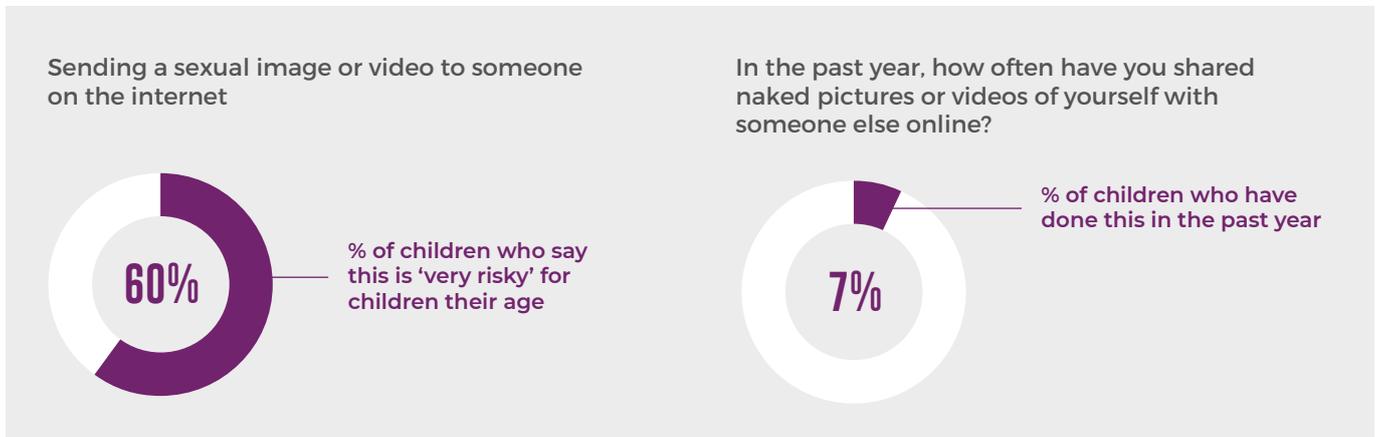
70. Bracket Foundation. (2019). [Artificial Intelligence: Combating Online Sexual Abuse of Children](#).

71. EUROPOL. (2019, 9 October). [Internet Organised Crime Threat Assessment 2019](#).

72. Republic of Uganda. (2014). [The former Anti-Pornography Act No. 20 of 2014](#). Section 13.

## 1.3 PERCEPTIONS AND EXPERIENCES OF RISKY ONLINE ACTIVITIES

Figure 15: Children’s risk assessment of sending sexual content online versus children who have engaged in this behavior in the past year.



Base: Internet-using children aged 12-17 in Uganda. n = 1,016 children.

As many as 60% of the internet-using children and 87% of the caregivers in the household survey in Uganda believed that it is “wrong” for a person to take naked images or videos of themselves. Nevertheless, 9% of the children (91 children) said they had taken naked pictures or videos of themselves in the past year. The true figure could be higher, as some children may have chosen not to mention such behaviour due to the stigma attached to it and the outlawing of pornography. In addition, 8% of children reported allowing someone else to take naked pictures or videos of them in the past year.

The children and caregivers in the household survey also concurred that it is risky to share sexual images online. Among the children, 60% thought it ‘very risky’. However, 17% did not find it risky at all.

In practice, 7% of the children said that they had shared naked pictures or videos of themselves online in the past year, with no major variations by age.

### Reasons for sharing self-generated sexual content:

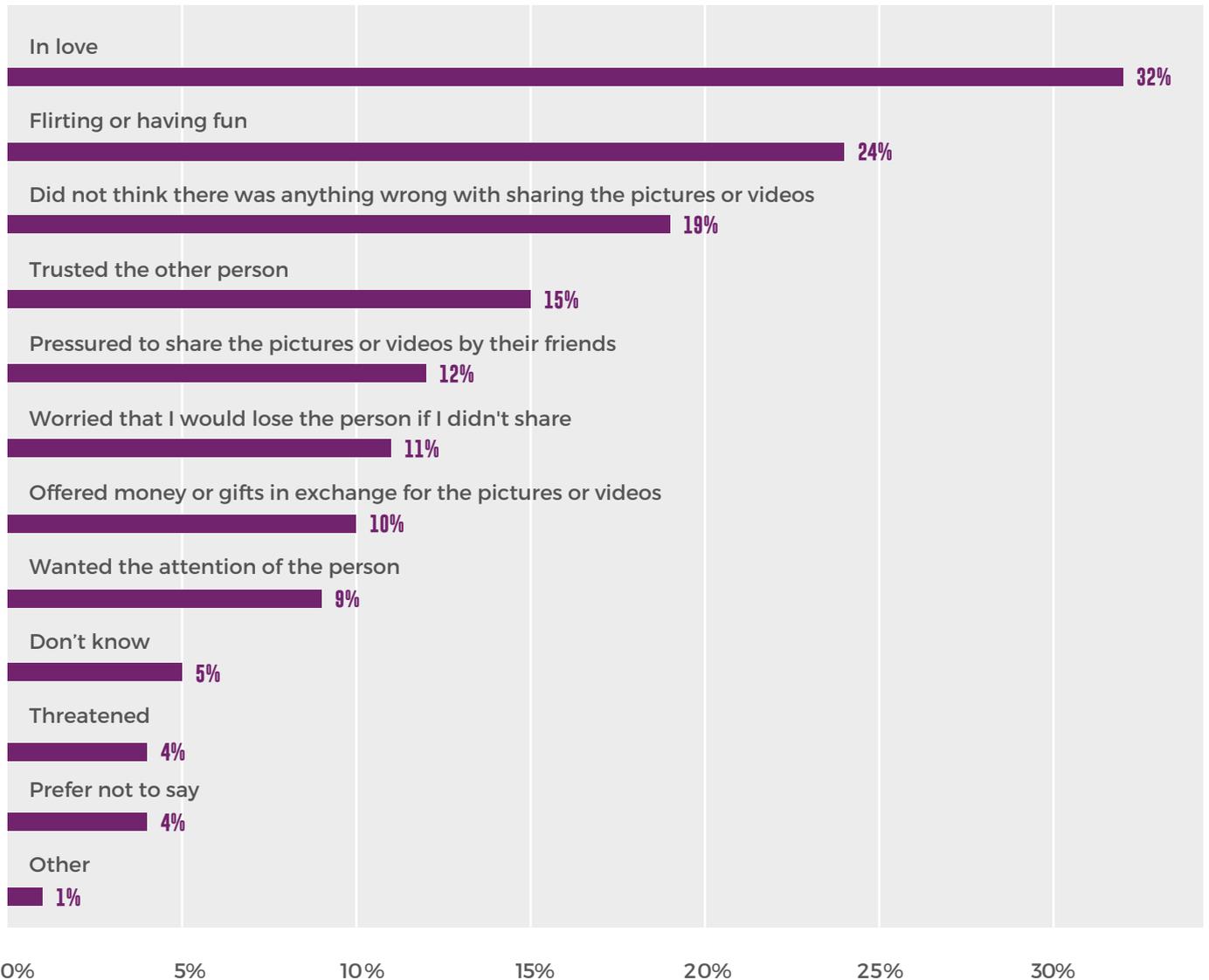
The main reasons given by the 74 children in the Uganda household survey who said they had shared sexual images or videos of themselves was because they were in love, flirting and having fun, they trusted the other person, and because they found nothing wrong with sharing such images (see Figure 16).

The fact remains that 10-12% of the Ugandan children who had shared self-generated content said they had done so under pressure from friends, out of fear of losing the person they were communicating with or in exchange for money or gifts. Figures from the survey are representative of 12-17-year-old internet users. When scaled up to this population of children, the numbers are far greater.

### Persons with whom self-generated sexual content was shared:

Among the 74 children that had shared naked images of themselves, 70% shared them with a romantic partner such as an (ex-)girlfriend or boyfriend or with a friend or someone else they knew in person. However, 13% had sent self-generated sexual images to an unknown person online who had no other connection to their life.

Figure 16: Reasons given by children who have shared naked images of themselves in the past year.



Base: Children who have shared naked images or videos of themselves in the past year. n = 74.

# 2. ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE IN UGANDA

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Following on from children's perceptions of, and participation in, various risky online practices, this chapter will turn to the wthreat of online child sexual exploitation and abuse in Uganda. *Disrupting Harm* draws on a variety of sources - including law enforcement data, mandated reports from U.S.-based technology companies to NCMEC related to Uganda, surveys with frontline workers, and surveys, interviews, and conversations with children themselves - to create a well-rounded presentation of the nature of these crimes against children.

## 2. ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE IN UGANDA

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**This chapter presents national law enforcement data related to OCSEA (chapter 2.1), followed by estimates of the occurrence of certain instances of OCSEA based on children’s self-reported experiences (chapter 2.2 and 2.3). The purpose of these estimates is not to provide a conclusive picture of the prevalence of OCSEA. There are several reasons for this. Firstly, the existing administrative data accessed, such as that kept by law enforcement authorities, rarely delineates, or classifies OCSEA elements. Secondly, with respect to the household survey, a degree of under-reporting is to be expected due to privacy concerns, taboos and stigma around sexual exploitation and abuse as well as fear of self-incrimination as some practices are criminalised. Furthermore, in households where sexual abuse occurs, it is less likely to be given permission to talk to the children in such a survey. Finally, many estimates are based on analysis of sub-samples of the household survey data which are small because OCSEA is still a rarely reported phenomenon, which results in a larger margin of error.**

While *Disrupting Harm* has full confidence in the data and the quality of the sample obtained, the challenges of researching specific and sensitive phenomena means the loss of some precision in the final estimate. For these reasons, it is suggested that

the reader interprets the findings in this chapter as a *good approximation* of the incidence of certain crimes against children related to OCSEA in Uganda and the extent to which internet-using 12-17-year-old children in Uganda are subjected to OCSEA.

# 2.1 LAW ENFORCEMENT DATA

The analysis in this chapter draws on qualitative and quantitative data from law enforcement authorities and several partner organisations with a view to understanding offences relevant to OCSEA that were recorded in the country, offender and victim behaviours, crime enablers and vulnerabilities.

Figure 17: Numbers of selected criminal offences recorded by year.

Offence	2017	2018	2019	Total
Assault	36,541	36,323	31,895	104,759
Aggravated Assault	5,732	6,584	6,188	18,504
Defilement	14,985	15,366	13,613	43,964
Rape	1,335	1,580	1,528	4,443
Domestic Violence	15,325	13,916	13,693	42,934
Children Offences	10,021	11,589	10,596	32,206
Trafficking in Persons	54	286	120	460
Incest	79	0	0	79
Kidnap	0	184	159	343
<b>Total Offences/Year</b>	<b>84,072</b>	<b>85,828</b>	<b>77,792</b>	<b>247,692</b>

Base: Data supplied by Ugandan law enforcement authorities.

## 2.1.1 Recorded OCSEA offences

In response to the request of the research team for statistical data on OCSEA offences, an interviewee from the Ugandan law enforcement authorities told *Disrupting Harm* researchers that “[OCSEA cases] are not reflected in our statistics not because they are not there, but they are not disaggregated due to the fact that we don’t have a specific law. Most of them are recorded under Defilement and Human Trafficking.” (RA7-UG)

Data provided by the Ugandan law enforcement authorities on the numbers of various crimes which could include child sexual exploitation and abuse related offences (with or without an online component) are given in Figure 17.

## Defilement cases

As suggested by one interviewee, most sexual offences against children, including OCSEA, fall under the category of “defilement”. While the term “defilement” is outdated, it is used both in the law and common parlance. Defilement is defined as a sexual act with another person who is below the age of eighteen years.<sup>73</sup> While some sexual offences against children appear to have been recorded under various other categories, such as rape, children offences and trafficking,<sup>74, 75</sup> defilement offence numbers are a useful indicator of child sexual exploitation and abuse in Uganda. This category may include consensual teenage sexual activity.

73. Republic of Uganda. (1950). [The Penal Code Act 1950](#). Last amended in 2014. Section 129(1). A “sexual act” is defined as “a) penetration of the vagina, mouth or anus, however slight, of any person by a sexual organ; (b) the unlawful use of any object or organ by a person on another person’s sexual organ.”

74. It is unclear from the data supplied what ‘Children Offences’ refers to. The Ugandan Police Annual Crime Reports include the following under ‘Child Related Offences’: Child Neglect, Child Desertion, Child Stealing, Child Trafficking, Child Abduction, Child Kidnap, Child Disappearance/ Missing, Child Abuse/Torture, Infanticide, and Abortion. See for example, Uganda Police. (2017). [Annual Crime Report 2017](#). 22. Likewise, the extent to which Trafficking in Persons statistics supplied by the Ugandan law enforcement authorities include offences of child trafficking for sexual purposes is unclear.

75. See also the information on victims below.

“ [OCSEA cases] are not reflected in our statistics not because they are not there, but they are not disaggregated due to the fact that we don't have a specific law. Most of them are recorded under Defilement and Human Trafficking.

” The number of defilement offences recorded by the Ugandan law enforcement authorities appears to have remained relatively stable between 2017 and 2019. In 2018 and 2019, the Annual Crime Reports of the Ugandan Police Force<sup>76</sup> distinguished between offences of simple defilement and aggravated defilement as shown in Figure 18.

Figure 18: Defilement offences, 2018 and 2019.

	2018	2019
Simple Defilement	11,586	10,489
Aggravated Defilement	3,780	3,124
<b>Total</b>	<b>15,366</b>	<b>13,613</b>

Source: Uganda Police Force Annual Crime Reports.

Aggravated defilement occurs when: (a) the victims is below 14 years of age; (b) the offender has HIV; (c) the offender is the parent or guardian of the victim; (d) the victim is a person with a disability, or (e) the offender has previous convictions for defilement.<sup>77</sup> Unlike simple defilement, for which the maximum penalty is life imprisonment,<sup>78</sup> individuals convicted for aggravated defilement can be subject to the death penalty.<sup>79</sup>

Aggravated defilement accounted for 25% of defilement offences in 2018 and 23% in 2019. The breakdown of these offences by aggravating factor provides additional insight into abuse settings and situational vulnerabilities (see Figure 19). The figures do not add up to the total cases of aggravated defilement in figure 18. A case involving one victim could be associated with multiple charges.

Figure 19: Aggravated defilement offences by aggravating factor, 2018–2019.

Aggravated Defilement Aggravating factor	Number of victims	
	2018	2019
Defiled by Suspects who are HIV positive	201	390
Defiled by Guardians	115	249
Defiled by Teachers (Pupils)	92	113
Defiled by Teachers (Students)	90	64
Victims with Disability defiled	90	126
Defiled by Parents	84	84

Source: Uganda Police Force Annual Crime Reports.

### Concerns of law enforcement officers

When interviewed, the Ugandan law enforcement authorities raised the issue of an “*Inadequate legal framework where the existing pieces of legislation are scattered and not comprehensive enough to address all issues related online.*” (RA7-UG) The National Coordinator for the Uganda Child Helpline under the Ministry of Gender, Labour and Social Development also noted this gap: “*The laws are not so clear. [...] so even with the police, when we tell them this is a crime, they will say – show me where in the law it is a crime. [...] Even then they want something that they can easily use to arrest or explain why they arrested the person.*” (RA1-UG-05-A)

Police also expressed the concern that “*Given the worrying experience in Europe and the increase in use of smartphones and computers in Uganda, there are suspicions that many Ugandan children are already victims of the crime [OCSEA].*” (RA7-UG)

76. See: Uganda Police. (2017). [Annual Crime Report 2017](#); Uganda Police. (2018). [Annual Crime Report 2018](#); Uganda Police. (2019). [Annual Crime Report 2019](#).

77. Republic of Uganda. (1950). [The Penal Code Act 1950](#). Last amended in 2014. Article 129 (3) and (4).

78. Republic of Uganda. (1950). [The Penal Code Act 1950](#). Last amended in 2014. Article 129 (1).

79. Republic of Uganda. (1950). [The Penal Code Act 1950](#).

## 2.1 LAW ENFORCEMENT DATA

Figure 20: CyberTips concerning suspected child sexual exploitation in Uganda.

	2017	2018	2019	% change 2017-2018	% change 2018-2019	% change 2017-2019
Uganda	6,823	8,162	4,976	20%	-39%	-27%
Global Total	10,214,753	18,462,424	16,987,361	81%	-8%	66%
Uganda % of Global Total	0.07%	0.04%	0.03%			

Base: NCMEC CyberTips

### 2.1.2 Missing data on CSAM-related offences

Meanwhile, the assumption that OCSEA-related crimes cannot be disaggregated due to the lack of a specific law may only be valid for instances of offline child sexual exploitation and abuse assisted by technology, such as online grooming or the facilitation of travelling child sex offending. For crimes related to child sexual abuse material (CSAM), it might be possible to generate statistics, since CSAM is criminalised under the Computer Misuse Act and was as well under the former Anti-Pornography Act. Furthermore, there are NCMEC CyberTipline reports (CyberTips) for Uganda for the years 2017, 2018 and 2019 (see Figure 20), and at least one foreign law enforcement agency which reported making a referral to Uganda related to online child sexual exploitation offences in the time period 2017-2019.

### 2.1.3. International OCSEA detections and referrals

U.S. federal law requires that ‘electronic service providers’ (i.e. technology companies) based in the United States report instances of suspected child exploitation on their platforms to NCMEC’s CyberTipline. NCMEC triages these reports and passes the CyberTips on to relevant countries’ national law enforcement for action. For providers not based in the United States, this reporting is voluntary. As not all platforms report suspected child exploitation to NCMEC, the data below do not encompass several platforms popular in the *Disrupting Harm* focus countries.

### Trends in CyberTips for Uganda

Most CyberTips include geographic indicators related to the upload location of CSAM.<sup>80</sup> The numbers of CyberTips concerning apparent CSAM uploads from Uganda are now lower than in 2017, whereas the number of reports worldwide is far higher (see Figure 20).<sup>81</sup>

Uganda has a consistently low proportion of global CyberTips, an average of 0.05% in the years 2017-2019. This is lower than might be expected, given that Uganda accounted for 0.57% of the world’s population, and 0.48% of the world’s internet-using population according to United Nations and International Telecommunications Union estimates.<sup>82</sup>

Analysis of the types of incidents reported to NCMEC reveals that the possession, manufacture, and distribution of CSAM (referred to in U.S. legislation as ‘child pornography’) accounted for all but three of Uganda’s reports in 2017-2019. None of the CyberTips for Uganda were classified as Priority 1 – a child in imminent danger.

80. It is important to note that country-specific numbers may be impacted by the use of proxies and anonymisers. In addition, due to variance of law, each country must apply its own national laws when assessing the illegality of the reported content.

81. NCMEC. (n.d.). [CyberTip country comparisons for 2019 and 2020](#). NB: The reduction in reports in 2019 was observed in many countries and is to a large extent explained by improvements to Electronic Service Providers’ reporting procedures, including the ability to attach multiple files to a single report. Taking into consideration that only some of the largest global (mainly U.S.) platforms report to NCMEC, the data produced in this table should not be read as equating to the absolute extent of OCSEA in Uganda.

82. International Telecommunications Union ITU. (n.d.). [Statistics](#).

Figure 21: CyberTips concerning suspected child sexual exploitation in Uganda, by reporting electronic service provider.<sup>83</sup>

Reporting Electronic Service Provider	2017	2018	2019	% of 2019 Total
Facebook	6,640	7,954	4,662	93.69%
Google	102	83	172	3.46%
Instagram Inc.	64	103	105	2.11%
Snapchat	-	-	14	
WhatsApp Inc.	6	16	10	
Tagged.com	1	-	3	
Twitter Inc. / Vine.co	1	1	2	
Discord Inc.	-	-	1	
Gaggle.Net Inc.	-	-	1	
Imgur LLC	-	-	1	
Omegle.com LLC	-	-	1	
SmugMug-Flickr	-	-	1	
Tumblr	-	-	1	
Yahoo! Inc	2	-	1	
Younow.com	-	-	1	
4chan community support LLC	-	1	-	
Microsoft - Online Operations	-	1	-	
YouTube Inc.	5	-	-	

Source: NCMEC CyberTips with null results removed.

### Platforms submitting reports for Uganda

A total of 18 electronic service providers submitted at least one report of suspected child exploitation for Uganda in 2017–2019 (see Figure 21).

Facebook submitted 97% of total reports for 2017–2019 and 94% of reports in 2019. Nevertheless, the number of Facebook reports for Uganda declined by 30% between 2017 and 2019 whereas the number of reports from Google and Instagram increased by 69% and 64% respectively. It is also worth noting that:

- The appearance of *Discord*, often used to facilitate gaming chat, in the data may reflect early adoption of tools and apps requiring greater bandwidth.
- Reports from randomised video chat service *Omegle* and live video broadcast platform *You Now* suggest at least some level of engagement with live-streamed CSEA.
- Multiple reports from *Tagged.com* speak to the misuse of over-18 dating sites for suspected distribution of child sexual abuse material.
- A report from anonymous image-based bulletin board *4chan* may also indicate the presence of OCSEA offenders with a level of technical sophistication and specialist interest in Uganda.

83. Data for reports from YouTube for 2019 appear to be lacking for all the *Disrupting Harm* focus countries. It is unclear whether this reflects zero suspected OCSEA events on the platform in that year, or whether YouTube events were included in the total for parent company Google in 2019.

## 2.1 LAW ENFORCEMENT DATA

Figure 22: CyberTips concerning suspected child sexual exploitation in Uganda: number of unique upload IP addresses by year.<sup>84</sup>

	2017	2018	2019	% Change 2017-2019	% Change 2018-2019
Uganda Unique Upload IP Addresses	2,863	3,756	3,220	12%	-14%
Total Uganda Reports	6,823	8,162	4,976	-27%	-39%
Reports per Unique IP Address	2.38	2.17	1.55	-35%	-29%

Base: NCMEC CyberTips.

### Number of IP addresses reported

NCMEC CyberTips also show the numbers of unique Internet Protocol (IP) addresses used to engage in suspected child exploitation (see Figure 22). An IP address is assigned to each individual device on a specific network at a specific time. Multiple reports per IP address can indicate that suspects (or at least their devices) are engaged in multiple offences of CSAM distribution during the same online session. A low average number of reports per IP address over the reporting period would appear to indicate that Ugandan offenders are on average engaged in a small number of CSAM uploads in a single online session on those platforms reporting to NCMEC.

### 2.1.4. Locations of abuse

According to the Annual Crime Report of the Ugandan National Police for 2018, 53% of the alleged defilement offences (8,217 offences) in that year occurred in rural locations, 46% (7,107 offences) in urban locations and less than 1% (42 offences) on the highway. The Annual Crime Reports for 2017, 2018 and 2019 also provide data on the police regions and districts in which the highest numbers of defilement offences occurred. Based on this exemplary detailed analysis, four districts are consistently ranked among the top ten for defilement offences – namely: Lira (North Kyoga); Mbale (Elgon); Arua (West Nile), and Mayuge (Busoga East).

### 2.1.5. Locations for online offending

**Cybercafes:** The Ugandan law enforcement authorities highlighted the lack of regulation of cybercafe operations as a potential facilitator for OCSEA offenders. In fact, the former Anti-Pornography Act allowed the Pornography Control Committee, the court, or a police officer not below the rank of superintendent to issue a written order directing a proprietor of any business or place dealing in computers, telephones or other medium for transmitting electronic information or a proprietor of any business or place dealing in leisure or entertainment to desist from dealing in pornography.<sup>85</sup> Such a blanket ban would of course include OCSEA. However, the Act does not specify the prevention measures to be taken or the liabilities of such businesses.

**CSAM web hosting:** Uganda has not been identified as a hosting country for images and videos assessed as illegal by INHOPE member hotlines reporting CSAM hosting to the ICCAM platform.<sup>86</sup> Moreover, the Internet Watch Foundation actioned no reports concerning confirmed CSAM hosting in Uganda in the calendar years 2017, 2018, and 2019. Since data pertaining to the ICCAM project is limited to submissions from INHOPE member hotlines, and since the Internet Watch Foundation operates primarily as the United Kingdom’s CSAM hotline, this should not be taken as evidence of an absence of CSAM hosting in the country.

84. NB: the same IP address may be counted in more than one year, and a report can contain more than one unique IP address. Technical measures by Internet Service Providers including the dynamic assignment of IP addresses and the sharing of IP version 4 addresses across a large number of devices can also have an impact on the number of unique IP addresses logged.

85. Republic of Uganda. (2014). *The former Anti-Pornography Act No. 20 of 2014*, Section 16(1).

86. InHope. (2021). *What is ICCAM & Why is it important?*

**Peer-to-peer networks:** Data from the Child Rescue Coalition, which operates the Child Protection System for detecting distribution of CSAM on peer-to-peer file-sharing networks, reveals that only four Ugandan IP addresses were found to be engaged in peer-to-peer distribution or downloading of CSAM in the period from 9 June 2019 to 8 June 2020. Since the Child Protection System does not monitor all file-sharing networks, this figure should be treated with caution. That said, CSAM distribution on the peer-to-peer networks monitored would appear to be much less popular in Uganda than in several other *Disrupting Harm* focus countries in Africa (see Figure 23). Given that NCMEC data point to several thousand instances of suspected CSAM possession, manufacture, and distribution in Uganda in 2017, 2018 and 2019, Ugandan CSAM offenders appear to prefer globally popular U.S.-based platforms to peer-to-peer file-sharing networks.

**Figure 23: CSAM distribution and downloading from *Disrupting Harm* focus countries, observed on peer-to-peer file sharing networks by the Child Rescue Coalition.**

	IP Addresses	Globally Unique Identifiers (GUIDs)
Ethiopia	7	4
Kenya	76	24
Mozambique	6	10
Namibia	94	117
Rwanda	2	1
South Africa	2,413	842
Tanzania	47	5
Uganda	4	4

Source: Data provided by Child Rescue Coalition for the period of 9th June 2019 to 8th June 2020

“ Uganda has not been identified as a hosting country for images and videos assessed as illegal by INHOPE member hotlines.

” **Web searches for CSAM:** Research was conducted on Google Trends,<sup>87</sup> with a view to identifying levels of interest in CSAM in Uganda. In the first instance, a sample of 20 terms selected by the INTERPOL Crimes Against Children team served as keywords and phrases for interest in CSAM. Queries for the time period 1 January 2017 to 31 December 2019 regarding searches in Uganda returned a result of ‘not enough data’ for each of these 20 terms.

Returns of ‘not enough data’ equate with a relative popularity score of zero, indicating a comparatively low level of interest in that term (rather than to no search results at all) within the geographical and time limits set.<sup>88</sup> This suggests that globally popular CSAM search terms may be used less in Uganda than in some other countries. While it may also be argued that more sophisticated CSAM offenders are less likely to search on the open web, the relative popularity of some of the terms in the INTERPOL sample in other countries would suggest that open web searches are still used for CSAM discovery.

87. [Google Trends](#) is a publicly available tool that returns results on the popularity of search terms and strings relative to others within set parameters. Rather than displaying total search volumes, the tool calculates a score (on a range of 1 to 100) for relative popularity based on the ratio of searches using the selected term or string to the total number of searches using all terms/strings within the geographical and time parameters set. For more information on data and scoring, see [“FAQ about Google Trends data”](#).

88. Ramadanti, D. (2020). [Telling stories with Google Trends using Pytrends in Python](#).

## 2.1 LAW ENFORCEMENT DATA

“ Globally popular child sexual exploitation material search terms may be used less in Uganda than in some other countries.

” Less specialist, more ‘entry level’ searches related to OCSEA were present in Uganda in the reporting period, including English-language searches for image and video content depicting sexual activity with and between teenagers, with children, and with babies. Related searches for particular formats such as ‘high-definition video’, for ‘amateur’, self-produced material, and for material recording familial abuse appear to indicate that some web searchers in Uganda have specific requirements reflective of a more persistent and active interest in CSAM that has progressed beyond initial curiosity.

Although individuals in Uganda looking for CSAM may search in languages other than English, there is no information on the use of search terms in local languages and slang.

### 2.1.6. Links to travel and tourism

Data on travelling child sex offenders can also serve as an indication of OCSEA as these offenders often record the abuse for their own use or for further distribution. They may also use communications technology to groom or procure children for offline abuse, or to maintain relations with children they have already abused offline.

Available data suggests that convicted child sex offenders are travelling to Uganda, albeit in lower numbers than to some other *Disrupting Harm* focus countries. In some countries, convicted sex offenders are required to notify a central authority of overseas travel. Data from one foreign law enforcement agency shows that two notifications to their national sex offender registry concerned travel to Uganda between 2015 and 2020, representing just 0.03% of total notifications in that period, and 3.2% of notifications concerning the *Disrupting Harm* focus countries in Southern and Eastern Africa.<sup>89</sup> In addition, United States Homeland Security Investigations Angel Watch Centre provides referrals to officials in destination countries on convicted U.S. child sex offenders who have confirmed scheduled travel. Eleven referrals were made to Uganda in 2017–2020, representing 7.3% of the total number of referrals to *Disrupting Harm* focus countries in Southern and Eastern Africa. None were reported to have been denied entry.

“ Available data suggests that convicted child sex offenders are travelling to Uganda, albeit in lower numbers than to some other *Disrupting Harm* focus countries.

”

89. INTERPOL requested data and qualitative insights from several foreign law enforcement agencies with intelligence on or outreach activities in the focus countries. In line with intelligence handling protocols and data protection requirements, some of these sources have been anonymised.

## 2.2 CHILDREN'S EXPERIENCES OF CHILD SEXUAL EXPLOITATION AND ABUSE IN UGANDA

Under the *Disrupting Harm* project, OCSEA is defined specifically to include CSAM, live-streaming of child sexual abuse and online grooming of children for sexual purposes. These concepts are used here to organise and present the results of the research. At the same time, the ways in which children are subjected to OCSEA are far more complex and nuanced. The experiences or offences in question often occur in combination or in sequence. Moreover, as explored in the box *The Continuum of Online and Offline Child Sexual Exploitation and Abuse* on page 62, OCSEA does not only occur in the digital environment; digital technology can also be used as a tool to facilitate or record offline sexual exploitation and abuse.

### 2.2.1 Online grooming

*Disrupting Harm* defines online grooming as engaging a child via technology with the intent of sexually abusing or exploiting the child. This may happen either completely online or partly online and partly in person.

Online grooming is a complex concept which is often highly fluid and difficult to detect, especially if it involves a gradual building of trust between the offender and the child over an extended period. The grooming process often involves 'preparing' the child for sexual abuse and making the child engage in sexual acts online or in person by means of deceit, coercion, or threats.

**Our conversations with survivors illustrated some of the ways that offenders build trust as they groom potential victims, for example, this survivor from Namibia explains:**

*“He was somehow allowing me into his life because how I felt at that time, is that I wanted to get married very young, I wanted to be settled very young. So, all the things he was saying it's like he already knew what I wanted without me saying it. This made it easier for me to feel comfortable talking to him and he made me feel safe.”*

RA5-NA-04-A

However, the process can also be abrupt, with an offender suddenly requesting or pressuring a child to share sexual content or to engage in sexual acts. To explore all forms of grooming, the household survey questions explored a range of manifestations from conversations about sex to requests for naked images and for face-to-face meetings with the intent to engage in sexual activity.

#### Legislation on grooming

At the time of writing, Ugandan law does not specifically criminalise the grooming of children for sexual purposes. Although in 2016 the Uganda Law Reform Commission recommended that the legislature explore the possibility of specific legislation criminalising sexual grooming,<sup>90</sup> a senior legal officer from the same commission interviewed in September 2020 indicated that the law review process is still ongoing and that it will look at online grooming with a broader focus that will include all emerging forms of OCSEA. According to the legal officer, the commission has undertaken and almost finalised a study of grooming. However, this study was not available to the research team at the time this report was written. (RA1-UG-10-A)

90. Uganda Law Reform Commission. (2016). *Draft Issue Paper on Grooming for Sexual Conduct*, 34.

## 2.2 CHILDREN'S EXPERIENCES OF CHILD SEXUAL EXPLOITATION AND ABUSE IN UGANDA

The legal officer explained: *“Right now we are using the existing legislation, defilement, to charge online grooming of children for sexual purposes, which is after the fact, not that process of getting these children to this level.”* (RA1-UG-10-A) This appears to indicate that cases of online grooming which do not expand into an in-person meeting involving physical abuse would not be brought to Court. Yet according to the Assistant Director of Public Prosecutions of the office of the Director of Public Prosecutions, the issue is on the rise: *“Online grooming is kind of coming up, but increasingly we see a lot of live-streaming, but the challenge is [...] getting the proper evidence for it.”* (RA1-UG-02-A)

### Potential grooming – children asked to talk about sex

According to the household survey with 1,016 internet-using children in Uganda, 21% had received unwanted requests to talk about sex or sexual acts within the past year. These were mostly older children (15–17-year-old), with no notable difference by gender. These experiences may have been relatively inconsequential. On the other hand, these experiences could also indicate malicious instances of attempted grooming; therefore, it is reported on here and *Disrupting Harm* describes the figures above as instances of potential (versus actual) grooming.

**Online or offline?** Of the 216 children in the household survey who had received unwanted requests to talk about sex within the past year, nearly half had received the most recent request face-to-face but 32% had been asked to talk about sex via social media and 8% while playing online games. Requests on social media mainly came through Facebook (including Messenger) followed by WhatsApp. These are the most popular social media apps among children in Uganda.

**How children feel?** Most children receiving unwanted requests to talk about sex felt negatively about it and only 22% said this did not affect them. The most common negative feelings cited by these children were feelings of embarrassment or annoyance. Other children said they felt angry, betrayed, guilty, distressed, and scared.

**How do children respond?** Of the 216 children in the sample who received unwanted requests to talk about sex, 57% refused to do so. Instead, they responded by blocking the offender (15%) and/or deleting any messages from them (10%), while others ignored the problem and hoped it would go away (13%) or stopped using the internet for a while (10%).

Nevertheless, 12% of children (26 children), particularly younger children, complied with requests to talk about sex.

**Who makes the requests?** Children were most likely to receive unwanted requests to talk about sex from an adult friend or acquaintance (31%), a current or former romantic partner (20%), a friend or acquaintance under 18 years old (19%) or a new friend or acquaintance (15%). Some children (9%) cited a family member.



**Boys and younger children were the most likely not to tell anyone.**



**Whom do children tell – if anyone?** Most of the 216 children who received unwanted requests to talk about sex either told a friend about it (37%) or did not tell anyone (30%). Boys and younger children were the most likely not to tell anyone. About one child in four (24%) told a caregiver. Girls and younger children were more likely to talk to their mothers and boys aged 14–15 to their fathers. Very few children spoke to a teacher or another adult. The most common reason given by children for not disclosing unwanted requests for conversations about sex or sexual images was not knowing where to go or whom to tell. This was followed by feeling embarrassed, ashamed or that it would be emotionally too difficult to tell. Some of the children did not think it serious enough to report, were worried they would get into trouble or felt they had done something wrong.

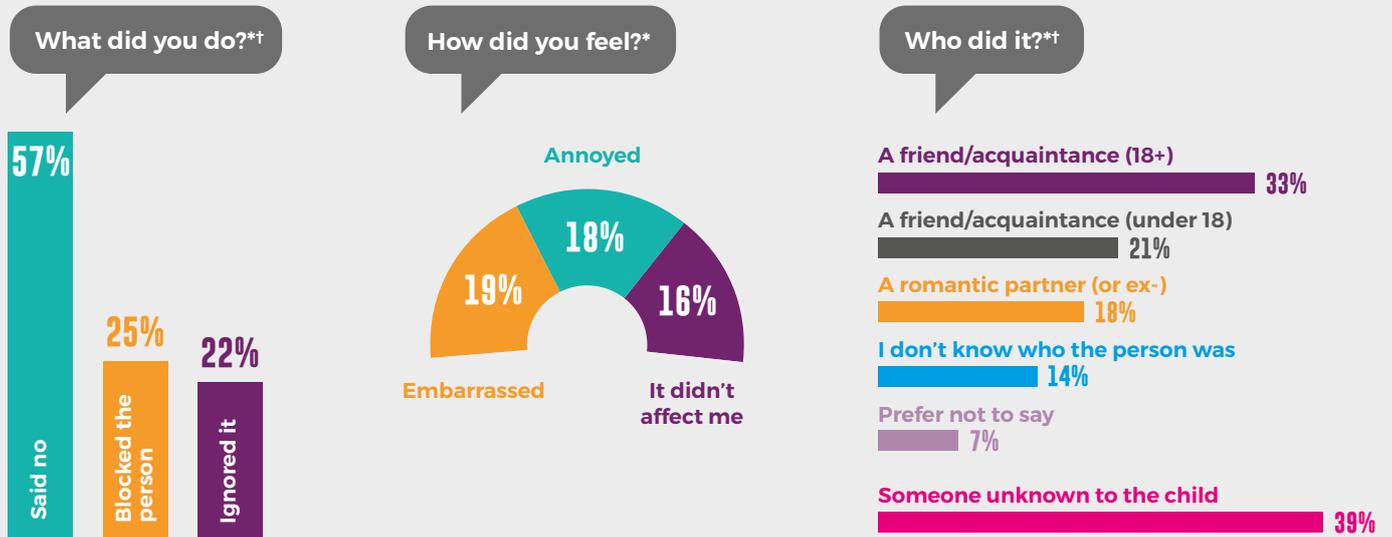
# IN THE PAST YEAR I HAVE BEEN ASKED TO TALK ABOUT SEX WHEN I DID NOT WANT TO

**YES 21%**

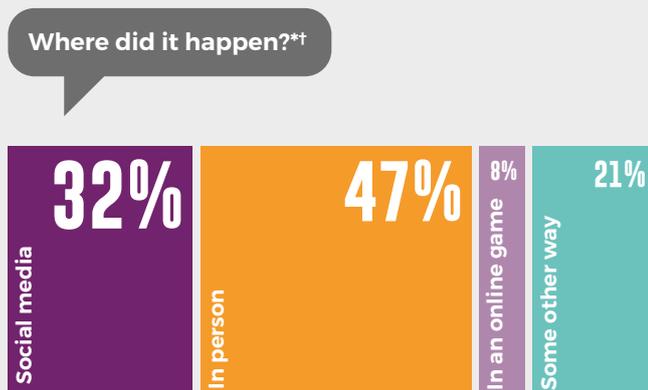
Base: Internet using children 12-17  
n = 1,016 children



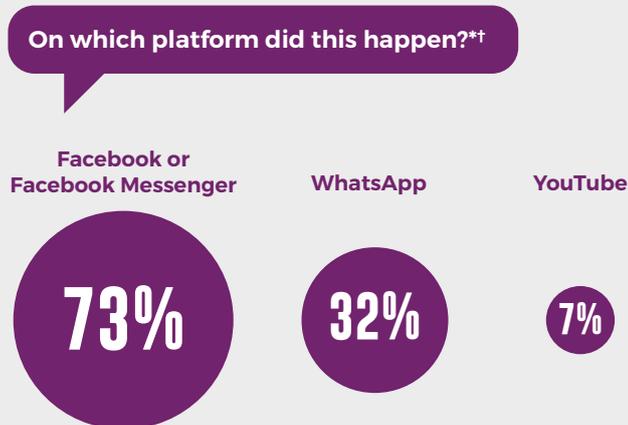
## THE LAST TIME THIS HAPPENED ONLINE...



n = 84 internet-using children aged 12-17 who received unwanted requests *online* to talk about sex in the past year.



n = 216 internet-using children aged 12-17 who received unwanted requests to talk about sex in the past year.



n = 69 internet-using children aged 12-17 who *most recently* received unwanted requests *via social media* to talk about sex.



n = 82 internet-using children aged 12-17 who received unwanted requests *online* to talk about sex in the past year.



n = 22 internet-using children aged 12-17 who *did not tell anyone* the last time they received unwanted requests *online* to talk about sex.

\*These figures represent the most common responses selected by children.  
\*\*These figures represent the most and least common responses selected by children.  
\*\*\*Multiple choice question

## 2.2 CHILDREN'S EXPERIENCES OF CHILD SEXUAL EXPLOITATION AND ABUSE IN UGANDA

“ Most children who received unwanted requests to talk about sex online did not confide in anyone all. Some of them told a friend, but few spoke to an adult about it. ”

### Potential grooming – children asked to share sexual images or videos

Some offenders have the intention of manipulating children into self-generating and sharing sexual images or videos through digital technologies and may not also intend to meet the child in-person. Global action to address grooming of children with the sole intent of getting them to send sexual images or videos of themselves (and not meet) has been slow.<sup>91</sup> In 2015, amid concern about this issue, the Lanzarote Committee issued an opinion recommending that states should extend the crime of grooming for sexual purposes to include “cases when the sexual abuse is not the result of a meeting in person, but is committed online.”<sup>92</sup>

Of the internet-using children who took part in the household survey in Uganda, 12% had received unwanted requests for a photo or video showing their private parts in the past year. This was more common among 14–17-year-olds. Slightly more girls than boys reported receiving such requests. Unlike children who were asked to *talk* about sex, the 126 children who were asked to send sexual content were most likely to report feeling angry (21%), embarrassed (15%), or scared (16%). A notable proportion (17%) said they were not affected at all by the requests.

**Online or offline?** Of the 126 children in the sample who had received unwanted requests for images of their private parts in the past year, 47% said the most recent requests for sexual images had been made via social media and 10% during online games. Requests on social media again came mainly through Facebook (including Messenger) followed by WhatsApp.

**How do children respond?** Of the 126 children asked to send sexual images or videos, 52% refused (62% among girls) and 13% blocked the person making the request. However, 15% did as the offender asked. The youngest children (aged 12–13) and boys were most likely to agree to share sexual images or videos of themselves although they did not want to.

**Who makes the requests?** The most common sources of unwanted requests for children to share a sexual image or video of themselves was an adult friend or acquaintance (29%), followed by a current or former romantic partner (21%) and a new friend or acquaintance (21%). The offender was someone unknown to them in 14% of cases.

**Whom do children tell – if anyone?** Of the 126 children who received unwanted requests to share sexual images or videos of themselves, 37% told a friend and 31% did not share their experience with anyone. In contrast to requests to *talk about sex*, girls and 16–17-year-olds were the most likely not to tell anyone when they were exposed to unwanted requests to share sexual images or videos of themselves, and very few children talked to their caregivers. The most common reasons given by children for not disclosing unwanted requests for sexual images were much the same: not knowing where to go or whom to tell, followed by embarrassment and shame, not thinking it serious enough to report, concern about getting into trouble and a sense of having done something wrong.

91. Interagency Working Group on Sexual Exploitation of Children. (2016). [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse](#). Bangkok: ECPAT International, 50.

92. Council of Europe's Lanzarote Committee. (2015). [Opinion on Article 23 of the Lanzarote Convention and its explanatory note](#), Para 20.

# IN THE PAST YEAR I WAS ASKED FOR A PHOTO OR VIDEO SHOWING MY PRIVATE PARTS WHEN I DID NOT WANT TO

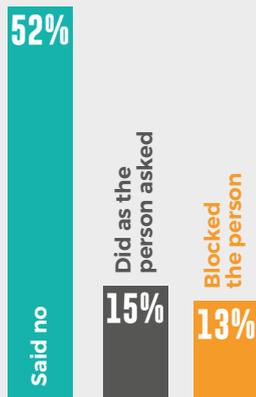
**YES 12%**

Base: Internet using children 12-17  
n = 1,016 children

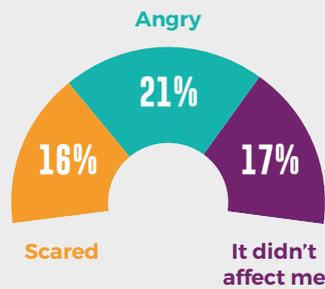


## THE LAST TIME THIS HAPPENED ONLINE...

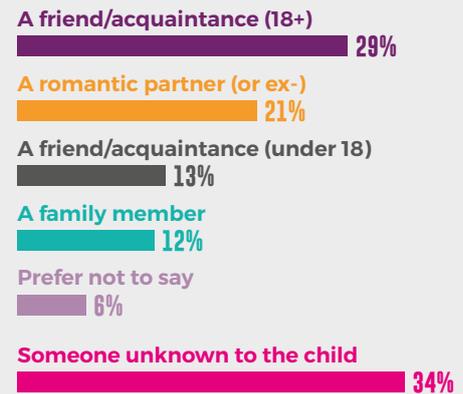
What did you do?\*



How did you feel?\*

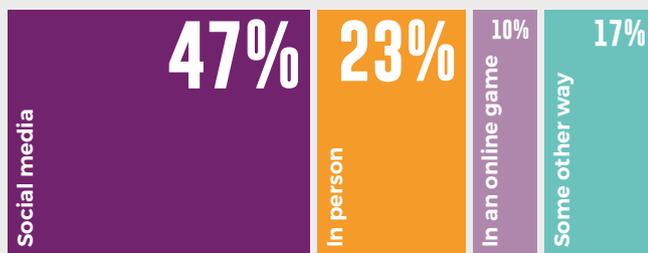


Who did it?\*



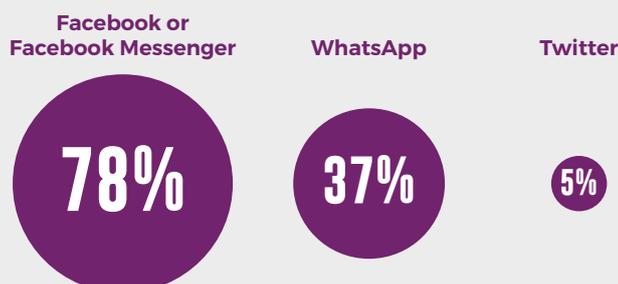
n = 126 internet-using children aged 12-17 who received unwanted requests for sexual images in the past year.

Where did it happen?\*



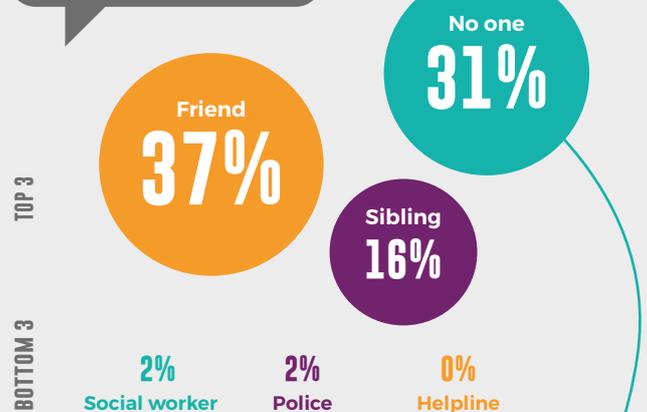
n = 126 internet-using children aged 12-17 who received unwanted requests for sexual images in the past year.

On which platform did this happen?\*



n = 60 internet-using children aged 12-17 who most recently received unwanted requests for sexual images via social media.

Whom did you tell?\*\*\*



n = 126 internet-using children aged 12-17 who received unwanted requests for sexual images in the past year.

Why did you not tell anyone?\*



n = 39 internet-using children aged 12-17 who did not tell anyone the last time they received unwanted requests for sexual images.

\*These figures represent the most common responses selected by children.  
\*\*These figures represent the most and least common responses selected by children.  
\*\*\*Multiple choice question

## 2.2 CHILDREN'S EXPERIENCES OF CHILD SEXUAL EXPLOITATION AND ABUSE IN UGANDA

### Gender of reported OCSEA Victims

Several of the frontline workers surveyed for *Disrupting Harm* observed that most OCSEA cases handled by them concerned girls. *"All cases handled during the time are mainly from girls. Cases from the boys are rarely handled."* (RA3-UG-32-A) The frontline workers' perception persists that: *"Girls are more affected compared to boys due to having many vulnerabilities."* (RA3-UG-05-A)

Contrary to this perception, gender differences amongst OCSEA victims were not clearly evident from the household survey. There were slightly more girls than boys among children that received unwanted requests for a photo or video showing their private parts; offered money or gifts in return for sexual images or videos; offered money or gifts to meet someone in person to do something sexual; and subjected to sexual comments that made them feel uncomfortable.

No notable differences by gender were seen among children that received unwanted requests to talk about sex or sexual acts; threatened or blackmailed to engage in sexual activities; accepted money or gifts in exchange for sexual images or videos; and children who had been sent unwanted sexual images in the past year.

The impression that girls are much more affected than boys, could be because girls disclose or report OCSEA more often than boys. This was underscored by the OCSEA Counsellor of Child Helpline Uganda: *"The trend according to the Child Helpline data and data we collect about the crime mainly the girl child is affected, I would say on a percentage of 60%, we have the girl child victim, then 40[%] as the male victim. These are children between the age of 12 and 17."*

Finally, although law enforcement data did not disaggregate for OCSEA *per se*, the data on general recorded child sexual offences in 2017–2019 show that only 2% of juvenile victims were male.<sup>93</sup>

### Offering children money or gifts for sexual images or videos

One in ten children who participated in the Uganda household survey – 105 children – said they had been offered money or gifts in return for sexual images or videos in the past year. This was slightly more common among girls than boys and increased with age. The surveyed frontline workers were aware of this practice. According to one, *"The young people we have interacted with are mostly females and after being sexually exploited, they are promised to be given money in return due to the task put before them to perform."* (RA3-UG-38-A) Another frontline service provider had a case where *"A nine-year-old girl and two 12-year-old girls were gifted with a smart phone and lured to take semi-naked pictures (only knickers on) and send them to their friends."* (RA3-UG-50-A)

**Who offers money or gifts?** According to the 105 children who had been offered gifts or money for sexual content, the most common offenders the last time this happened were friends – either adults (31%) or friends of the same age (23%) – or romantic partners (22%). Family members and strangers or unidentified persons each accounted for 15% of cases.

**Online or offline?** One-third of the 105 children said the request had been made in person while 44% said it had occurred online – either via social media (32%) or during an online game (11%). The most common platforms, once again, were Facebook (including Messenger) and Whatsapp.

**Whom do children tell – if anyone?** Asked about the last time they were offered money or gifts for sexual images or videos, 31% of the 105 children – and 42% of the boys – did not disclose it to anyone. More than a third (36%) told a friend, 26% confided in a caregiver (father 9%; mother 12%) and 13% told a sibling. Again, very few children contacted police or a helpline. Among those who did not tell anyone, 46% said they did not know where to go or whom to tell. Others said that they had not told anybody because they felt embarrassed or ashamed or that it would be too emotionally difficult to tell, or because they were worried about getting into trouble. Smaller numbers did not think it serious enough to report or did not want the offender to get into trouble.

93. See: Uganda Police. (2017). [Annual Crime Report 2017](#); Uganda Police. (2018). [Annual Crime Report 2018](#); Uganda Police. (2019). [Annual Crime Report 2019](#).

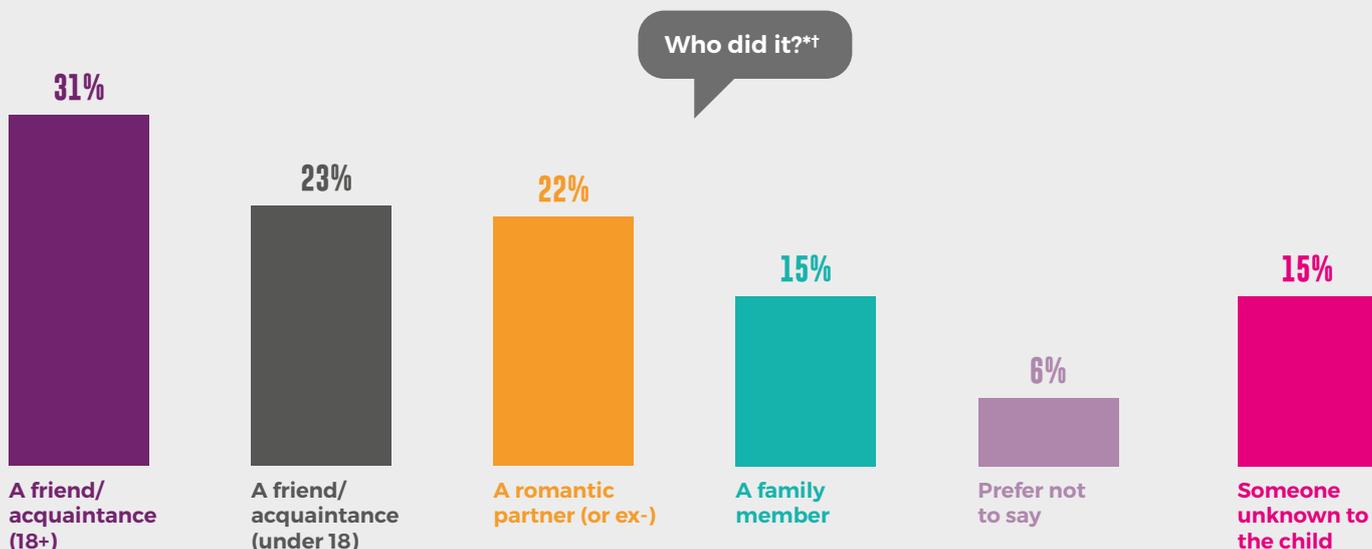
# IN THE PAST YEAR I WAS OFFERED MONEY OR GIFTS IN RETURN FOR SEXUAL IMAGES OR VIDEOS

**YES 10%**

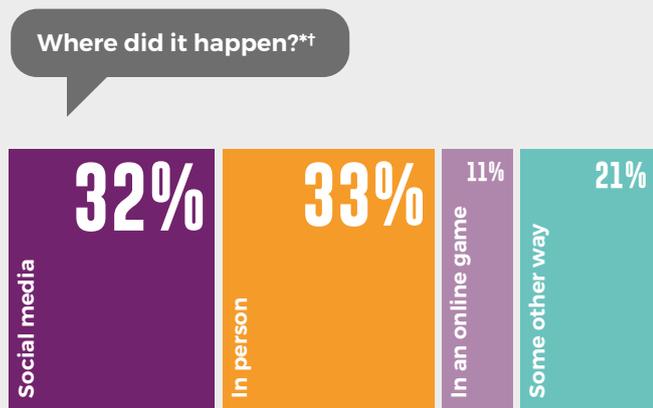
Base: Internet using children 12-17  
n = 1,016 children



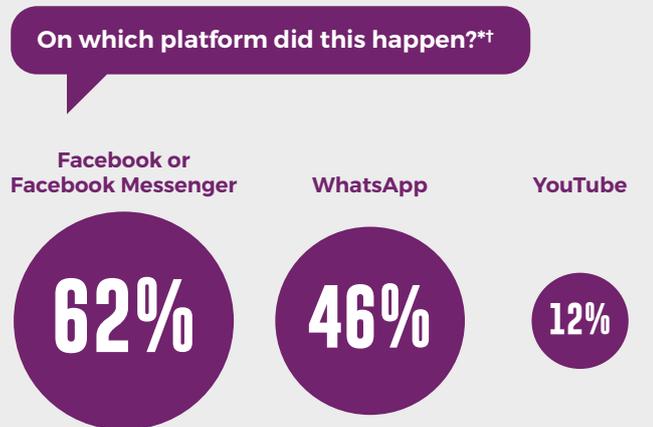
## THE LAST TIME THIS HAPPENED...



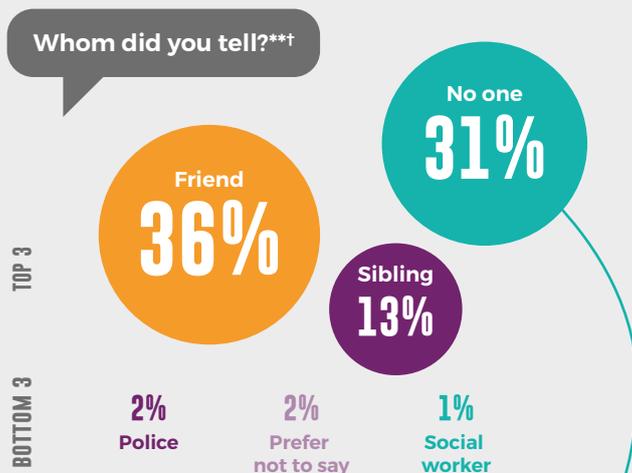
n = 105 internet-using children aged 12-17 who were offered money or gifts for sexual images or videos.



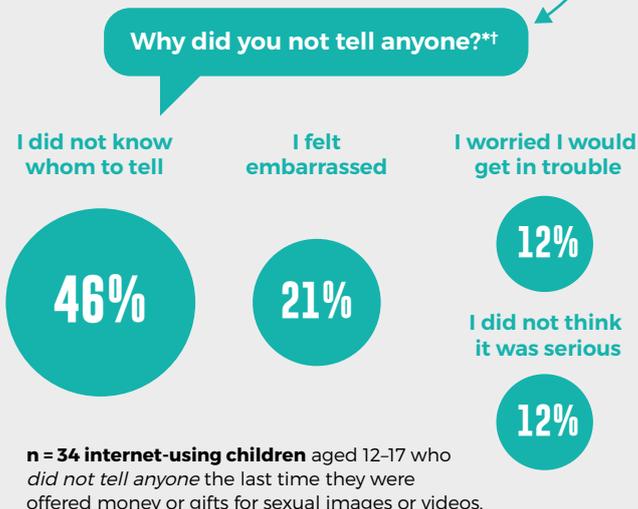
n = 105 internet-using children aged 12-17 who were offered money or gifts for sexual images or videos.



n = 34 internet-using children aged 12-17 who most recently were offered money or gifts via social media in exchange for sexual images or videos.



n = 105 internet-using children aged 12-17 who were offered money or gifts for sexual images or videos.



n = 34 internet-using children aged 12-17 who did not tell anyone the last time they were offered money or gifts for sexual images or videos.

\*These figures represent the most common responses selected by children.  
\*\*These figures represent the most and least common responses selected by children.  
\*\*\*Multiple choice question

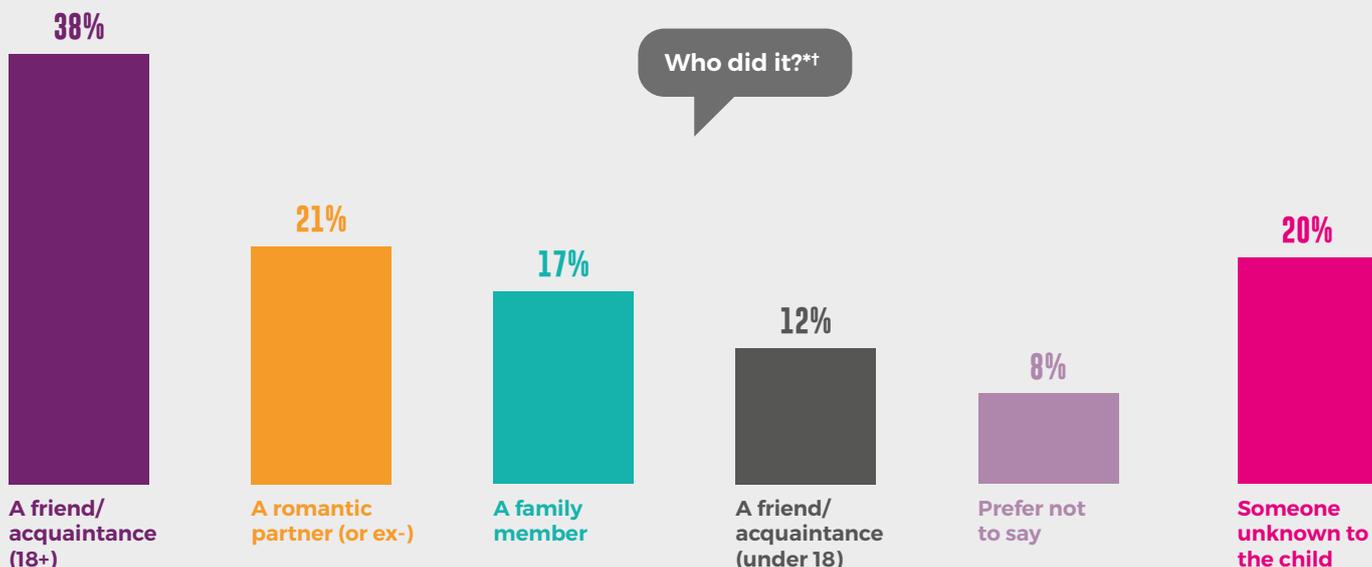
# IN THE PAST YEAR I WAS OFFERED MONEY OR GIFTS TO MEET IN PERSON TO DO SOMETHING SEXUAL

**YES 12%**

Base: Internet using children 12-17  
n = 1,016 children

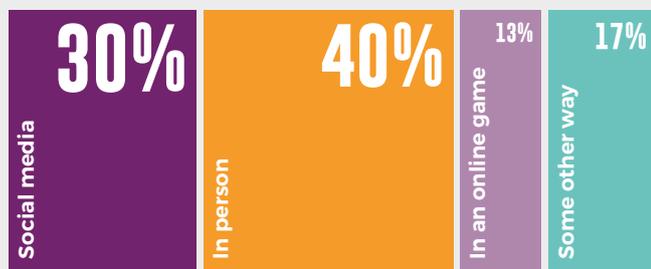


## THE LAST TIME THIS HAPPENED ONLINE...



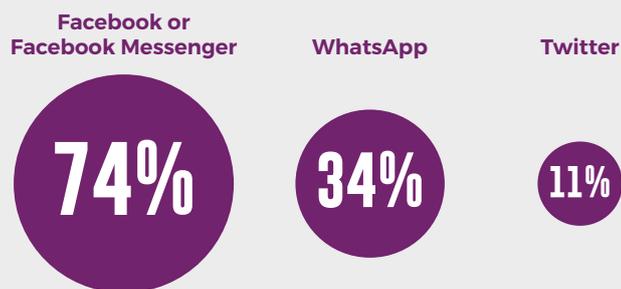
n = 51 internet-using children aged 12-17 who were offered money or gifts *online* for in-person sexual acts in the past year.

### Where did it happen?\*



n = 125 internet-using children aged 12-17 who were offered money or gifts for in-person sexual acts in the past year.

### On which platform did this happen?\*



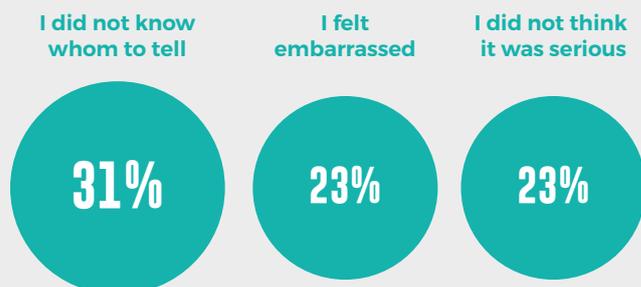
n = 38 internet-using children aged 12-17 who *most recently* received offers of money or gifts for in-person sexual acts *via social media*.

### Whom did you tell?\*\*\*



n = 51 internet-using children aged 12-17 who were offered money or gifts *online* for in-person sexual acts in the past year.

### Why did you not tell anyone?\*



n = 13 internet-using children aged 12-17 who *did not tell anyone* the last time they were offered money or gifts *online* for in-person sexual acts.

\*These figures represent the most common responses selected by children.  
\*\*These figures represent the most and least common responses selected by children.  
\*\*\*Multiple choice question

## 2.2 CHILDREN'S EXPERIENCES OF CHILD SEXUAL EXPLOITATION AND ABUSE IN UGANDA

### Offering children money or gifts for sexual acts

From the household survey results, 12% of the children surveyed (125 children) said they had been offered money or gifts to meet someone in person to do something sexual within the past year. These were most likely to be 14–17-year-old children and girls. Like other findings, these numbers may be under-reported as children may not feel comfortable or safe enough to disclose their experiences of abuse and exploitation.

**Our conversations with survivors of OCSEA demonstrated a range of ways they were targeted. This girl from Kenya was explicitly offered money:**

***“OK, after we met on Facebook, he used to send me money and buy things. One time he asked me to meet him. So, we met, and he bought me everything I wanted”***

RA5-KY-05-A

**Online or offline?** Of the 125 children who said they had been offered money or gifts to meet in person and engage in sexual activities in the past year, 30% said that this happened on social media and 13% through an online game, while 40% received the offer in person. Among the 38 children who received offers of money or gifts to engage in sexual acts in person via social media, Facebook or Facebook Messenger and WhatsApp were far and away the most common platforms cited, followed by Twitter, Snapchat, and YouTube.

**Who offers money or gifts?** Among the children in the household survey who had been offered money or gifts *online – i.e., via social media or an online game* – to meet in person for sexual acts, these offers were most likely to come from an adult older than 18 who was known to the child (34%) or a current or former romantic partner (30%). One in four children said they were asked by a stranger – either someone they did not know until then or someone they could not identify. Family members were less likely to make offers of this kind.

**Whom do children tell – if anyone?** Most children were likely to confide in a friend (38%) when they received an offer of money or gifts in return for sexual acts. As many as 26% did not tell anyone about the offer. The most common reasons which these children gave for not disclosing were not knowing whom to tell or where to go, and feelings of embarrassment and shame. Concern about getting into trouble was another common reason for not disclosing.

### Sexual extortion

Sexual extortion is sometimes used in the grooming process. Often the offenders have already obtained sexual images of the children and threaten to make these publicly available or share them with the children's friends or family members as a way of coercing children into sharing more images or engaging in other kinds of sexual activities. Such threats can also be used to extort money. In Uganda, sexual extortion committed online is not specifically criminalised by law.

In the household survey, 8% of internet-using children (84 children) said that they had been threatened or blackmailed to engage in sexual activities at least once in the past year. Among the younger children (aged 12–13), the ratio was 4%. Boys and girls were similarly affected. It is not known what kind of threats were used as specific follow-up questions were not asked about the use of sexual images to extort money.

**Who are the offenders?** Among the 84 children who disclosed that they had been coerced in this way, the most common offender, on the last occasion this occurred, was an adult known to the child (38%), followed by a current or former romantic partner (21%), a friend or acquaintance younger than 18 (17%), someone unknown to the child (17%), a family member (16%) and someone they could not identify (7%). As with the other OCSEA described in this chapter, the offenders were more likely to be individuals already known to the child rather than someone unknown to them, with clear implications for preventive work. Amongst the 84 children 24% of girls (24%) and 24% of 16–17-year-olds said that someone unknown to them had threatened or blackmailed them.

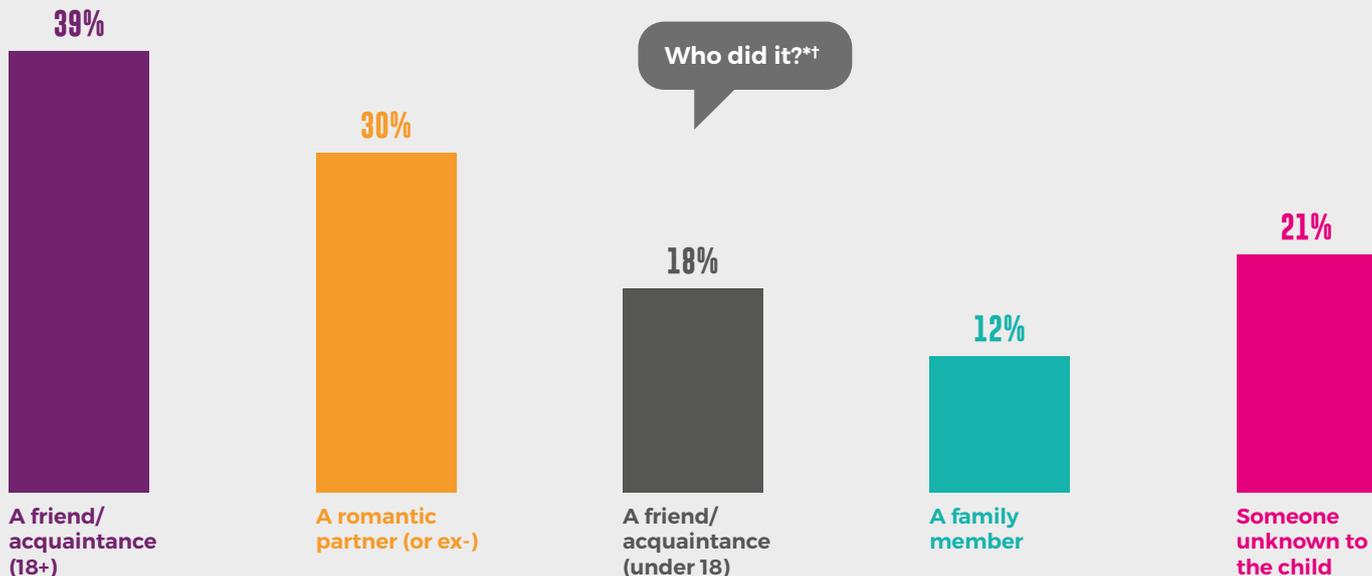
# IN THE PAST YEAR SOMEONE THREATENED OR BLACKMAILED ME TO ENGAGE IN SEXUAL ACTIVITIES

**YES 8%**

Base: Internet using children 12-17  
n = 1,016 children

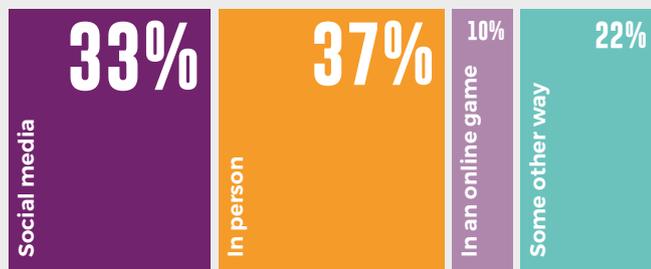


## THE LAST TIME THIS HAPPENED ONLINE...



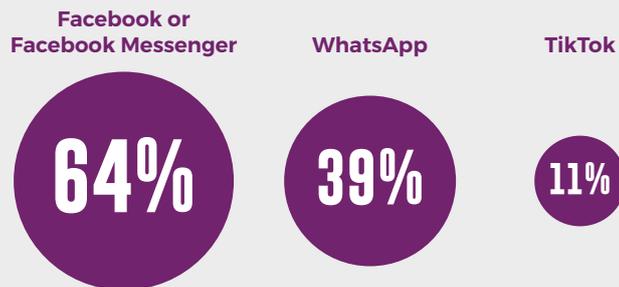
n = 34 internet-using children aged 12-17 who were threatened or blackmailed *online* to engage in sexual acts in the past year.

### Where did it happen?\*



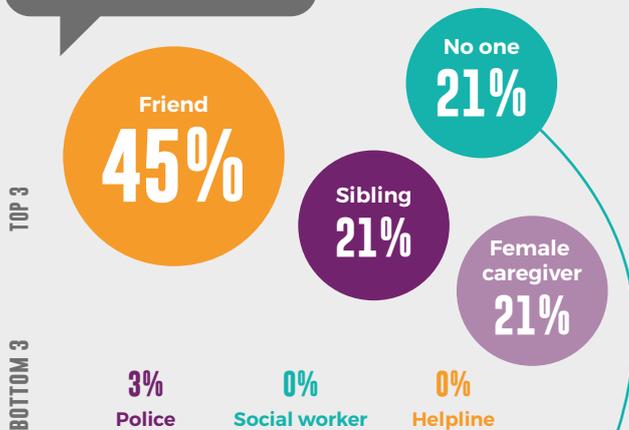
n = 84 internet-using children aged 12-17 who were threatened or blackmailed to engage in sexual acts in the past year.

### On which platform did this happen?\*



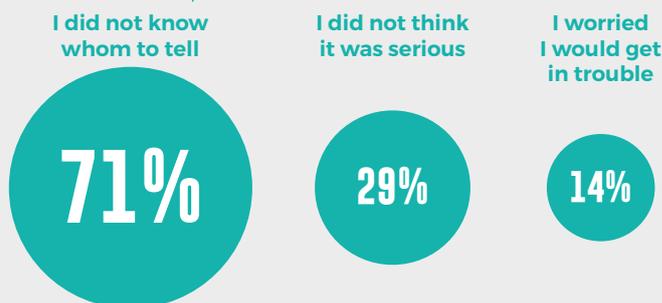
n = 28 internet-using children aged 12-17 who most recently received threats or were blackmailed *via social media*.

### Whom did you tell?\*\*\*



n = 34 internet-using children aged 12-17 who were threatened or blackmailed *online* to engage in sexual acts in the past year.

### Why did you not tell anyone?\*



n = 7 internet-using children aged 12-17 who did not tell anyone the last time they were threatened or blackmailed *online* to engage in sexual activities.

\*These figures represent the most common responses selected by children.  
\*\*These figures represent the most and least common responses selected by children.  
\*\*\*Multiple choice question

## 2.2 CHILDREN'S EXPERIENCES OF CHILD SEXUAL EXPLOITATION AND ABUSE IN UGANDA

“ 8% of internet-using children (84 children) said that they had been threatened or blackmailed to engage in sexual activities at least once in the past year. ”

**Online or offline?** For sexual extortion, the use of online channels was typical: 33% of the children said they had been threatened or blackmailed via social media (typically Facebook/Facebook Messenger or Whatsapp) and 10% through an online game. Thirty-seven percent of the 84 children said that they had been threatened or blackmailed in person.

**Whom children do tell – if anyone?** The 84 children that were blackmailed or threatened to engage in sex were most likely to tell a friend (32%), their mother (10%), or a sibling (10%). Only 4% of children reported to the police, 3% spoke to a social worker and 1% contacted a helpline. About one in five of the children did not tell anyone. The main reasons given by children for not disclosing that they had been threatened or blackmailed to engage in sexual activities were not knowing where to go or whom to tell, feeling embarrassed or ashamed or that it would be emotionally too difficult to tell, and worries about getting into trouble. Some children did not think it was serious enough to report.

### 2.2.2 CSAM and live-streaming of child sexual abuse

#### What the law says

Ugandan legislation explicitly defines CSAM and criminalises acts associated with it. The legal definition provided by the Computer Misuse Act covers materials depicting children or persons appearing to be children engaged in “sexually suggestive or explicit conduct” as well as realistic images of non-existing children (digitally generated child sexual abuse material).<sup>94</sup> This provision fails to include depictions of the sexual parts of a child’s body for primarily sexual purposes. Persons who produce or offer the illegal material, make it available, distribute, transmit, procure, or possess it (even with no intent to distribute) are liable to substantial penalties under the Computer Misuse Act<sup>95</sup> and the former Anti-Pornography Act.<sup>96</sup>

Based on the latest publicly – at the time of writing this report – available draft, the Sexual Offences Bill criminalises “sexual exploitation” which includes the use of persons to produce pornographic materials.<sup>97</sup> The Bill exempts the victim, regardless of age, from being penalised for engaging in acts constituting sexual exploitation.<sup>98</sup> This is an important provision that would help protect the interests of children who unwittingly become accessories in CSAM-related offences.

Although the Children Act criminalises using a child in “pornographic performances”,<sup>99</sup> live-streaming of child abuse is not specifically defined or criminalised in Ugandan law.

94. Republic of Uganda. (2011). [The Computer Misuse Act No. 2 of 2011](#), Section 23(3).

95. Republic of Uganda. (2011). [The Computer Misuse Act No. 2 of 2011](#), Section 23. The penalty is a fine not exceeding 360 currency points (approx. US\$1,905 as of June 2020) or imprisonment not exceeding 15 years, or both.

96. Republic of Uganda. (2014). [The former Anti-Pornography Act No. 20 of 2014, Section 14\(1\)](#). The penalty is a fine up to 750 currency points (approx. US\$3,969 as of June 2020) or imprisonment up to fifteen years, or both.

97. Republic of Uganda. (2019). [The Sexual Offences Bill No. 32 of 2019, Section 10 read with Section 1](#). Pending Bill.

98. Republic of Uganda. (2019). [The Sexual Offences Bill No. 32 of 2019, Section 10 \(2\)](#). Pending Bill.

99. Republic of Uganda. (2016). [The Children Act \[as amended by the Children \(Amendment\) Act No. 17 of 2016\]](#), Section 8A (2).

## 2.2 CHILDREN'S EXPERIENCES OF CHILD SEXUAL EXPLOITATION AND ABUSE IN UGANDA

### Emerging Ways That Technology is Influencing OCSEA

The wide availability of faster and cheaper internet access has led to the increasing use of video tools in communications. Video chat and live-streaming tools have rapidly gained in popularity and are changing the ways we engage with each other. Live-streaming is increasingly used both among small private groups and for broadcasts to large, public, unknown audiences. While this is often harmless and has many benefits, the misuse of such tools can facilitate OCSEA.

#### • offenders broadcasting child sexual abuse

Live-streaming tools can be used to transmit sexual abuse of children instantaneously to one or more viewers so that they can watch it while it is taking place. Remote viewers may even direct the sexual abuse, and financial transactions may be conducted alongside the abuse or even within the same platforms.

Streaming platforms do not create any records, because video is not downloaded or retained by default, although metadata is. This means that when the streaming stops the CSAM vanishes, unless the offender deliberately records it. This creates specific challenges for investigators, prosecutors, and courts, especially as the existing legislative definitions of CSAM and methods of investigation and prosecution can rely on outdated conceptualisations of the problem.

#### • self-generated sexual content involving children

As seen in [chapter 1.3.3](#), the rise in self-generated sexual content, both coerced and non-coerced also includes content transmitted via live-streaming. This content poses complex challenges. Even if initially produced without any coercion, this content may still make its way into circulation, whether through on-sharing without permission or other nefarious means such as hacking. Governments and support services everywhere are grappling with how to address these issues.

### Children's experiences of non-consensual sharing of sexual images

According to a frontline service provider, it is quite common for images of children to be shared without their permission: *"This kind of case happens a lot! So called "friends" get access to their friends' phone and share and or link them to sex offenders."* (RA3-UG-24-A)

In the household survey of internet-using children aged 12-17 in Uganda, 9% of respondents (88 children) declared that someone had shared sexual images of them without their permission. There were no notable variations by gender or age group.

This is an alarming number considering the severity of the crime. These images, and particularly those shared online, can be widely circulated, and viewed repeatedly all over the world, resulting for many in a continuous sense of shame and fear of being recognised.



Of internet-using children aged 12-17 in Uganda, 9% of respondents (88 children) declared that someone had shared sexual images of them without their permission



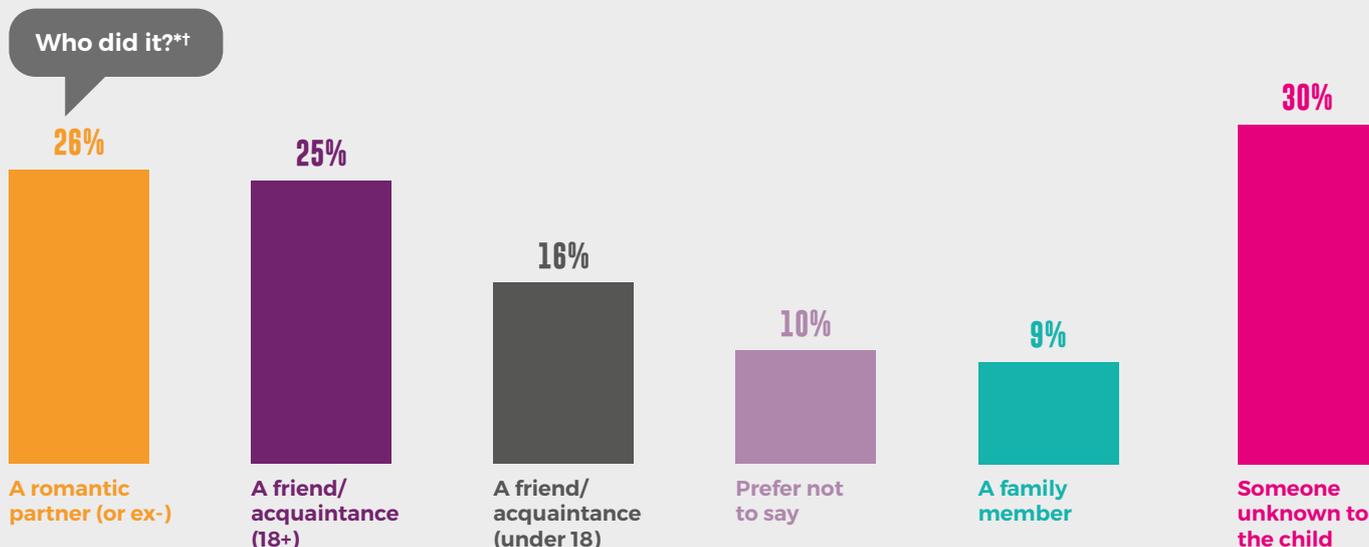
# IN THE PAST YEAR SOMEONE SHARED SEXUAL IMAGES OF ME WITHOUT MY CONSENT

**YES 9%**

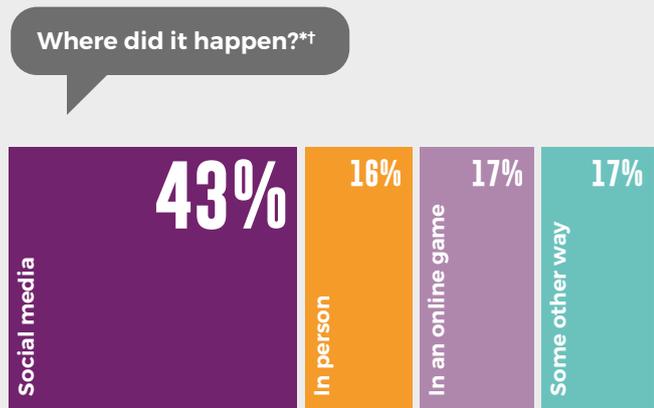
Base: Internet using children 12-17  
n = 1,016 children



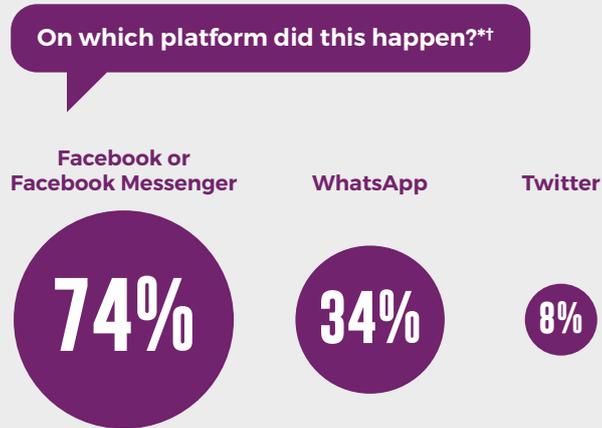
## THE LAST TIME THIS HAPPENED...



n = 88 internet-using children aged 12-17 whose sexual images were shared non-consensually in the past year.



n = 88 internet-using children aged 12-17 whose sexual images were shared non-consensually in the past year.



n = 38 internet-using children aged 12-17 whose sexual images were most recently shared via social media.



n = 88 internet-using children aged 12-17 whose sexual images were shared non-consensually in the past year.



n = 22 internet-using children aged 12-17 who did not tell anyone the last time their sexual images were shared non-consensually.

\*These figures represent the most common responses selected by children.  
\*\*These figures represent the most and least common responses selected by children.  
\*\*\*Multiple choice question

## 2.2 CHILDREN'S EXPERIENCES OF CHILD SEXUAL EXPLOITATION AND ABUSE IN UGANDA

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When these images or videos are recordings of severe sexual abuse, the trauma associated with those in-person experiences can also be repeatedly reactivated by the sharing of the content. However, *Disrupting Harm* did not obtain specific data of such severe instances from children, mainly because of ethical and methodological requirements to capture what children shared on their own terms, rather than seeking out and delving into specific forms of abuse. This is not to say that victims of such acts were not part of our samples – just that this was not disclosed.

**Who are the offenders?** The household survey data suggest that a wide range of persons share sexual images of children without their permission. The offenders named by the 88 children in the sample whose images or videos had been shared without their permission in the past year included both adults and other children. Most were people already known to the child (about three in four) but some were someone unknown to them (about one in four).

**What platforms are used?** Non-consensual sharing of sexual images typically occurred online, and via social media platforms, particularly Facebook (including Messenger), followed by WhatsApp.

**Whom do children tell – if anyone?** One-quarter (25%) of the 88 children did not tell anyone that sexual images of them had been shared without their permission. Most of the others confided in a friend. Only 13% told their caregivers and hardly any turned to a helpline, the police, or a social worker. Amongst the children who didn't tell anyone, most said this was due to feelings of shame and embarrassment, not knowing where to go or whom to tell, fears that it would cause trouble for them or their families, and worries about getting into trouble, in that order. Girls appeared more likely than boys to feel shame or embarrassment and to worry about getting into trouble.

### Attitudes to non-consensual sharing of images

The findings of the household survey show a degree of awareness of the severity of sharing sexual images of other persons without their permission. Seventy percent of the children and 84% of their caregivers agreed that it should be illegal for a person to share images or videos of someone else naked.

However, 67% of children and 78% of caregivers also attached blame to the victims in cases where they produced naked images or videos of themselves. One caregiver interviewed explained that though she was assisting her child pursue justice, *"I still went ahead and blamed my child for her misconduct online; however, she needed justice."* (RA4-UG-01-B-Caregiver)

### Children's experiences of accepting money or gifts in exchange for sexual images or videos

As explored in the context of grooming, children are sometimes offered money or gifts in return for sexual content. Here the acceptance of money or gifts by children in return for sexual content is explored, regardless of how the process was initiated.

While the practice of accepting money or gifts in exchange for sexual activities is not new, the use of digital technologies – including by children and young people – to self-produce and send images or videos of themselves in return for money or other material incentives is an emerging trend globally. This practice could increase the risk of non-consensual sharing: 90% of the 'youth-generated' sexual images and videos assessed in a study by the Internet Watch Foundation and Microsoft were 'harvested' from the original upload location and redistributed on third party websites.<sup>100</sup>

When children create sexual content in exchange for something, this constitutes child sexual exploitation, regardless of whether they are coerced.

Given the sensitivity of this topic, only the 15–17-year-old respondents in the household survey were asked whether they had accepted money or gifts in exchange for sexual images or videos of themselves. The household survey showed that as many as 10% of 15–17-year-old internet-using children had accepted money or gifts in exchange for sexual images or videos in the past year, with no noticeable difference by gender. It is possible that some children may have been hesitant to reveal their involvement in such activities – even in an anonymised survey.

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100. Internet Watch Foundation & Microsoft. (2015). [Emerging Patterns and Trends Report #1: Online-produced sexual content](#).

## 2.3 OTHER EXPERIENCES OF CHILDREN THAT MAY BE LINKED TO OCSEA

**Additional to the examples of OCSEA already presented, while online, children may be subject to other experiences, such as sexual harassment or unwanted exposure to sexualised content, can be harmful. Moreover, these experiences could, in some instances, contribute to the desensitisation of children so that they become more likely to engage in sexual talk or sexual acts – for example, during a grooming process.**

### 2.3.1 Sexual harassment

Although not specific to children, the Uganda Computer Misuse Act criminalises cyber harassment, which is the use of a computer for “making any request, suggestion or proposal which is obscene, lewd, lascivious or indecent; or threatening to inflict injury or physical harm to the person or property of any person.”<sup>101</sup> Knowingly permitting any electronic communications device to be used for any of the purposes mentioned above is also an offence.<sup>102</sup>

According to the results of the household survey, one in four internet-using children in Uganda had been subject to sexual comments about them that made them feel uncomfortable – including jokes, stories or comments about the child’s body, appearance or sexual activities. Girls and 16–17-year-olds were more likely to be subjected to these comments. The comments had been made either in person or online, in roughly equal proportions. Where the comments were made online, they generally came via social media, particularly Facebook (including Messenger), with WhatsApp a distant second.

When the 254 children who had been subject to this kind of sexual harassment, either online or offline, in the past year were asked about the identity of the offender, most pointed to people they knew, such as adult friends and acquaintances (33%), romantic partners (26%) and other children they knew (18%). A quarter of the children said the harassment had come from someone unknown to them (19%) or persons they could not identify (6%).

As with more severe forms of OCSEA, children were most likely either to tell a friend (35%) or not to tell anyone at all (also 35%) the last time they were sexually harassed. These tendencies increased with the age of the child. Girls and younger children



**Those who did not confide in anyone gave reasons led by not knowing where to go or whom to tell and feeling embarrassed or ashamed or that it would be emotionally too difficult to tell.**



(aged 12–13) were somewhat more likely to speak to the adults around them. Those who did not confide in anyone gave reasons led by not knowing where to go or whom to tell and feeling embarrassed or ashamed or that it would be emotionally too difficult to tell. Some thought it was not serious enough to report or that nobody would understand them.

### 2.3.2 Receiving unwanted sexual images

One child out of four in the household survey sample (26%) had been sent unwanted sexual images in the past year. This was somewhat more common for 14–17-year-olds than 12–13-year-olds. There was no notable difference by gender.

When asked about the last time they saw unwanted sexual images, the 263 children were much more likely to say that this occurred online (social media 55%; online games 11%). This is unsurprising as the act of sending images is clearly easier using digital technology than ‘offline’. Once again, the most common platforms where this last occurred were Facebook (including Messenger) (74%) and WhatsApp (29%), the most popular social media platforms in the country.

101. Republic of Uganda. (2011). [The Computer Misuse Act No. 2 of 2011](#), Section 24.

102. Republic of Uganda. (2011). [The Computer Misuse Act No. 2 of 2011](#), Section 24 (2)(c).

# IN THE PAST YEAR SOMEONE MADE SEXUAL COMMENTS ABOUT ME THAT MADE ME FEEL UNCOMFORTABLE

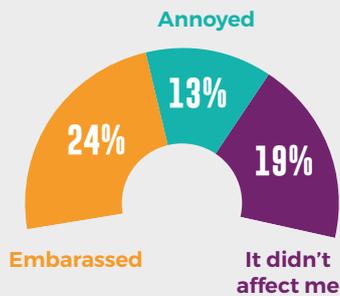
**YES 25%**

Base: Internet using children 12-17  
n = 1,016 children

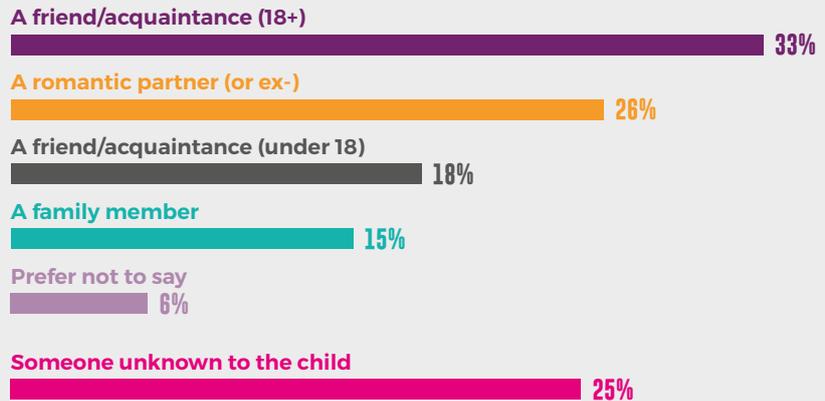


## THE LAST TIME THIS HAPPENED...

How did you feel?\*

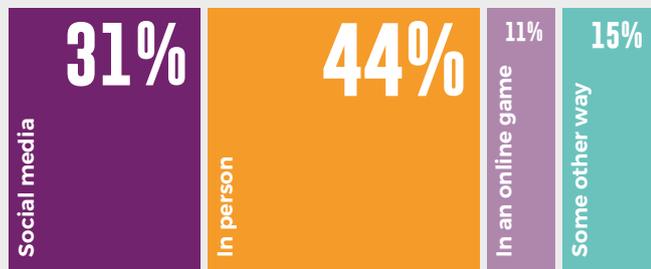


Who did it?†



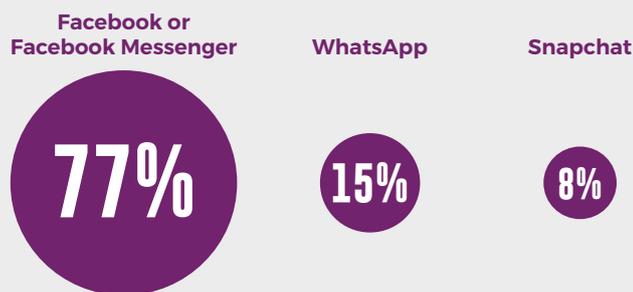
n = 254 internet-using children aged 12-17 who were subjected to verbal sexual harassment in the past year.

Where did it happen?‡



n = 254 internet-using children aged 12-17 who were subjected to verbal sexual harassment in the past year.

On which platform did this happen?‡



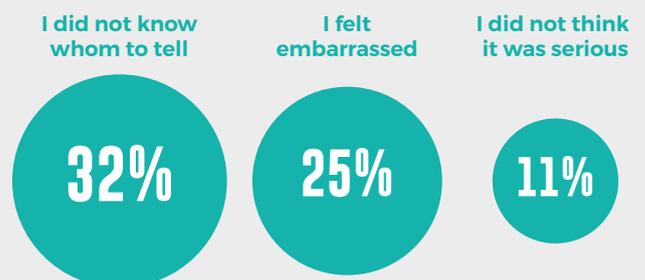
n = 78 internet-using children aged 12-17 who were most recently subjected to verbal sexual harassment via social media.

Whom did you tell?‡‡



n = 254 internet-using children aged 12-17 who were subjected to verbal sexual harassment in the past year.

Why did you not tell anyone?‡‡



n = 89 internet-using children aged 12-17 who did not tell anyone the last time they were subjected to verbal sexual harassment.

\*These figures represent the most common responses selected by children.  
 †These figures represent the most and least common responses selected by children.  
 ‡Multiple choice question

# IN THE PAST YEAR SOMEONE SENT ME SEXUAL IMAGES I DID NOT WANT

**YES 26%**

Base: Internet using children 12-17  
n = 1,016 children

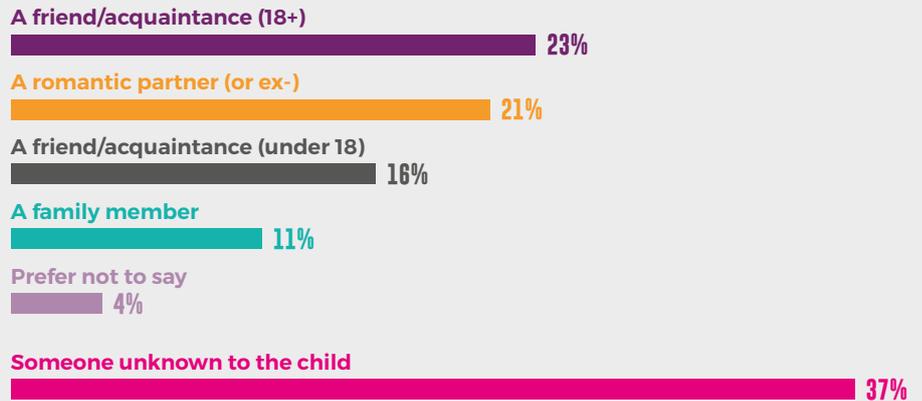


## THE LAST TIME THIS HAPPENED...

How did you feel?\*

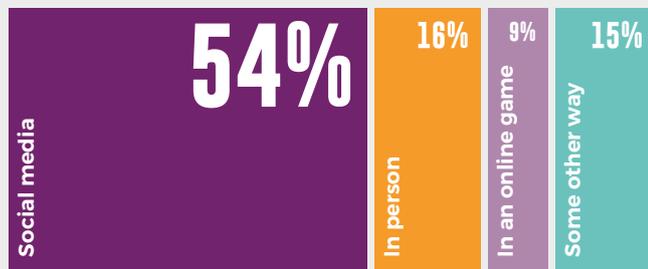


Who did it?†



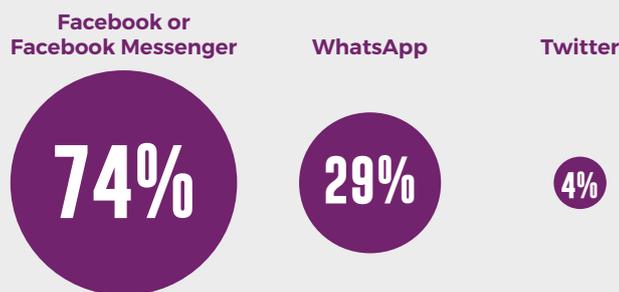
n = 263 internet-using children aged 12-17 who received unwanted sexual images in the past year.

Where did it happen?†



n = 263 internet-using children aged 12-17 who received unwanted sexual images in the past year.

On which platform did this happen?†



n = 143 internet-using children aged 12-17 who most recently received unwanted sexual images via social media.

Whom did you tell?\*\*\*



n = 263 internet-using children aged 12-17 who received unwanted sexual images in the past year.

Why did you not tell anyone?†



n = 84 internet-using children aged 12-17 who did not tell anyone the last time they received unwanted sexual images.

\*These figures represent the most common responses selected by children.  
 †These figures represent the most and least common responses selected by children.  
 ‡Multiple choice question

## 2.3 OTHER EXPERIENCES OF CHILDREN THAT MAY BE LINKED TO OCSEA

According to the replies given by the 263 children in the household survey sample who had been sent unwanted sexual images, the most common offender was a family member (23% – 28% for boys), closely followed by a romantic partner (22%), an adult friend or acquaintance (21%) and a friend younger than 18 (16%). Someone unknown to them accounted for 15%.

Most of the 263 children either told a friend (41%) or did not tell anyone about it (32%). Others talked about it with their siblings (16%) or caregivers (14%). Hardly any reported to the police, a helpline, or

a social worker. Among the children who did not confide in anyone, the main reason was that they felt embarrassed or ashamed, or that it would be too emotionally difficult to tell (26%). This was followed by not knowing where to go or whom to tell (22%) and not thinking the incident serious enough to report (19%). Among younger children who kept the matter to themselves, the main reason was being worried they would get in trouble (33%). Girls were more likely than boys to name worries about getting into trouble or not thinking anyone would believe or understand them among their reasons for not telling anyone.

### The Continuum of Online and Offline Child Sexual Exploitation and Abuse

The types of child sexual exploitation and abuse presented throughout this chapter illustrate some of the ways that digital technologies can be misused to harm children. However, the findings also reveal that creating a distinction between online and offline violence does not always reflect the reality of children's experiences. For example, children can be asked or coerced to share self-generated sexual images, and this can happen online, offline, or in both spaces. In addition, digital technologies can also be used as a *facilitator* of sexual exploitation and abuse. For example, social media or instant messaging can be used to convince or coerce children to meet offenders in person, leading to 'offline' child sexual exploitation and abuse. The data in this report include OCSEA that takes place in the online environment, OCSEA that takes place offline but is facilitated by digital technology, and OCSEA that is committed 'offline' and then repeated by sharing it online.

Interviews with various stakeholders show that systems are not fully adjusted to this reality and that OCSEA is sometimes perceived as a 'new kind of abuse' that requires an entirely different response.

In line with this view, *Disrupting Harm* data show that many children in the sample, who had been subjected to OCSEA, had also been exposed to an instance of in-person sexual, physical, or emotional abuse in the past year.

This could indicate that OCSEA is an extension of existing abuse, or that there is a common set of vulnerabilities that make children who experience violence 'offline' more likely to experience violence 'online' as well.

Given the blurred lines, it is advisable to embed responses to OCSEA within the broad child protection framework and not handle it separately from other work on violence against children. According to a UNICEF respondent, the Uganda Child Helpline does not have a separate category for online cases, but instead includes all sexual abuse and exploitation cases, both offline and online together. (RA1-UG-01-A)

However, the same respondent underlines the need to collect data on OCSEA. It is also necessary to provide a tailored legal framework around OCSEA, especially to facilitate interventions by law enforcement agencies and ensure that preventive measures are taken by the internet services providing industry. Moreover, there are cases where online abuse requires a specialised response – such as in law enforcement investigations involving the use of digital forensics. In other instances, a lack of clear laws around OCSEA makes it difficult for children to obtain justice through the courts.

## 2.4 INSIGHTS ABOUT VICTIMS AND OFFENDERS FROM KNOWN OCSEA AND CSEA CASES

Figure 24: Sex offence victims by gender and age group, 2017–2019.

Victims of crime	2017				2018				2019			
	Male		Female		Male		Female		Male		Female	
	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile
Rape	39	7	1,215	139	-	-	1,485	-	-	-	1,531	-
Defilement	1	209	4	14,729	-	228	-	15,366	-	241	-	13,441
Indecent Assault	10	8	228	101	2	8	293	93	5	9	234	92
Incest	27	3	64	10	34	1	57	10	-	1	55	2
Unnatural Offences	91	21	17	1	51	40	15	-	58	27	9	1
<b>Sub Total (Sex Related)</b>	<b>168</b>	<b>248</b>	<b>1,528</b>	<b>14,983</b>	<b>87</b>	<b>277</b>	<b>1,849</b>	<b>15,469</b>	<b>63</b>	<b>278</b>	<b>1,829</b>	<b>13,536</b>

Source: Uganda Police Force Annual Crime Reports.

### 2.4.1 Victims

Law enforcement data did not disaggregate specifically for OCSEA-related crimes. Figure 24 presents the statistics on victims of all kinds of recorded sexual offences in 2017, 2018 and 2019 in Uganda.

Girls made up over 98% of the victims of all recorded sex offences against juveniles in 2017–2019.<sup>103</sup> The data also confirm that ‘defilement’ offences are a trustworthy indicator of CSEA in Uganda, since the vast majority of sexual offences against children were classed as ‘defilement’, and there were only five recorded cases of defilement against adults (possibly adults with cognitive disabilities or adults who were children when the offences were committed).<sup>104</sup>

Data available for 2018 reveals that 99% of recorded defilement victims that year were Ugandan nationals. Of the 112 foreign national victims, 41 were from Sudan, 36 from Congo, 29 from Rwanda and six “other Africans”.<sup>105</sup>

### 2.4.2 Offenders

**Relationship of offenders to the child:** The responses to the survey of frontline workers who have worked with OCSEA cases in Uganda suggest that offenders are mostly men and are most likely to be adult members of the community in which the child lives, followed by other adult relatives and then strangers or someone unknown to them. This broadly ties in with the findings of the household survey with children about various potential/actual manifestations of OCSEA. Among the offenders mentioned by the frontline workers were:

- **friends of the family:** “These are the people that are normally associated with the parents, so these children consider them as family too.” (RA3-UG-15-A)
- **friends of friends:** “In this case, the [offender] uses the best friend of the victim who is not a relative to the victim. This was through sending the victim pornographic clips/videos through the best friend of the victim.” (RA3-UG-11-A)
- **older friends:** “These younger girls are introduced to porn photos and videos by their older friends and eventually end up sexually exploited by their ‘male friends.’” (RA3-UG-24-A)

103. Uganda Police. (2019). [Annual Crime Report 2019](#). 14.

104. *Ibid.*

105. Uganda Police. (2018). [Annual Crime Report 2018](#). 8.

## 2.4 INSIGHTS ABOUT VICTIMS AND OFFENDERS FROM KNOWN OCSEA AND CSEA CASES

Figure 25: Defilement offenders by age group, gender, and outcome.

	Charged				Convicted				Imprisoned			
	Male		Female		Male		Female		Male		Female	
	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile
2017	4,305	292	32	122	505	95	3	72	460	14	4	4
2018	5,199	379	22	147	714	129	3	105	571	10	4	3
2019	5,342	401	23	123	800	113	20	73	680	22	-	11
<b>Total</b>	<b>14,846</b>	<b>1,072</b>	<b>77</b>	<b>392</b>	<b>2,019</b>	<b>337</b>	<b>26</b>	<b>250</b>	<b>1,711</b>	<b>46</b>	<b>8</b>	<b>18</b>

Source: Uganda Police Force Annual Crime Reports.

As noted above, law enforcement data specific to OCSEA are not available. Most OCSEA-related offences are likely to have been recorded along with other sexual offences against children, as 'defilement'. Adult males made up 90.6% of those charged with defilement in 2017–2019, 76.7% of those convicted and 96.0% of those imprisoned. Of note, while juveniles were 8.9% of those charged with defilement, they accounted for 22.3% of convictions (see Figure 25).

In addition, the Uganda Police Force reports that boys and girls have also been charged with, and in some cases convicted of, sexual offences not specific to child sexual exploitation and abuse, including rape, indecent assault, and 'unnatural offences'.

A total of 108 foreigners, primarily Sudanese, Congolese, and Rwandan nationals, were accused of defilement in 2018, the only year for which figures disaggregated by nationality are available, making up 1.9% of all defilement charges.

## 2.5 BARRIERS TO CHILDREN SPEAKING TO ADULTS ABOUT OCSEA

**Children in Uganda broadly felt that they could depend on strong interpersonal networks if they were to run into problems related to their online lives. In the household survey, 90% of internet-using children either ‘agreed’ or ‘strongly agreed’ that people in their families would help them if they had a problem, with only slight variations by gender and age group. In addition, 72% of children said that there is at least one teacher they can confide in if they have a problem.**

In actual practice, however, as seen in the previous chapters, about one third of children confronted with instances of OCSEA or potential OCSEA never told anyone, and if they did, they likely confided in friends. Smaller numbers of children disclosed to caregivers, other family members or other adults they know. Very few made use of an official reporting mechanism such as the police, a social worker, or a helpline. This is true of all the forms of OCSEA explored through the household survey.

**The tendency of children to confide in their peers rather than in adults places a heavy burden on children themselves to know how to support and guide one another in the face of violations of their rights. For example, this survivor from Namibia explained:**

*“I was, I don’t know what to say, my feelings were all over the place, up until I got home, and I told a cousin of mine that stays very close by to me. I had not told her in the beginning where I was going because I knew she was going to stop me. I told her after the fact. She was there to comfort me and be there for me. She advised that I shouldn’t talk to that person again. I then deleted the number that time.”*

RA5-NA-04-A

### Reasons for not telling

The reasons which the Ugandan children in the household survey gave for not disclosing incidents of actual or potential abuse and exploitation were broadly similar for all types of incidents. For example, children who received unwanted requests either to talk about sex or to share sexual images mainly cited not knowing where to go or whom to tell and feeling embarrassed or ashamed or that it would be emotionally too difficult to tell. A notable proportion of the children also did not disclose because they didn’t think the incident was serious enough, they were worried that they would get in trouble, or they felt that they had done something wrong and therefore didn’t want to tell anyone.

In the household survey, children seemed more likely to talk to their caregivers about receiving unwanted requests to talk about sex than about the potentially more serious issue of requests for images. Not knowing whom to tell or where to go and feelings of shame or embarrassment were also the two leading reasons children gave for not disclosing that they had been offered money or gifts in return for sexual images or videos, that they had been threatened or blackmailed to engage in sexual activity, and that sexual images of them had been shared without their permission. Particularly in the case of extortion (threats and blackmail), concerns over getting in trouble if they disclosed their experience (24%) and not thinking anyone would believe them (19%) were common too.

Asked if they knew where to get help if they or a friend were exposed to sexual assault or harassment, only 43% of the children surveyed – and only 38% of the 16–17-year-olds – said ‘Yes’.

## 2.5 BARRIERS TO CHILDREN SPEAKING TO ADULTS ABOUT OCSEA

### Underlying factors

The findings above illustrates that children do not always feel safe to ask for help when they need it most. Data from the household survey, interviews with OCSEA victims who have been through the justice system, interviews with their caregivers, the survey of frontline workers, and interviews with duty-bearers suggest several underlying reasons for the low level of disclosure of instances of OCSEA by children:

**Conversations with OCSEA survivors consistently identified the overwhelming fear of shame. The words of this survivor from Namibia captures this, and the impacts it can have:**

*“I thought the photos were on social media, I felt so embarrassed. I didn’t want to go into public because by then I thought everybody already saw my photos and now they are going to laugh at me and try stuff with me. So, then I really felt like I want to commit suicide because what was the use of me living? I didn’t want to put my family in that position, I didn’t want to put myself in that position, so I would rather kill myself.”*

RA5-NA-03-A

**Insufficient awareness:** Ugandan children might not perceive OCSEA acts as wrong. Some children in the household survey (4%–16%, depending on the type of incident) said they did not disclose incidents because they did not think they were important enough.

This could point to a lack of knowledge about what OCSEA is – perhaps reflecting a wider lack of awareness about OCSEA in society (see below) – and/or to insufficient sex education or awareness of the concept of consent (35% of the children in the household survey, mostly younger children, and boys, said they have not received any education about sex). In one of the interviews, a child protection officer representing a civil society organisation explained that: *“A number of our children don’t know that they are exploited. There are high chances they will not recognise that they are being abused sexually. So that is one of the greatest challenges.”* (RA4-UG-05-A-Justice) A public prosecutor noted that *“OCSEA has not been so much publicised, and the ways of reporting online sexual abuse are also not so clear. This explains why we have few numbers of OCSEA cases.”* (RA4-UG-03-A-Justice)

**Insufficient online safety skills:** Although some of the children responded to unwanted incidents on the internet by blocking the offenders or changing privacy settings, many may lack the necessary digital skills. For example, only 19% of the internet-using children in the household survey (and only 11% of 12–13-year-olds) were confident that they could report harmful content on social media. Only 35%, mostly older children aged 14–17, reported having received information on how to use the internet safely.

**Lack of familiarity with reporting mechanisms:** Children do not appear to know how to report via the social media platforms they use, helplines and the police, and they hesitate to speak to adults around them. Popular platforms may need to work harder to provide intuitive and child-friendly options for children to report negative or harmful experiences online. Helplines may need to reach out in different ways. The police too may need to be approachable and sensitive to any stigma or distress the child may be experiencing.

**Relationship with the offender:** *“Most of the [offenders] and facilitators are people close to children – mostly close relatives to whom these children depend for their well-being – making it difficult for some children to report or to seek for the available services.”* (RA3-UG-21-A)

## 2.5 BARRIERS TO CHILDREN SPEAKING TO ADULTS ABOUT OCSEA

**Our conversations showed that when children did have a supportive avenue it could be enormously positive. This Kenyan girl explains:**

*“I told her everything and she told me that I wasn’t the first person and that it was almost normal nowadays and most of the youth have encountered the same. She encouraged me to talk face-to-face... The more I attended the more I heard others and I started feeling like I am healing inside and outside, and I felt like I was healing and listened to other survivor stories.”*

RA5-KY-02-A

**Common discomfort openly discussing sex and sexuality:** The unwillingness of children to talk to their caregivers about sexual matters – even though they believe they would help them if they were in trouble – show that sexual matters are particularly difficult to talk about. The children surveyed frequently referred to feeling embarrassed or ashamed or that it would be emotionally too difficult to disclose. Children’s fear of getting into trouble suggests a general disapproval of sexual behaviour by children and a likelihood that children subject to OCSEA may face stigma and victim-blaming. This fear may also be related to the fears of being denied access to the internet and social media referred to in [chapter 1.3.1](#). In the survey of the caregivers of internet-using children, 35% said that they would restrict their children’s access to the internet if anything bothered them online.

Under-detection and under-reporting of male child sexual exploitation and abuse is a global problem, due to a range of social and legal implications. One reason is that a child abused by an offender of the same sex may have difficulty disclosing the offence due to the stigma associated with homosexuality.<sup>106</sup> Norms about masculinity and fear of being viewed as homosexual might help to explain, for example, why more boys than girls in the household survey failed to tell anyone when they were offered money or gifts for sexual images or videos, particularly as homosexuality is legally defined as “unnatural” and is a criminal offence.

These barriers to the disclosure of OCSEA perpetuate the “culture of silence”.

**Survivors told us tackling community discomfort and shaming about OCSEA was vital. This survivor from Namibia explains:**

*“From my family and the community I feel that you as a victim who is involved, you are to blame and its very wrong because they are a lot of factors that lead one to do such things. It’s very wrong as well because then you don’t have the support that you need at that time. Even if I am desperate, it means I can’t think clearly, I am trying to find a solution and if anyone outside makes me feel comfortable, then it will allow me to feel free from fear of judgement and that will allow me to confess or ask for advice. Whenever you mention such thing, you are the victim, but they will put it as if you put yourself in that situation, you need to get yourself out.”*

RA5-NA-07-A

106. Josenhans, V., Kavenagh, M., Smith, S., & Wekerle, C. (2019). [Gender, rights and responsibilities: The need for a global analysis of the sexual exploitation of boys](#). *Child Abuse & Neglect*. 110, 4-6.

## 2.6 AWARENESS OF OCSEA IN UGANDA

The legal and policy overview at the beginning of this report suggests that policymakers are increasingly aware of OCSEA. However, all the respondents in the duty-bearer interviews agreed that public awareness and understanding of OCSEA is low among the population. According to the National Coordinator for the Uganda Child Helpline under the Ministry of Gender, Labour and Social Development “*There is very little information about [OCSEA] within the*

*public so we have had to do a lot of work which is still in progress in terms of changing the people’s mindset.*” (RA1-UG-05-A) The Programme Officer for Capacity Building at the National Children’s Authority thought that “*When it comes to OCSEA, the public has not yet appreciated the dangers of the crime.*” (RA1-UG-04-A) It was also noted that people in urban centres have received more information on OCSEA than those in rural areas. (RA1-UG-05-A)

### Recognising Rural Risk

There is a growing realisation that children in rural as well as urban settings are at risk of OCSEA. In an interview with *Disrupting Harm*, an OCSEA counsellor of the Uganda Child Helpline underlined the need to expand awareness-raising initiatives to reach all sections of society: “*At first, we [Child Helpline] had thought that this [OCSEA] is an abuse that is rampant in the urban centres, then when we went to villages such as Abong, in Karamajong, the secondary school students told us, ‘You know we use FB, we use Whatsapp, we use the internet.’ This is how we came to learn that this is a programme that must be done across the whole country.*” (RA1-UG-03-A)

In the household survey of internet-using children in Uganda, children in rural areas indicated slightly more instances of OCSEA and related experiences than their urban counterparts. Within the past year, for example, 26% of rural internet-

using children had been subjected to sexual comments about them which had made them feel uncomfortable compared to 22% of urban children. Similarly, 23% had received unwanted requests to talk about sex or sexual acts compared to 17% for urban children, and 14% had received unwanted requests for a photo or video showing their private parts, compared to 10% for urban children. Children in rural areas were also more likely than urban children, within the past year, to have been: offered money or gifts in return for sexual images or videos (11% vs. 9%); offered money or gifts to meet someone in person to do something sexual (13% vs. 10%), and threatened or blackmailed to engage in sexual activities (9% vs. 6%). Among 15–17-year-olds in rural areas, 11% had accepted money or gifts in exchange for sexual images or videos within the past year, compared to 6% of their urban peers. It must be emphasised that these findings are not conclusive, given small sample sizes.

“**There is very little information about [OCSEA] within the public so we have had to do a lot of work which is still in progress in terms of changing the people’s mindset.**

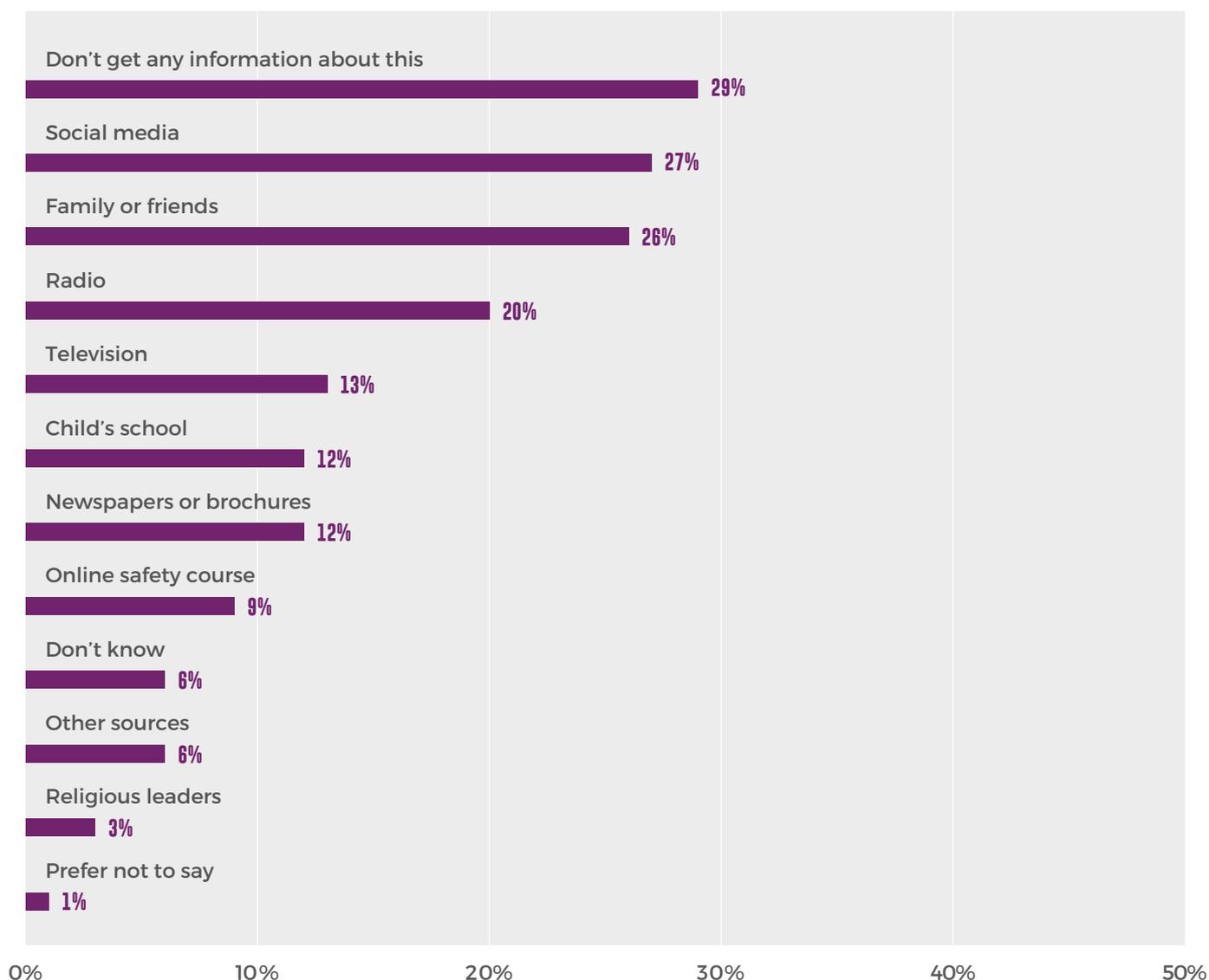
The 50 frontline workers surveyed generally considered the levels of awareness of OCSEA in Uganda among young people, caregivers, and the public to be either ‘fair’ or ‘poor’. According to one respondent, “*General awareness on OCSEA across the country is still lacking. Awareness is only slightly done in schools leaving out the non-school going children and the community at large.*” (RA3-UG-28-A) And another, “*While Uganda has grappled with child protection related issues, OCSEA has not been a common problem until recently with increased access to phone and internet. So, most community members are not yet well aware and knowledgeable on issues of OCSEA.*” (RA3-UG-44-A)

## 2.6 AWARENESS OF OCSEA IN UGANDA

Understanding of OCSEA among duty-bearers and frontline workers themselves is hampered by the shortage of data to support the establishment of solid legal frameworks, policy development and implementation, and appropriate judicial redress. According to UNICEF's 2016 Uganda Scoping Study on Child Online Protection, data on online sexual abuse of children in Uganda are limited due to the lack of a centralised monitoring and evaluation system and the relative recency of the issue.<sup>107</sup>

Caregivers in Uganda are most likely to get information on how to keep their children safe online from social media, family or friends or the radio (see Figure 26). Figure 27 shows the media via which caregivers would *like* to receive information. These findings could help to inform awareness-raising strategies.

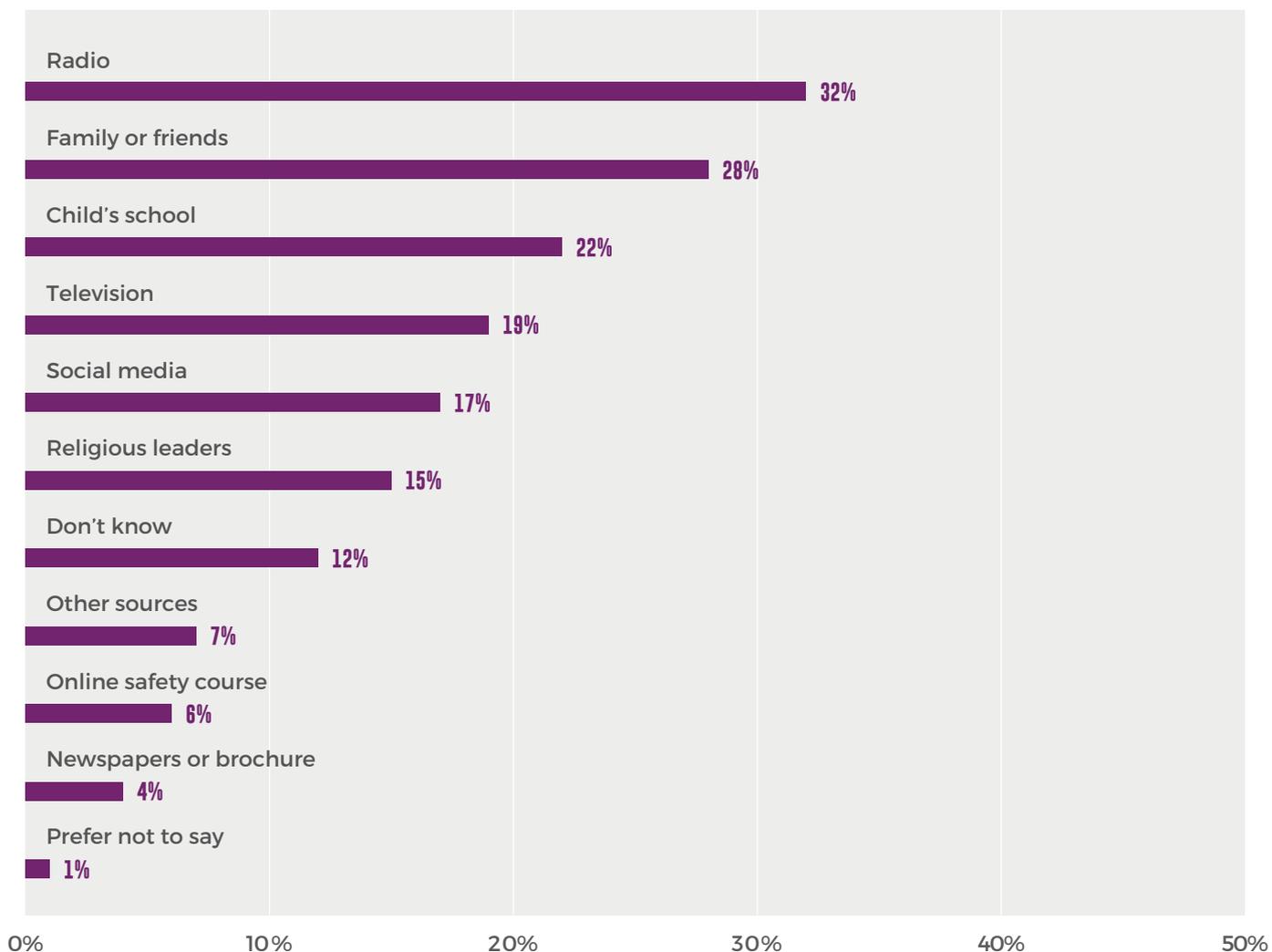
**Figure 26: Caregivers' sources of information on how to support their children's internet use and keep them safe online.**



107. UNICEF. (2016). Uganda Child Online Protection Scoping Study.

## 2.6 AWARENESS OF OCSEA IN UGANDA

Figure 27: Caregivers' preferred sources of information on how to support their children's internet use and keep them safe online.



# 3. RESPONDING TO ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE IN UGANDA

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**This chapter presents evidence about current Ugandan response mechanisms. This includes formal reporting options, and responses by police and the court system. Finally, it considers the contributions which government, civil society and the internet and technology industry make to combating OCSEA in Uganda. Much of the data is drawn from qualitative interviews with government, law enforcement, court professionals and children and caregivers who accessed the formal justice system. Responses may not reflect the full range of experiences of those accessing the Ugandan response mechanisms to OCSEA.**

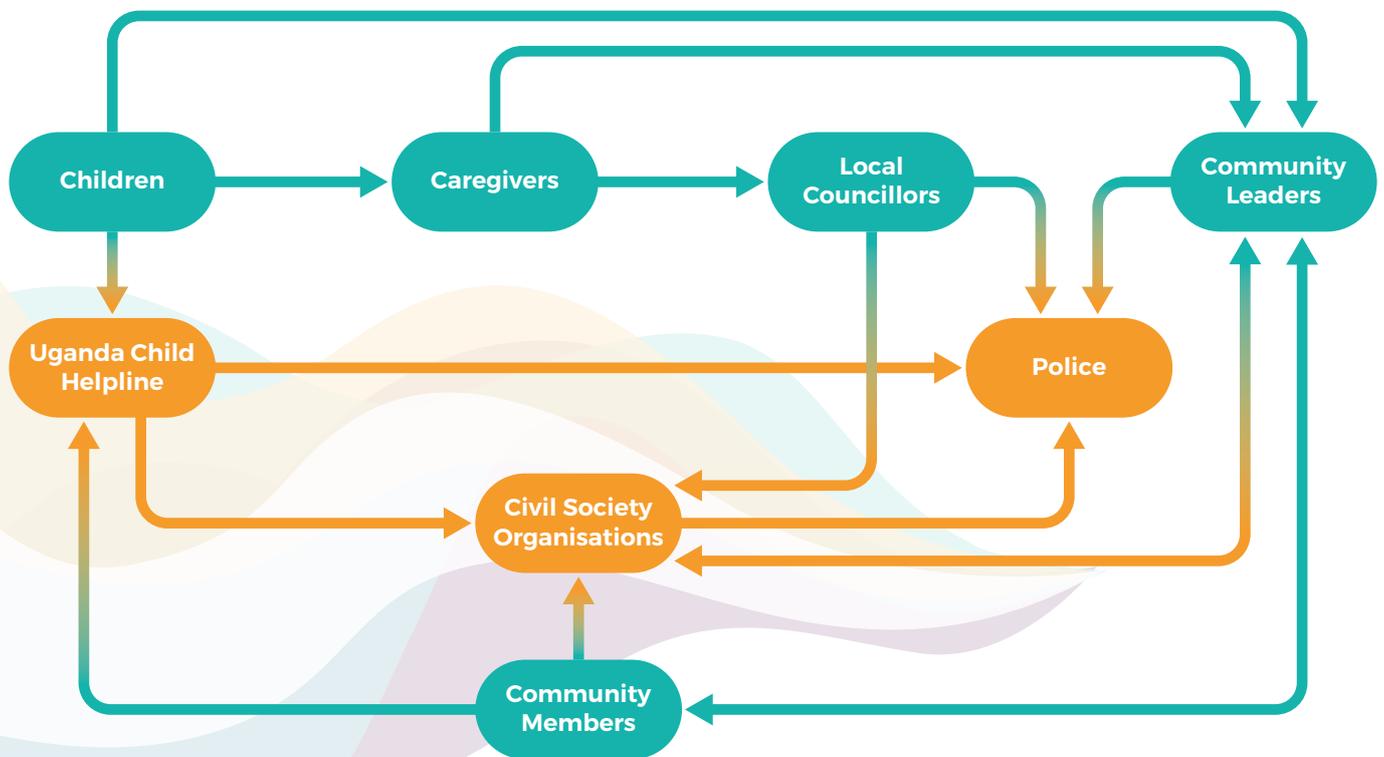
# 3.1 FORMAL REPORTING MECHANISMS

## Legal Obligations to Report in Uganda

- There are no reporting obligations specific to OCSEA cases. However, it is **mandatory for medical practitioners, social workers, teachers, and local councillors to** report matters affecting the wellbeing of children under their care.<sup>108</sup>
- The Prevention of Trafficking in Persons Act **imposes mandatory duties** on all **private citizens** to report information about **human trafficking** to the police or other concerned authority, on pain of a six-month prison sentence or a fine of five thousand currency points (approx. US\$27,315 as of March 2021).<sup>109</sup>
- Pursuant to the provisions of the Children Act, **any person** who knows about a **child at risk of sexual abuse** or in need of care and protection **has the duty to report** to a designated child protection organisation or authority.<sup>110</sup> However, non-compliance is not an offence. According to the Uganda case management handbook for child protection, this is one of several factors that undermines reporting of violations by children and their families.<sup>111</sup>

### 3.1.1 Formal reporting mechanisms and barriers to their use

Figure 28: OCSEA reporting channels in Uganda.



108. Republic of Uganda. (2016). *The Children Act [as amended by the Children (Amendment) Act No. 17 of 2016]*, Section 42A (3).  
 109. Republic of Uganda. (2009). *The Prevention of Trafficking in Persons Act No. 7 of 2009*, Section 10.  
 110. Republic of Uganda. (2016). *The Children Act [as amended by the Children (Amendment) Act No. 17 of 2016]*, Section 42A (1).  
 111. Ministry of Gender, Labour and Social Development. (2016). *A handbook for case management in child protection. A Resource Guide for Multi-sectoral Case Management Agencies in Uganda*, 44.

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The interviews with six OCSEA victims in Uganda who had accessed the judicial process revealed that most victims who reported to the authorities had initially told either a peer or a caregiver about their abuse. In the words of one victim, *“I decided on my own and talked to my mom and my mom decided that we should go to police and get justice.”* (RA4-UG-01-A-Child)

According to another, *“I had a friend; she was my neighbour. When I told her what happened, she advised me to go and report to police. So, I went to the police station and reported the case.”* (RA4-UG-02-A-Child)

The formal channels available for reporting incidents of OCSEA in Uganda include the police, civil society organisations and the Uganda Child Helpline. All these channels depend on children and their caregivers or other community members to make a report.

Asked what they would do if something bothered their children online, only 6% of the caregivers in the household survey stated that they would call a helpline. On the other hand, most caregivers said they would tell somebody if their children were sexually harassed or abused, and 48% said they would tell the police.

However, when OCSEA occurred the research suggests that rarely it is reported via formal reporting mechanisms such as helplines and the police. According to a UNICEF child protection specialist, *“[reported] OCSEA cases are rare; they are not common. I was looking at the judiciary report and could not see OCSEA cases that have been reported. I am however aware of a few of them reported through the child helpline, under the Ministry of Gender.”* (RA1-UG-01-A)

“  
When OCSEA occurred the research suggests that rarely it is reported via formal reporting mechanisms such as helplines and the police.  
”

Some of the challenges in reporting via formal mechanisms are specific to OCSEA, some relate to the reporting of sexual abuse and exploitation in general, and others emanate from the nature of the legal system. They include:

**Lack of awareness about OCSEA:** The interviews with duty-bearers and justice professionals suggest that the failure of communities to perceive instances of OCSEA as crimes is a barrier to reporting. In the survey of frontline workers, 72% considered low knowledge of the risks of OCSEA among caregivers to be a factor influencing the reporting of OCSEA. In an interview, a child protection officer representing a civil society organisation with experience of OCSEA cases explained that: *“Even the communities that we are working in do not understand that online exploitation happens. If they see it, to them it is like a normal thing, and no one will openly come out to say this and this has happened to this child. [...] People don’t know that online exploitation exists.”* (RA4-UG-05-A-Justice)

**Not knowing where to report:** Among the frontline workers, 64% felt that one of the reasons for the lack of reporting from the public was not knowing where to report.

**Process of reporting:** According to the OCSEA victims interviewed, and their caregivers, reports must first be made to a local community leader (“local councillor”), who then issues a formal referral form for the victim to take to the police. Two of the six victims interviewed actually went directly to the police, and in both cases the police told them to see their local councillor first. According to one victim, *“The police told me that I first go and report to my residence chairman [local councillor] as cases first start from there.”* She explained that the role of the local councillor is *“to attend to people with problems and refer them for help in his locality. When I reported [my case] to him, he listened to me and gave me a referral letter to police... [But] he did not help me that much.”* (RA4-UG-04-A-Child)

## 3.1 FORMAL REPORTING MECHANISMS

Several of the victims said that the local councillors asked them for an ‘informal fee’ to cover expenses such as transport and materials. In one case, the local councillor did not issue the referral form due to non-payment (RA4-UG-06-A-Child). In another case, however, a local councillor issued a referral form even though no money was paid.

None of the criminal justice professionals and law enforcement officers interviewed for *Disrupting Harm* made any mention of the requirement to apply to a local councillor, nor is it described in relevant legislation or regulations. It is unclear whether the local councillors have any relevant training, or why the OCSEA victims interviewed did not have direct access to the Child and Family Protection Units under the Directorate of Chief Political Commissariat of the Uganda Police Force. It is presumed that the practice is based on the fact that the local councillors are in proximity to the people and are therefore able to act to protect quicker. However, this practice has now formed another obstacle to accessing justice.

**Poor treatment of victims:** Of the ten justice professionals interviewed, seven perceived victim-blaming by the police as a deterrent to reporting. Among the 43 caregivers in the household survey who openly stated they would *not* report an incident of harassment or abuse of their child, the most common reason given was “not thinking anything would change”, followed by fear of not being treated properly and concern about possible negative consequences. Women were most likely to give the first of these responses and men the other two. The lack of available professional support services for victims is not encouraging either. A frontline service provider observed: *“Services for OCSEA are limited to urban centres and the cyber unit of police is still weak and therefore support to victims is limited.”* (RA3-UG-50-A)

**Difficulties discussing sex and sexuality:** Law enforcement officials interviewed suggested that difficulties discussing sex publicly constituted a barrier to the reporting of sexual abuse. Similarly, in the frontline workers survey, 72% of the participants saw taboos around discussing sex and sexuality as a factor influencing the reporting of OCSEA.

**Fear of stigma from the community:** In the survey conducted with frontline workers, stigma from the community was perceived as the main factor influencing the reporting of child sexual exploitation in general and OCSEA in particular. Three of the ten criminal justice professionals interviewed also mentioned fear of stigma from the community as a barrier to the reporting of all forms of sexual abuse and violence including OCSEA. A legal officer representing a civil society organisation explained: *“The families that come out to expose the issue of sexual exploitation openly, you find some members of the community stigmatising them. Even where you’ve reported to the police, they will view you [the victim] as a person who willingly participated in the act. So that also makes it harder for the child to access justice or seek help from either police or service provider or court.”* (RA4-UG-02-A-Justice)

**Risk of incriminating the child:** Ugandan legislation that criminalises homosexuality (see [chapter 2.5](#)), pornography, and sex between same aged peer children (see the overview of legislation and policy at the beginning of this report) means that child victims of various forms of OCSEA could themselves be charged with offences if they disclose.

### 3.1.2 Child sexual exploitation and abuse hotlines and helplines

#### Hotlines and Helplines

There are several channels through which children and adults can report OCSEA. These include child hotlines and child helplines. **OCSEA hotlines** focus on working with industry and law enforcement agencies to take down content. Nowadays they often use web-based formats rather than phone numbers to lodge concerns. **Child helplines** usually respond to a broad range of child protection issues, although some may specifically focus on online child sexual exploitation and abuse. Child helplines might provide immediate crisis support, referral services and/or ongoing counselling and case management services.

The following hotlines and helplines are relevant to OCSEA in Uganda:

- the **Uganda Child Helpline**, known as ‘Sauti 116’, established by the Ministry of Gender, Labour and Social Development in 2014, which operates 24/7 using the toll-free number 116,<sup>112</sup>
- the **Internet Watch Foundation (IWF) reporting portal** launched in partnership with the National Information Technology Authority (NITA-Uganda) in September 2015,
- the **Uganda National Computer Emergency Response Team (UG CERT)**.

### Uganda Child Helpline

The Uganda Child Helpline toll-free telephone service is available for reporting all forms of abuse against children – including OCSEA. It receives reports of OCSEA and refers victims to the relevant organisations or professionals for support. OCSEA cases also come to the Helpline through the SMS Platform ‘U-report’. Interviewed duty-bearers considered Sauti 116 to be a critical stakeholder in the response to OCSEA: *“I have handled OCSEA cases and most of them have come through 116.”* (RA1-UG-03-A) An interviewee from the Helpline explained that it has just two counsellors whose role includes *“to identify and register the [OCSEA] cases first of all, and also assess the relevant information once it’s provided by the reporters.”* (RA1-UG-03-A)

**Numbers of reports:** Nevertheless, reports of sexual abuse represented only 0.3% of the total number of contacts made to the Helpline in 2019. (RA1-UG-01-A) The low figures for reporting sexual abuse are compatible with the findings about children’s reluctance to confide in adults about incidents of OCSEA or potential OCSEA, and very low levels of reporting to helplines, described in the previous chapter.

Figure 29: Calls to the Uganda Child Helpline.

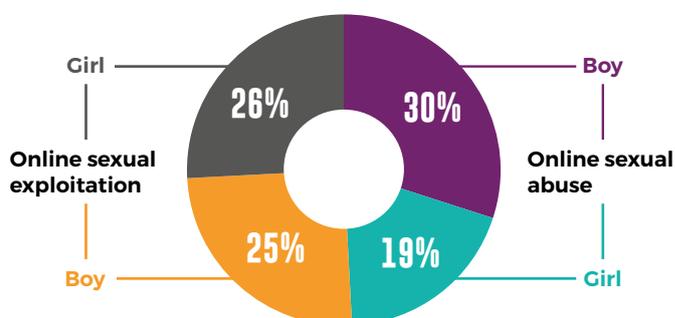
	2017	2018	2019
Total calls	210,153	213,667	219,202
Cases of violence against children registered	2,844	3,055	3,037
Cases of sexual abuse	799	723	807

Base: Annual reports of the Uganda Child Helpline.<sup>113</sup>

The Uganda Child Helpline does not distinguish whether abuse has involved online elements in data in its annual reports. However, according to data shared with Child Helpline International, it received 76 contacts concerning OCSEA in 2017, 140 in 2018 and 307 in 2019. “Exposure to adult pornography” accounted for most of these reports (67% in 2017; 54% in 2018). Exposure to children to adult pornography can occur in different ways and would only constitute exploitation when used as part of a grooming process which is not determinable in this statistic. “Unwanted sexting” accounted for 18% of the OCSEA reports (12 contacts) in 2017 and 19% (27 contacts) in 2018.

Child Helpline International simplified its reporting categories in 2019, OCSEA case data they received from the Uganda Child Helpline in 2019 are shown in Figure 30.<sup>114</sup>

Figure 30: Contacts concerning OCSEA reported by the Uganda Child Helpline to Child Helpline International, 2019.



Source: Data shared by Child Helpline International. n = 307 contacts.

112. UNICEF Uganda. (2016). [Uganda Child Helpline Service Annual Report 2016](#).

113. Personal communication with Uganda Child Helpline.

114. NB: In 2019 Child Helpline International simplified its data framework to improve the quality and reliability of the data collected and reported by child helplines. Data was reported under nine sub-categories in 2017 and 2018, and two sub-categories in 2019.

## 3.1 FORMAL REPORTING MECHANISMS

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**Limitations:** According to the duty-bearers interviewed, the main challenges facing the Uganda Child Helpline are funding for responding to OCSEA and gaps in human resources. In the words of a representative of the National Children Authority: *“Child Helpline Uganda has financial issues so they can only reach a few people. There are [also] only two counsellors [with expertise on OCSEA] and then remember, these two people are not exempted from handling other cases of child abuse, so the staffing is small. Imagine two people handling cases from the whole country? It’s challenging.”* (RA1-UG-04-A) UNICEF was named by the representative of the Ministry of Gender, Labour and Social Development as the main source of funding for the Helpline’s OCSEA interventions.

**Collaboration with the police:** Not all the children who report OCSEA cases to the Helpline are willing to pursue justice through the criminal justice system; the respondent explained that some victims are only interested in seeking support services to help them move past the abuse. (RA1-UG-03-A) If the children so desire, the reports are forwarded, according to an interviewee from UNICEF, *“specifically to the Sexual and Gender-Based Violence Unit of the police who work closely with the Criminal Investigations Department.”* (RA1-UG-01-A)

### Internet Watch Foundation reporting portal

The Internet Watch Foundation Portal provides a reporting service for Ugandan citizens to report images and videos of child sexual abuse when they spot them on the internet. The reports go straight to the UK based Internet Watch Foundation experts who assess each report.<sup>115</sup>

Only 13 cases were reported to the Ugandan IWF portal from 2015, when it was launched, to the end of 2019, according to the IWF.

### Uganda National Computer Emergency Response Team

UG-CERT provides a reporting webpage for all forms of cybercrime including OCSEA and other forms of online abuse against children.<sup>116</sup> It responds to reports from Internet service providers and the public concerning all kinds of computer-related malicious activities including OCSEA.<sup>117</sup>

Duty-bearers including the respondent from the National Information Technology Authority, the institution under which UG-CERT operates, did not provide any information on numbers of OCSEA reports.

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115. Internet Watch Foundation. (2021). [What we do](#).

116. Cert.UG. (n.d.). [Report Incident](#).

117. UNICEF. (2016). Uganda Child Online Protection Scoping Study.

## 3.2 LAW ENFORCEMENT RESPONSE

### 3.2.1 Law enforcement institutions handling OCSEA

While law enforcement data indicate that Uganda has 236 officers dedicated to the investigation of child sexual exploitation and abuse, interviewees from the Uganda Police<sup>118</sup> stated that there is no dedicated unit for OCSEA. Key departments include:

- the **Directorate of Criminal Investigations** responsible for the investigation of all crimes in the country, and the **Sexual and Gender-Based Violence Unit**, which investigates many of the OCSEA-related crime cases, although other units may handle them as well,
- the **Cybercrime Department**, which has the mandate to extract information from the electronic media in case of an online case, and
- the **Child and Family Protection Unit**, which does not conduct investigations but ensure the best interest of the child and officers in the unit are reportedly well trained in interviewing children. In the police stations, this unit is represented by child and family protection officers.<sup>119</sup>

“ Uganda has 236 officers dedicated to the investigation of child sexual exploitation and abuse, interviewees from the Uganda Police stated that there is no dedicated unit for OCSEA.

“ Reports are made to the police by the Uganda Child Helpline, caregivers, community leaders and local councils.

“ Reports of OCSEA can be made to any unit of the Uganda Police Force. A respondent from the Directorate of Criminal Investigations indicated that *“It depends on where the victim feels comfortable – it [the report] can come to the Directorate of Criminal Investigations directly or it can go to the child and family protection unit, then they refer to CID for investigation.”* (RA4-UG-10-A-Justice) A UNICEF child protection specialist indicated that cases of OCSEA reported to the Uganda Child Helpline are forwarded to the Sexual and Gender-Based Violence Unit. (RA1-UG-01-A)

According to the respondent from the Directorate of Criminal Investigations, reports are made to the police by the Uganda Child Helpline, caregivers, community leaders and local councils. The interviews with OCSEA victims and their caregivers revealed that it is a common practice for OCSEA victims to report to community leaders, known as local councillors, who then issue them with a formal referral form to proceed to the police (see also [chapter 3.1.1](#)).

Information is shared between police departments and there are documented standard operating procedures for investigations of sexual and gender-based violence and violence against children, providing a step-by-step guide.

118. NB: For the following information, information was received in writing or via semi-structured interviews from officers from the CFPU, the SGBV Unit and the Cybercrime Department. All resource levels were current as of Summer 2020.

119. ECPAT Member UYDEL confirmed on 17th June 2021.

## 3.2 LAW ENFORCEMENT RESPONSE

### Collaboration during Investigations

- There is cooperation between the national police officers and the domestic law enforcement officers of immigration, tourist police and provincial police, often because of officers being deployed together at the same post. There is direct contact and assistance between agencies in-person, and when data are sensitive, information exchange is requested officially.
- Police units collaborate with the police Legal Department when they need legal assistance within the force. During investigations, the investigators work with the Directorate of Public Prosecutions, which is mandated to give legal advice on criminal matters. In one of the duty-bearer interviews, a respondent from the Office of the Director of Public Prosecutions described this collaboration with the police as follows:  
*"When the police identify a case, they call the Office of the Director of Public Prosecutions and*

*then we conduct prosecution-led investigations with them, such that by the time the file is compiled, we know we have not lost any evidence because we have done it as a team with the police (...) we emphasise prosecution-led investigations so we work hand-in-hand with the police."* (RA1-UG-02-A)

- Ugandan police officials indicated that they work closely with civil society organisations to support victims with protective services such as legal and psychosocial support and the provision of basic needs. These organisations in turn sometimes train officers in basic child protection.
- The police officials also reported good cooperation with social workers, health care professionals and the child helpline.
- There is a Coordination Office of the Human Trafficking Task Force, which brings together many government agencies and civil society organisations. A task force for OCSEA might afford similar promising opportunities.

**Awareness of OCSEA:** The duty-bearers and criminal justice professionals interviewed spoke of limited awareness of OCSEA among law enforcement officers. According to an Assistant Director of Public Prosecutions, *"OCSEA is fairly a new matter, to investigators, to prosecutors, to us generally. And this calls for a lot of training and awareness throughout. It looks like it's an imported crime we have tried to copy and yet it's there, we have had successful prosecutions of the same, so we need to do a lot of sensitisation and training because as I said the trend keeps changing."* (RA1-UG-02-A) In the survey of frontline workers, 42% described the awareness of the local law enforcement officers about OCSEA as 'poor'. Moreover, during the interviews with police officers involved in investigations of crimes against children, it became apparent that many of the officers were not familiar with OCSEA.

A representative of the Uganda Child Helpline explained that *"police officers especially the seniors have been trained on OCSEA in Uganda and many of them are conversant with the issue, but the problem now lies on whether the junior officers know what online abuse is."* (RA1-UG-03-A)

**Training:** Specific training on investigating OCSEA is lacking – indeed, the interviewees in the police force expressed a desire for such training. As a result, officers do not have the training they need to be able to carry out OCSEA investigations, identify victims, or collect evidence from the web.

All the units have received some training from external and international agencies on issues like cybercrime, gender-based violence and human trafficking, and officers from the Cybercrime Department received some basic training on OCSEA from UNICEF. However, two criminal justice professionals noted that most child-related training has been provided for the Child and Family Protection Unit. As an Assistant Director

of Public Prosecutions noted, *“The Child and Family Protection Department does not investigate OCSEA cases. When they receive these children, they refer them to the [Directorate of] Criminal Investigations. Most of the officers in the [Directorate of] Criminal Investigations, however, are not trained to handle these children.”* (RA4-UG-02-A-Justice)

A Probation and Social Welfare Officer confirmed this: *“The police training has targeted family and child protection unit majorly. The [Directorate of Criminal Investigations] and resident state attorney have not received training. They have been left out.”* (RA4-UG-08-A-Justice)

A justice professional representing a civil society organisation noted that most of the training given by civil society organisations *“has been focusing on police officers in urban areas compared to rural and peri-urban areas.”* (RA1-UG-01-A)

**Funding:** There is no specific funding available for addressing OCSEA-related crimes. According to three of the ten government representatives interviewed, this has a negative impact on investigations. A prosecutor explained: *“There is no funding or general budget allocated to OCSEA as such, so it is handled as a general crime. That means that [...] the investigations may not move as fast as we want because you control no budget, you have to keep relying on someone else to – you know, who is going to help us to do this? Is UNICEF going to help us? And these investigations are rather expensive, and they call for high IT expertise and so I think that is a major area of improvement.”* (RA1-UG-02-A)

**Equipment:** Police departments have basic equipment, but space limitations may make it difficult to find a private environment to conduct interviews. At least one vehicle is assigned to each unit, but computers, mobile phones and internet connections are not sufficient for all officers. Surveillance equipment can be obtained from the Intelligence Directorate, which is mandated to do surveillance. The Directorate of Forensics has no particular equipment for OCSEA-related crime cases. The Cybercrime Unit can perform basic software operations, but to analyse data it seeks assistance from the Uganda Communications Commission.

**Record-keeping:** Record-keeping is largely paper based. There is a criminal record management system, but it is not operational according to some officers interviewed. (RA8-UG)

**Psychosocial support:** Interviewees from the Uganda police said that no psychosocial support is provided for police officers involved in investigations of sexual violence. (RA8-UG)

### International Cooperation during Investigations

- INTERPOL is the centre for coordination with foreign law enforcement agencies. The Ministry of Foreign Affairs is also available. Requests from abroad are treated with urgency.
- During the duty-bearer interviews, a public prosecutor nevertheless drew attention to challenges in cross-border cases: *“Where the offence is cross-border and you find that probably Uganda doesn't have a mutual legal assistance or an extradition agreement with those States, it'll be difficult to recover all the necessary evidence that you need from another jurisdiction.”* (RA1-UG-07-A)
- The Ugandan police receive CyberTips from NCMEC and forward those to the relevant departments. However, most of the officers interviewed were unaware of those CyberTips.
- The Directorate of Criminal Investigations collaborates with the Institute of Languages in Makerere University for interpretation in cases where investigators face language barriers.
- The Ugandan police is not connected to INTERPOL's International Child Sexual Exploitation database.

## 3.2 LAW ENFORCEMENT RESPONSE

### 3.2.2 Outcomes of investigations

Figure 31: Defilement cases by outcome, 2017–2019 – number of cases.

	2017		2018		2019	
	Number	% of total	Number	% of total	Number	% of total
Total cases	14,985		15,366		13,613	
Cases under inquiry	6,807	45.40%	6,166	40.10%	4,897	36.00%
Not detected/NPW	3,527	23.50%	3,615	23.50%	2,985	21.90%
Cases taken to court	4,651	31.00%	5,585	36.30%	5,732	42.10%
Cases submitted to Director of Public Prosecution/ Regional State Attorney	6,785	45.30%	8,179	53.20%	8,084	59.40%
Cases with convictions	609	4.10%	840	5.50%	1,021	7.50%
Cases with acquittals	20	0.10%	46	0.30%	69	0.50%
Cases dismissed	318	2.10%	429	2.80%	474	3.50%
Cases pending in court	3,704	24.70%	4,270	27.80%	4,168	30.60%

Base: Uganda Police Force Annual Crime Reports.

Figure 32: Defilement cases by outcome, 2017–2019 – number of defendants.

	2017	2018	2019
Charged	4,751	5,747	5,889
Convicted	675	951	1,006
Imprisoned	482	588	713
Acquitted	17	52	57
Discharged	275	415	473
Awaiting trial	3,784	4,329	4,353
Death sentence	–	–	6
Fined	30	40	40
Total fines imposed (UGX)	28,095,000	27,200,000	21,370,000
Probation bound over	26	–	15
Caution	159	191	169
Community work	51	132	84

Base: Uganda Police Force Annual Crime Reports.

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There is no disaggregated data specifically about the outcomes of OCSEA investigations. However, the Uganda Police publishes data on the outcomes of defilement investigations. As seen in [chapter 2](#), defilement cases broadly correspond to cases of sexual exploitation and abuse against children, both online and offline.

The category 'Cases under inquiry' denotes cases still under investigation at the time of the annual crime report. The percentage of cases still under inquiry at the end of each year declined between 2017 and 2019, perhaps suggesting that investigations are taking less time. The percentages of cases submitted to prosecutors, brought to court, and leading to convictions increased. (Note that the conviction rates are incomplete as most cases taken to court in any given year were still pending at the end of the year.)

As shown on Figure 32, of the total defilement cases concluded in 2017–2019, 2,632 (67%) were convicted, 1,163 (30%) were discharged and 126 (3%) were acquitted. Over two-thirds of those convicted were imprisoned. Six defilement offenders were sentenced to death, all in 2019. It is not clear whether these sentences have been carried out, or whether defilement was the most serious or only charge of which the offender was convicted.

### 3.2.3 Children's descriptions of their encounters with the police

The six Ugandan OCSEA victims in the access to justice interviews (all girls) consistently characterised their encounters with most local officials and police in negative, and even painful, terms. With few exceptions, they said that the police and local councillors were not genuinely motivated to help them pursue justice. *"The police were tossing me around,"* one said, *"They were telling me to go and come again. So, I reached a point where I gave up."* (RA4-UG-04-A-Child)

The victims and their caregivers asserted that some of the local leaders and police officers significantly delayed taking any action, and that they frequently had to check on progress. One caregiver added that these repeated visits to the police were financially difficult for her. (RA4-UG-01-B-Caregiver)

At least five out of the ten justice professionals interviewed confirmed that victims face delays within the criminal justice system, from the reporting stage through to court proceedings. One justice professional explained that *"The process is sometimes too lengthy, as there is back and forth, come today, come back tomorrow, come back some other time. Sometimes children feel fed up and they give up on such cases as it is expensive and time-consuming."* (RA4-UG-05-B-Justice)

The victims and their caregivers also indicated that the process of reporting required children to narrate their traumatic experiences repeatedly, first to the local councillor, and then to the police: *"It was hard for me seeing the girl repeatedly narrating what had happened to her to the local leader several times [...] The girl was psychologically tortured. She was tormented as everyone was asking her to tell them what she had gone through, this was very traumatising."* (RA4-UG-06-B-Caregiver)

## 3.2 LAW ENFORCEMENT RESPONSE

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One out of the six OCSEA victims interviewed said she had been subjected to unwanted sexual advances from police officers while reporting the OCSEA crime. (RA4-UG-01-A) Another victim of the six interviewed, said that a local leader had started “asking for sexual favours from me.” and explained that she “felt very bad about it because I was abused [...] again he wanted to abuse me in the same way.” (RA4-UG-06-A-Child)

All the OCSEA victims interviewed were girls and all indicated that they would have preferred to relate their abuse to women. Four said they specifically requested to speak with a female police officer. However, three victims did not have any choice in the gender of the police officer they were assigned to. They said it depended largely on who was in the police office at the time of reporting. “I wanted to talk to a female police officer, but they told me she was not around. They told me to come back another day since the female police officer had gone somewhere else out of office. So, I just talked to the ones I found there since I had no choice.” (RA4-UG-01-A-Child)

The OCSEA victims and their caregivers also stated that police demand payment of ‘informal fees’. All the victims stated that they were asked for money for their cases to be registered but none was able to pay. Out of the six, only one victim’s case moved beyond the reporting phase to the courts.

Three of the ten justice professionals interviewed also pointed out that payment of ‘informal fees’ can affect how a case proceeds after a report is made to the police. According to one of the professionals, “Corruption here happens where a guardian reports on behalf of the child at the police, but the [offender] corrupts the police, and the case ends there.” (RA4-UG-02-B-Justice) Two professionals said that the police often ask for money to facilitate an investigation: “The police will usually tell you they do not have facilitation for things like fuel if they need to go to look for the offender. Then they will say, they need fuel for this. They will need fuel for that. And then you find that the parents are giving up because they cannot come in to support that process when it comes to money issues.” (RA4-UG-05-B-Justice)

In the view of the OCSEA victims and their caregivers, their cases were not taken seriously by the police. They felt that this was because they were children or adolescent girls, because they or their caregivers could not afford the payment, and/or because the police and local officials did not have a good understanding of OCSEA. “The police did not do their duties,” one victim told, “I was really hurt when I went and reported my case to them, and they did not help me. They did not take action. I felt bad. [...] When I told them my problem, they were blaming me, asking me why I would do such a thing and that why did I behave like that.” (RA4-UG-02-A-Child)

## 3.3 GOING TO COURT

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### 3.3.1 Court proceedings

#### Out-of-court settlements

Cases of OCSEA are frequently settled by the victim's family and the offender outside the criminal justice system. One reason could be that the offender is frequently from within the child's circle of family or friends. A representative of the Uganda Association of Women Lawyers explains: *"Our legal clinic has interfaced with such [OCSEA] cases and it's usually from a relative who has stayed in the home or someone who shares the same space with the child. It could be an uncle, a close friend, or it could be a neighbour that is older but has familiarised themselves with the children. And one of the experiences is that those cases never really go as far as court. For the few [OCSEA] cases that we have interfaced with, the victim's family is usually more interested in covering it up, [...] more willing to sit down with the relative who is the [offender] to talk things out."* (RA4-UG-01-A-Justice) Other factors that can contribute to out-of-court settlements are the lack of acknowledgement that a child's rights have been infringed, the fact that a girl above 14 years of age is considered mature in some communities, and public servants' requests for fees (see previous subchapter). Requests for fees probably explain why one justice professional interviewed described resolving child sexual abuse and exploitation cases informally at the community level as the common option for households in absolute poverty. (RA4-UG-06-A-Justice)

This situation facilitates impunity for offenders, who may then go on to abuse further victims. As the Deputy Director for Child Protection of Dwelling Places, a Christian non-profit dedicated to rescue and rehabilitation of street children, put it, *"There's a point at which the [offender] finds the family of the victim. And then they request that that case is resolved amicably and in one way or the other, because the families that we work with are families that live in absolute poverty, so most of them would go for that arrangement not thinking about the child. [...] Usually, families will opt for this rather than go through the whole process of justice."* (RA4-UG-06-A-Justice)

According to the representative of Uganda Association of Women Lawyers, *"So usually the fathers and mothers have been coming up very strongly to say, 'Let him [the offender] at least pay'. And then they negotiate and then [the offender] pays for the damage. [...] It's usually the parents trying to get some money out of it, and they're not concerned about the child. [...] That's why you find most of the victims might be denied the chance to access justice as the parents get paid."* (RA4-UG-01-A-Justice)

Members of the public may also prefer not to pursue justice through the courts, even in OCSEA cases, due to a negative perception of the judicial process, which is regarded as long and tedious. Participants in the survey of frontline workers mentioned delays in handling of reported cases and lost confidence in legal processes due to corruption. Besides caregivers, victims themselves may also feel apprehensive. A counsellor from Child Helpline Uganda observed: *"Some feel that the criminal justice system will re-victimise them in the process. They feel the services provided by rehabilitation and recovery centres are the only services that they feel comfortable pursuing."* (RA1-UG-03-A)

## 3.3 GOING TO COURT

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### Case Study: Accessing Justice

Only one of the OCSEA victims interviewed in Uganda was able to see her case heard in court (RA4-UG-05-A-Child). She faced many obstacles. First, the local leader refused to process her formal report because she had no money. Then the police initially refused to help her because she could not pay UGX20,000 (US\$6) they requested as an 'informal fee'. The victim eventually received counsel from a lawyer, but the lawyer did not represent her in court due to her inability to pay for her counsel. In addition, the victim emphasised that she had to recount her traumatising OCSEA experience on multiple occasions and to multiple people, often males – including the local leader, the police, the lawyer, and the judge.

One positive factor was that the victim was able to choose a female police officer to speak with: *"Since I chose a female police officer, I felt comfortable speaking with her about my case."* The female officer referred the victim to a lawyer, who was also a woman. And even though the lawyer did not take on the case, she encouraged the victim, telling her that because she had evidence of the crime, the case could proceed to court.

The victim recalled: *"She [the lawyer] gave me the opportunity but still she didn't have a lot of time for me, so I had to put in a lot of effort [...] She helped me, yes, but still she told me that, 'If you do not have evidence against the [offender], we will just tell him to pay you and dismiss the case. You must have evidence.' But I told them, 'No, I want justice as a girl.'"*

Then it was time to meet the judge, a man: *"I felt uncomfortable, but I still wanted justice, so I had to give in. I had to tell him everything from the beginning up to the end... I felt somehow uncomfortable but still I had to tell him because I wanted justice. Since I was not given an opportunity to choose a judge. I just found him there waiting for me, so I had to endure."*

The judge eventually helped the victim receive compensation or a settlement from the offender that totalled UGX300,000 (US\$85). The proceedings took eight months in total. Throughout the process, the victim said it was her mother who gave her the most support.

Although the victim received some compensation, she did not feel like justice was fully achieved. The offender paid to end the legal process and avoid punishment. The victim was left feeling traumatised. Overall, she indicated that the experience of seeking compensation was not what she was hoping for. When accepting money from the offender, she worried that it left the wrong impression of her motives for pursuing the case in the first place. *"It was really hard for me, because I had this feeling that maybe these people might think that I wanted money."* (RA4-UG-05-A-Child)

### Bringing charges

When OCSEA-related cases reach the courts, gaps in the legal framework may pose an obstacle to prosecutions. For instance, as a Senior Legal Officer of the Uganda Law Reform Commission pointed out in the interview, grooming is currently charged as defilement, but this statute does not allow charging someone for grooming *per se*: “We need to update our legislation. In the first instance, we have a challenge with the kind of laws that we are relying on. Many other things can happen to a child other than child sexual abuse materials. So, some of these things are not defined in the law but they need to be defined because, for criminal acts, you have to define them specifically. Right now, we are limited to child sexual abuse materials and then we have defilement. We are also looking at face-to-face sort of interactions and yet some can happen online. So, these are the kind of things that we need to clearly and comprehensively define.” (RA1-UG-10-A)

Justice professionals may also be hampered by their own unfamiliarity with such cases. As the Assistant Director of Public Prosecutions of the Office of the Director of Public Prosecutions said, “They may be charged but not correctly charged. So those are the challenges faced in court. When can we charge through the Computer Misuse Act? There is a need for more specialised training for us to equip the investigators, the prosecutors as well as the judges. They need to understand the kind of offence that we are dealing with, it’s a bit complex, it’s fairly new, the trends keep changing.” (RA1-UG-02-A)

### Child-friendly procedures

The Children Act envisages the establishment of family and children courts in every district<sup>120</sup> with jurisdiction over matters relating to criminal charges against a child,<sup>121</sup> child care and protection<sup>122</sup> and operate from their own separate buildings.<sup>123</sup> The interviews with justice professionals suggest that these arrangements are in place in most cases and some good practices were noted by them. One interviewee of the Uganda Police Force (RA4-UG-10-A-Justice) estimated that in 80% of the cases interview sessions with children are taking place in chambers.



There is a need for more specialised training for us to equip the investigators, the prosecutors as well as the judges. They need to understand the kind of offence that we are dealing with, it’s a bit complex, it’s fairly new, the trends keep changing.



A representative of the Office of the Director of Public Prosecutions (RA4-UG-03-A-Justice) indicated that prosecutors devote time to preparing the children for the court proceedings. They noted that the prosecutor’s office has a department that handles sexual offences, and this department has special procedures for working with victims of sexual exploitation and abuse, including OCSEA. The prosecutors in this department are aware that children do not always have the technical terms to describe the act that happened to them and use dolls to support the child in expressing themselves. Another positive development is the emerging use of child-friendly interview rooms. Respondents who had experience with such child-friendly practices noted that they make the justice process easier for child victims.

However, not all prosecutors and courts are able to follow these good practices. In the words of one prosecutor, “Those anatomical dolls are just in very few offices. At the office of the ODPP, there’s a plan to roll out these measures to all the other offices, but of course, with the limited funding, we may not be able to cascade it across all.” (RA4-UG-03-A-Justice)

120. Republic of Uganda. (2016). [The Children Act \[as amended by the Children \(Amendment\) Act No. 17 of 2016\]](#), Section 13(1).

121. Republic of Uganda. (2016). [The Children Act \[as amended by the Children \(Amendment\) Act No. 17 of 2016\]](#), Section 14(1)(a).

122. Republic of Uganda. (2016). [The Children Act \[as amended by the Children \(Amendment\) Act No. 17 of 2016\]](#), Section 14(1)(b).

123. Republic of Uganda. (2016). [The Children Act \[as amended by the Children \(Amendment\) Act No. 17 of 2016\]](#), Section 16(1).

## 3.3 GOING TO COURT

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Moreover, only some judges, magistrates and prosecutors have been sensitised through training. *"We are many prosecutors and only a few are trained to handle children as witnesses or the victims of violence,"* the same prosecutor noted, *"Many of the prosecutors need some training on how to handle these children and make sure they give good evidence and put them at ease."* (RA4-UG-03-A-Justice) Similarly, only some courts, prosecutor's offices and police stations have special child-friendly rooms, and a Probation and Social Welfare Officer is not always on hand to make the court hearing easier for the child, due to lack of resources, including expenses for transport to the court.

According to the interviewed professionals with experience in OCSEA-related cases, when child victims attend court to testify, their cases are heard first to avoid long waiting times. (RA4-UG-03-A-Justice, RA4-UG-04-A-Justice) In addition, they are allowed to speak in a language they speak well and, depending on their age, they are permitted to give evidence through an intermediary such as a caregiver or guardian. (RA4-UG-02-A-Justice)

### Re-traumatisation

Child victims of sexual abuse continue to face the trauma of meeting their abusers in court, due to the hearing of cases in open court. As a Probation and Social Welfare Officer under the Ministry of Gender, Labour and Social Development noted: *"Seeing the [offenders] in court is hard as [...] it traumatises them."* (RA4-UG-08-A-Justice) According to the Deputy Director Child Protection of Dwelling Places, *"Having to stand in court face-to-face with their [offender] that is the hardest part of these cases. We are trying to advocate for a different session for children who have such cases, but we are not yet there. So, it's still that when you go to court, the child will have to be face-to-face their abuser which is so traumatic."* (RA4-UG-06-A-Justice)

Pursuant to the Prosecution Performance Standards and Guidelines of 2014, prosecutors should ensure that child witnesses do not face any kind of intimidation by the accused.<sup>124</sup> The Child Online Protection Handbook requires that the identity and particulars of the victims should never be revealed in the media.<sup>125</sup> However, the Programme Director of Willow International, a non-profit working to end human trafficking and provide services to survivors in Uganda, implied that this regulation is often not observed: *"The child has to testify in open court which is full [of people]. If you look at the open court, there are media there to capture interesting cases coming up. So that brings fear."* (RA4-UG-08-A-Justice)

### Length of proceedings

Many of the officials and professionals interviewed noted that court proceedings are often drawn out –sometimes for two to three years. Victims and caregivers may abandon their quest for justice as the process becomes too costly and time consuming, requiring many visits to the court. Absenteeism among court officials makes matters worse. Hearings can be adjourned without clear explanations. As the Assistant Director of Public Prosecutions of the Office of the Director of Public Prosecutions observed: *"Then by the time the child victim comes to court, they may have forgotten. Even putting them back to that state again, it's re-traumatising them one more time."* (RA1-UG-02-A)

### Transport and other expenses

Lack of transport makes it hard for victims to attend court unless they are supported by NGOs. According to a prosecutor: *"When it comes to court cases, I mean usually witnesses come from very far places to court. And currently, in Uganda, cases that go to the high court are the only ones where witnesses are given some small transport to take them back home. And when you look at most of these cases that are handled, they are handled at the lower levels of magistrates, chief magistrate, magistrates grade one and there's no compensation or transport refund. So, it makes it hard for victims to attend the court."* (RA4-UG-03-A-Justice)

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124. Office of the Director of Public Prosecution Uganda. (2014). [Prosecution Performance Standards and Guidelines \(2014\)](#), Section 2.2.

125. The National Information Technology Authority Uganda. (n.d.). [Child Online Protection Handbook](#), 10.

The Programme Director of Willow International noted that: *“Expenses are covered by the NGOs – medical care, attendance in court, etc.”* (RA4-UG-08-A-Justice) The Deputy Director Child Protection of Dwelling Places said, *“I’ve not seen courts in any case that we have handled order the [offender] to cover the expenses. Usually, it is the organisations that facilitate the children.”* (RA4-UG-06-A-Justice)

### 3.3.2 Compensation

Child victims in Uganda do not have to pursue a separate civil suit to obtain compensation; they can be awarded compensation in the judgment of criminal proceedings:

- Uganda’s Constitution states that compensation should be awarded to victims of wrongs in criminal cases.<sup>126</sup>
- The Computer Misuse Act allows courts to order an offender to pay *“compensation to the victim, with the amount of compensation [...] fixed by the court, taking into consideration the loss suffered by the victim.”*<sup>127</sup>
- The Child Online Protection Handbook of the National Information Technology Authority Uganda advises public prosecutors *“to take note of the various sections of the relevant laws related to possibility of compensations for the victim and guide the court accordingly.”*<sup>128</sup>
- The Victims’ Rights and Empowerment Guidelines of the Office of the Director of Public Prosecution Uganda prescribe that a victim should be provided with information on how to obtain compensation or restitution.<sup>129</sup>

In practice, none of the six interviewed OCSEA victims were informed of their right to compensation from the offender after a conviction. While all of them said that they went to the police because they wanted justice, all of them would have been interested in pursuing compensation through a court verdict if they had been aware of their right to do so.



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In line with this very low awareness among victims, none of the justice professionals interviewed for *Disrupting Harm* were aware of any OCSEA case in which the victim was awarded compensation from the offender through the court after a conviction.

Lack of awareness and the various challenges involved in pursuing cases and securing convictions appear to be the main barriers to compensation on OCSEA-related cases. However, the representative of the Office of the Director of Public Prosecutions said that prosecutors do apply for compensation in defilement cases and follow up to ensure that the victim is paid once a conviction is secured and compensation is given. (As seen in [chapter 2.1](#), cases of child sexual exploitation and abuse are likely to be treated as defilement.) The Programme Director of Willow International recalled a case in which a court awarded compensation for another form of sexual abuse, although the amount was very small and never remitted. (RA4-UG-08-A-Justice)

126. Republic of Uganda. (1995). [The Constitution of the Republic of Uganda](#), Article 126 (2)(c).

127. Republic of Uganda. (2011). [The Computer Misuse Act No. 2 of 2011](#), Section 27.

128. The National Information Technology Authority Uganda. (n.d.). [Child Online Protection Handbook](#), 12.

129. Office of the Director of Public Prosecution Uganda. (2019). [Victims’ Rights and Empowerment Guidelines \(2019\)](#), Guideline 5.2.2, para 4.

## 3.3 GOING TO COURT

Impact statement reports are important for determining the impacts suffered by victims and enabling courts to assess the damages to be compensated. One respondent stated that Probation and Social Welfare Officers prepare victim impact statements for defilement cases heard at the High Court (but not other courts), outlining the physical and emotional damages suffered by the child and requesting compensation through an impact compensation report (RA4-UG-08-A-Justice). The High Court has jurisdiction over aggravated defilement cases (see [chapter 2.1.1](#)) whereas other forms of defilement are heard in the chief magistrates' courts.<sup>130</sup>

### 3.3.3 Services

The Children Act entitles every child to protective services, including support for children during proceedings in a family and children court.<sup>131</sup> The Victims' Rights and Empowerment Guidelines also grant every victim the right to protection and impose a duty on prosecutors to commit a child to a place of safety.<sup>132</sup> The Probation and Social Welfare Officers from the Ministry of Gender, Labour and Social Development are the primary civil servants handling matters affecting children.<sup>133</sup> They determine which services are to be offered to victims during their initial assessment. However, social investigations to determine children's needs are not always possible due to limited resources. According to the Programme Manager of Set Her Free: *"Our Probation and Social Welfare Officers are underfunded. Probation and Social Welfare Officers are supposed to go on the ground for social investigation and present a report. And that is the report that is presented in the courts and the Magistrate will use it to make a decision. If this profession is not facilitated to go down where this abuse has happened and get that information, then you can know that that case is going to a dead end."* (RA4-UG-04-A-Justice)

**Rescue and shelter:** While children are best protected at in a home environment, rescue or temporary shelter services are needed if the situation at home is unsafe or alternative family-based care is not immediately available. In such cases, the Victims' Rights and Empowerment Guidelines oblige Prosecutors to commit a child to a place of safety.<sup>134</sup> However, there is a shortage of available places as government shelters are few. In Kampala, for example, a Probation and Social Welfare Officer explained that there is only one government shelter and that it only caters for a specific age group. (RA4-UG-08-A-Justice) In practice, shelter is mostly provided by civil society organisations.

**Psychosocial support:** According to the Probation and Social Welfare Officer, *"We ensure victims receive psychosocial services depending on the level of abuse. We identify people who can offer trauma counselling, could be clinical officers or psychiatrists. We don't have a government department to counsel victims. We collaborate with partners who we encourage to offer pro bono services"* (RA4-UG-08-A-Justice) Thus counselling services appear to be contingent on the availability of civil society partners that can offer this service for free.

Dwelling Places, Platform for Labour Action, Willow International, Rahab Uganda, Somero Uganda and Set Her Free confirmed that they offer counselling services to children. None of these organisations has a specific focus on OCSEA but victims of OCSEA are among the beneficiaries of their work in related thematic areas such as child trafficking, sexual exploitation of children, reintegration of children living on the streets into family-based care, and child labour. The interviewed representatives said that their counselling services are limited to their geographical focus areas as well as their thematic areas, which suggests that the possibility of counselling only exists in certain regions.

130. UNICEF. (2016). [Prosecuting child-related cases in Uganda: A handbook for Uganda Directorate of Public Prosecutions](#). 60

131. Republic of Uganda. (2016). [The Children Act \[as amended by the Children \(Amendment\) Act No. 17 of 2016\]](#), Section 42C(3)(a)(i) also Section 42(3)(b)(xi).

132. Office of the Director of Public Prosecution Uganda. (2019). [Victims' Rights and Empowerment Guidelines \(2019\)](#). Guideline 6.

133. Ministry of Gender, Labour and Social Development. (2016). [A handbook for case management in child protection. A Resource Guide for Multi-sectoral Case Management Agencies in Uganda](#), 26.

134. Office of the Director of Public Prosecution Uganda. (2019). [Victims' Rights and Empowerment Guidelines \(2019\)](#). Guideline 6.

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**Medical services:** According to the interviewed Probation and Social Welfare Officer, these roles ensure that children are referred for medical attention when required, but any costs incurred during the medical examination of a child victim are borne by the caregivers. If the caregivers are not able to pay, the officers link the victims to civil society organisations for support. (RA4-UG-08-A-Justice) A representative of the Office of the Director of Public Prosecutions remarked that victims from poor families are not able to access medical services, implying that civil society organisations cannot always provide support. (RA4-UG-03-A-Justice) This constitutes a major challenge for poor families, especially as the courts only recognise statements from a police surgeon, which are costly.

**Legal aid:** Although the Children Act guarantees every child the right to legal aid,<sup>135</sup> it is not readily available in practice. Probation and Social Welfare Officers do not refer child victims to legal representation, and the government provides no free legal aid services. Legal aid services are offered by a limited number of civil society organisations such as Uganda Association of Women Lawyers, Platform for Labour Action, Willow International and the Uganda Law Society. The Uganda Law Society currently has 21 legal aid clinics, but a UNICEF Child Protection Specialist indicated that there is limited public awareness about available legal aid services. (RA1-UG-01-A) A Legal Aid Bill was tabled in parliament in 2020.



I felt bad. I felt lonely. I felt like I did not have anyone to help me by that time. Even I was thinking about other bad things in my life. I was very helpless.



Of the six child victims of OCSEA interviewed in the access to justice interviews, only one had a lawyer, for which she had to pay UGX200,000 (US\$56). The other five victims (also girls) indicated they would have liked to have a lawyer, preferably female. They felt that the police did not explain their rights or provide them with any guidance about their legal options. Asked how she felt about not being able to retain a lawyer, one victim replied, *“I felt bad. I felt lonely. I felt like I did not have anyone to help me by that time. Even I was thinking about other bad things in my life. I was very helpless.”* (RA4-UG-03-A-Child)

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135. Republic of Uganda. (2016). [The Children Act \[as amended by the Children \(Amendment\) Act No. 17 of 2016\]](#), Section 4(1)(k); also, Section 16(1).

# 3.4 COORDINATION AND COLLABORATION

## 3.4.1 Policy and government

### Responsibilities and coordination

A National Working Group on the Prevention of Online Child Sexual Abuse and Exploitation has been established bringing together the main public institutions with mandates relevant to OCSEA, which are:

- the Ministry of Internal Affairs.
- the Uganda Communications Commission.
- the Ministry of Gender, Labour and Social Development, including the Uganda Child Helpline and the National Children’s Authority, which has a mandate to ensure proper co-ordination, monitoring and evaluation of child rights policies and programmes;<sup>136</sup>
- the Ministry of Education and Sports.
- the Office of the Directorate of Public Prosecutions.
- the Ministry of Ethics and Integrity.
- the National Information Technology Authority.
- the Ministry of Foreign Affairs, and
- the Ministry of Justice and Constitutional Affairs.

The National Working Group was acknowledged in the duty bearer interviews as successfully clarifying the roles of the various institutions and creating synergies and referral pathways amongst them. According to one interviewed duty-bearer, the National Working Group “brings together different partners, ministries, departments and agencies. Each ministry or department has a specific role to play that prevents OCSEA.” (RA1-UG-03-A)

The National Coordinator for the Uganda Child Helpline (operated by the Ministry of Gender, Labour and Social Development) said that the working group is currently working to ensure that OCSEA is anchored within the programmes of the various institutions with the aid of terms of reference outlining their respective responsibilities, and that a National Plan of Action on Online Child Sexual Abuse and Exploitation is underway. (RA1-UG-05-A)



## A National Plan of Action on Online Child Sexual Abuse and Exploitation is underway.



### Action taken so far

The interviews with duty-bearers reveal only limited action on OCSEA to date. A Child Protection Specialist from UNICEF said, “the interventions [to counter OCSEA] by government agencies have been to a minimal extent.” (RA1-UG-01-A) Nevertheless, positive examples include:

- The Uganda Child Helpline, Sauti 116, is involved in awareness-raising to increase reporting. At least three of the duty-bearers mentioned the impact of awareness raising on reporting. According to a counsellor from the Helpline, “When we create awareness in schools, that is when some children come and tell us that – you know, this happened to me, but I did not know it was this serious.” (RA1-UG-03-A)
- A Senior Legal Officer of the Uganda Law Reform Commission observed: “What I see as an advanced intervention is the development of a booklet – that is the Child Online Protection Guidelines.” (RA1-UG-10-A) There is also a case management handbook for child protection, also developed by the Ministry of Gender, Labour and Social Development.
- The UNICEF specialist added that: “The Ministry of Internal Affairs has been monitoring the crime of sexual exploitation of children both online and offline. They have publicised the crime in the media. The police Directorate of Criminal Investigations came up with posters and education materials informing the public on how to report cases of sexual abuse and exploitation both online and offline.” (RA1-UG-01-A)

136. Ministry of Gender, Labour and Social Development. (n.d.). [National Children Authority](#).

- The National Information Technology Authority-Uganda, in collaboration with the Internet Society Uganda Chapter, a non-profit promoting equal and open internet access, has developed an Online Safety Education Toolkit. The Uganda Communications Commission, Uganda Child Helpline and Ministry of Gender, Labour and Social Development have also undertaken awareness-raising activities about online safety.

### Challenges with awareness and technical knowledge

Policy-makers' lack of understanding of OCSEA may have contributed to the slow pace of applying OCSEA interventions. The senior legal officer from the Uganda Law Reform Commission suggested that *"OCSEA is something that a few technocrats appreciate. It is rather new. [...] I think a lot of institutions are still lagging. They may have the basic knowledge but as long as it is still abstract and is something that has not been properly understood and discussed, then it remains a challenge. So, knowledge must precede."* (RA1-UG-10-A) The National Coordinator for the Uganda Child Helpline under the Ministry of Gender, Labour and Social Development also explained that *"Many people are still unaware. This (OCSEA) is a new subject to them, and most of the duty-bearers are a bit averse to take this on."* (RA1-UG-05-A)

Awareness is needed at all levels. One frontline worker argued that: *"Awareness creation among government structures and local law enforcement is greatly needed since most of the personnel have never heard about OCSEA or taken OCSEA as a crime"* (RA3-UG-21-A). The Programme Officer for Capacity Building from the National Children's Authority stated: *"We do appreciate that OCSEA is a serious issue, and it needs intervention and response. But as of now, this appreciation is still at the national level, but we want to roll it down towards the lower levels. The problem now is finances. If we get the budget, then it will be easy."* (RA1-UG-04-A)



**We do appreciate that OCSEA is a serious issue, and it needs intervention and response. But as of now, this appreciation is still at the national level, but we want to roll it down towards the lower levels. The problem now is finances. If we get the budget, then it will be easy.**



Many frontline workers lack technical knowledge for addressing OCSEA. One duty-bearer indicated that knowledge about OCSEA has remained mainly at the national level as there is no funding to roll out training to the lower levels. (RA1-UG-04-A) Two other respondents said that very few officers at the lower levels have been trained. (RA1-UG-05-A, RA1-UG-07-A) The National Coordinator for the Uganda Child Helpline under the Ministry of Gender, Labour and Social Development acknowledged that most probation and social welfare officers have not been trained. Moreover, the training provided to the minority consisted mainly of sensitisation and did not include details of how to respond effectively. (RA1-UG-05-A) Another respondent said that the Child Online Protection Handbook has not been disseminated widely and also needs review. (RA1-UG-03-A)

## 3.4 COORDINATION AND COLLABORATION

### Challenges with human and financial resources

Some districts do not have the required number of Probation and Social Welfare Officers, according to the National Coordinator for the Uganda Child Helpline under the Ministry of Gender, Labour and Social Development. (RA1-UG-05-A) This is a serious gap as these officers are the primary government workers for handling matters affecting children and supporting victims directly. According to the case management handbook for child protection, their duties include: jointly assessing serious child protection violations (child sexual abuse/physical abuse/extreme neglect) with other institutions such as police, health facilities, schools and non-governmental organisations; preparing and supporting child-survivors, witnesses and their families during legal proceedings, and undertaking social inquiries about children who are at risk of harm and preparing the relevant social inquiry reports.<sup>137</sup>

The government has not allocated a budget for the mandated government agencies to prevent and respond to OCSEA. The Assistant Director of Public Prosecutions explained that: *“There is no government funding for this particular subject [OCSEA], you’re talking about. So, for all the works that we’ve been able to do, we have had support from UNICEF. Where UNICEF goes quiet, then the whole process also goes quiet.”* (RA1-UG-07-A)

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Some districts do not have the required number of Probation and Social Welfare Officers, according to the National Coordinator for the Uganda Child Helpline under the Ministry of Gender, Labour and Social Development.  
”

The importance of funding for OCSEA was highlighted by a respondent from the Uganda Child Helpline (RA1-UG-03-A) as follows: *“If you look at the ‘End Violence against Children Fund’, this fund was very, very important and it has helped us move forward as a country. If you look at where we started from in 2015, we would get one case in the year, but thanks to the funding, we have been able to scale up, and we can now receive four cases in a month, so funding is very critical to enable the various stakeholders ably carry out their mandate in the prevention of OCSEA. Because what I am now seeing when we started, we had only WhatsApp, Twitter, and Facebook. But now a lot of video applications are coming up and these are applications that the children like a lot, in that if they are not properly supervised and guided on how to use, then we are going to get a lot of cases to do with OCSEA.”*

### 3.4.2 Civil society

Government officials and justice professions underlined the vital role of civil society organisations in providing protection services to victims of OCSEA. In the words of the Assistant Director of Public Prosecutions: *“When you have identified this child; you need to have them placed. They may need counselling, the psychosocial support, whatever needs they may have, if the government is not in a position to, we run to the civil society organisations who kind of help with such protection measures we may fall short of providing as a government.”* (RA1-UG-02-A) One frontline social service provider who took part in the survey felt that civil society organisations have played crucial roles *“in improving the quality, availability and awareness of OCSEA and sexual exploitation support services. Interventions have been enhanced at three levels, including individual, societal and national level.”* (RA3-UG-39-A)

137. Ministry of Gender, Labour and Social Development. (2016). [A handbook for case management in child protection. A Resource Guide for Multi-sectoral Case Management Agencies in Uganda](#). 26.

According to one duty-bearer, civil society organisations and UN agencies that offer services to victims include: “UNICEF, who have been doing a lot of research and a lot of funding in this area. We have CSOs like Willow International – it helps us a lot with psychosocial support; for shelter we have Dwelling Places, we have Rahab Uganda, RETRACK, Child Care Ministry<sup>138</sup> just to mention a few.” (RA1-UG-02-A)

However, the National Coordinator for the Uganda Child Helpline under the Ministry of Gender, Labour and Social Development remarked that very few civil society organisations focus specifically on OCSEA or address it within other activities mainly because of lack of awareness. (RA1-UG-05-A) A Child Protection Specialist from UNICEF explained that “NGOs with violence against children programmes or gender-based violence programmes include OCSEA within these programmes but not as a standalone programme. These NGOs offer legal aid and victim support services to child victims under these programmes.” (RA1-UG-01-A) The National Coordinator for the Uganda Child Helpline under the Ministry of Gender, Labour and Social Development noted that some international organisations such as World Vision and Save the Children have shown interest in designing programmes on OCSEA and made the case for addressing it during meetings. (RA1-UG-05-A)

Besides offering services to victims, a few civil society organisations were said to be involved in awareness raising about OCSEA. One duty-bearer questioned the quality of these initiatives: “The majority of civil society organisation programmes do not bring out the issue of OCSEA properly. I think they stop at the [very broadly stated] internet safety bit.” (RA1-UG-03-A) Due to this, the respondent indicated that the Uganda Child Helpline has provided training on OCSEA to national and international civil society organisations like Plan International, Save the Children, and World Vision to enable them to train others.



The majority of civil society organisation programmes do not bring out the issue of OCSEA properly. I think they stop at the [very broadly stated] internet safety bit.



### 3.4.3 Internet service providers and platforms

Collaboration with internet and mobile service providers and platforms is essential to investigate crimes and prevent the dissemination of CSAM. The legal requirements and practical procedures differ depending on whether these operators are Ugandan or global.

#### Domestic Internet service providers

**Evidence Gathering:** When the law enforcement authorities need evidence from a domestic service provider in relation to an offence committed, they serve a court order on the service provider demanding this information.

Section 11 (1) B) of the Computer Misuse Act of 2011 provides that where the disclosure of data is required for the purposes of a criminal investigation or the prosecution of an offence, an investigative officer may apply to court for an order compelling any service provider offering its services to submit subscriber information in relation to such services in that service provider’s possession or control.<sup>139</sup> Under the Computer Misuse Act, a service provider may also be compelled to co-operate and assist the competent authorities in the collection or recording of traffic data in real time, associated with specified communication transmitted by means of a computer system where the authorised officer executes a search warrant.<sup>140</sup>

138. Child Care Ministry is a Christian organisation working for children in Uganda.

139. Republic of Uganda. (2011). [The Computer Misuse Act No. 2 of 2011](#), Section 11(1)(b).

140. Republic of Uganda. (2011). [The Computer Misuse Act No. 2 of 2011](#), Section 28(5) (c) (ii).

## 3.4 COORDINATION AND COLLABORATION

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A prosecutor stated that internet service providers collaborate well with law enforcement officers, even though they are not obliged to comply with their requests other than via court orders: *“The collaboration between law enforcement officers and the internet service providers is not bad, it’s there and it’s OK, as long as the law enforcement agencies know what to do. [...] We have not come across a case where if the necessary steps have been taken and followed, where the [internet service providers] have refused to cooperate. The only challenge maybe is that we may get court orders, and by the time we get them, we have lost valuable evidence. If we don’t move fast, we lose the evidence, especially if these people know we are investigating them.”* (RA1-UG-02-A)

However, with respect to technology and communication companies, a representative of the National Information Technology Authority suggested that there is a challenge in getting evidence from platforms that are encrypted: *“For content that runs on platforms like WhatsApp or Telegram, it’s very hard to find the origin and the person involved in the sharing. All that is not tracked if you don’t have collaboration with such players who provide these apps. I think that’s one of the challenges.”* (RA1-UG-08-A)

**Reporting and removing CSAM:** Ugandan laws do not oblige internet service providers (or cybercafe owners) to report companies and/or individuals disseminating or distributing CSAM or to block or take down such content. Section 32 of the Electronic Transactions Act of 2011 explicitly states that service providers are not obliged to monitor the data which the service provider transmits or stores or to actively seek for facts or circumstances indicating an unlawful activity.<sup>141</sup> However:

- The Minister responsible for information and telecommunications technology may, in consultation with the National Information Technology Authority, prescribe procedures for service providers to (a) inform the authorities of any alleged illegal activities undertaken, or information provided by, their users and (b) communicate information permitting the identification of users.<sup>142</sup>
- Internet service providers are also liable for damages if they fail to remove or disable access within a reasonable time after being informed in writing that a data message or an activity relating to a data message is unlawful and infringes the rights of the user.<sup>143</sup>
- The former Anti-Pornography Act imposed a legal duty on internet service providers to control pornography by deploying any means recommended by the Pornography Control Committee.<sup>144</sup> Failure to comply attracts a prison sentence of up to five years or a fine of up to 500 currency points<sup>145</sup> (approx. US\$2,731 as of March 2021).<sup>146</sup> Although this provision protects children by controlling CSAM, it is a blanket provision for all pornography, and thus does not afford special protection against CSAM. And given the widespread concern around children viewing sexual images, and the frequency with which children come across sexual materials online by accident (See [chapter 1](#)), it is surprising that existing legislation does not oblige internet service providers to prevent children encountering such content online, particularly when viewing advertisements and using search engines – the situations in which they most commonly happen upon it.

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141. Republic of Uganda. (2011). [Electronic Transactions Act 2011 \(Act No. 8 of 2011\)](#) Section 32 (1).

142. Republic of Uganda. (2011). [Electronic Transactions Act 2011 \(Act No. 8 of 2011\)](#) Section 32 (2).

143. Republic of Uganda. (2011). [Electronic Transactions Act 2011 \(Act No. 8 of 2011\)](#) Section 30 (d).

144. Republic of Uganda. (2014). [The former Anti-Pornography Act No. 20 of 2014](#), Section 17(1).

145. A currency point is equivalent to twenty thousand shillings. See Republic of Uganda. (2014). [The former Anti-Pornography Act No. 20 of 2014](#), Schedule 1; also, Republic of Uganda. (2011). [The Computer Misuse Act No. 2 of 2011](#), Schedule 1.

146. Republic of Uganda. (2014). [The former Anti-Pornography Act No. 20 of 2014](#), Section 17(1).

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- Citing the Uganda Communication Act of 2013, the Child Online Protection Handbook states that the Uganda Communication Commission has a duty to supervise all telecommunication services, receive complaints from the public and ensure that all domestically hosted offensive content is made inaccessible. The duty-bearers confirmed that the Commission has a mandate to work with internet service providers to have offensive content (including CSAM) taken down.

The research team was unable to ascertain how the process of removing offensive content in Uganda works in practice, as an interview with a representative from the Uganda Communication Commission failed to materialise despite repeated requests in the course of 2020.

### **Global platforms**

Global platforms cannot be compelled to disclose information by Ugandan court orders or Ugandan authorities since they are governed by the domestic laws in their own countries – in the case of the United States, the Stored Communications Act and Electronic Communication Privacy Act. U.S. Law expressly prohibits the disclosure of communications content such as messages and images directly to non-U.S. law enforcement authorities.

However, United States-based tech platforms may voluntarily disclose non-content data, which includes subscriber data and IP logs needed for conducting investigations, to foreign authorities. Foreign authorities may also notify these platforms of the presence of CSAM, which it would then be in their interests to remove, since it is contrary to their own terms of service and U.S. law.

The annual transparency reports of major social media platforms provide statistics on the number of requests for user data and content removal from each country's government authorities. While none of the major platforms list the numbers of requests specifically related to OCSEA, their transparency data give an indication of the extent to which the law enforcement agencies of various countries are engaged in direct cooperation with large global platforms.<sup>147</sup>

A review of transparency reports for 2017, 2018 and 2019 indicate that the authorities in Uganda made:

- a total of three requests for Facebook user data, all in 2019.
- no other requests to the global platforms sampled.

These figures suggest that Ugandan law enforcement agencies did not regularly engage in cross-border electronic evidence gathering or information sharing in 2017–2019.

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<sup>147</sup> Platforms were selected on the basis of high volumes of reports to NCMEC (10,000+), availability of transparency reporting and known popularity in *Disrupting Harm* focus countries. In addition to U.S.-based companies, transparency reports for Line and TikTok were also reviewed.

# 4. HOW TO DISRUPT HARM IN UGANDA

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Disrupting harm from online child sexual exploitation and abuse requires comprehensive and sustained actions from us all – families, communities, government duty-bearers, law enforcement agencies, justice and social support service professionals, and the technology and communications industry. While children are part of the solution, the harm caused by OCSEA obliges adults to act to protect them; all of us must be careful not to put the onus on children.

Detailed recommendations for action in Uganda are clustered under five key insights from the *Disrupting Harm* data and sign-posted for different stakeholder groups. However, all these recommendations are interlinked and are most effective if implemented together.

## 4. HOW TO DISRUPT HARM IN UGANDA

### INSIGHT 1

**Internet-using children in Uganda are subjected to OCSEA now. Most offenders of OCSEA are someone the child already knows. OCSEA can happen while children spend time online on in person but involving technology.**

#### Government

**1.1 Develop a national curriculum framework for awareness and education about sexual exploitation and abuse of children**, led by the National Working Group on the Prevention of Online Child Sexual Abuse and Exploitation. As part of this framework, integrate awareness on OCSEA risks in other awareness raising and prevention efforts, e.g., regarding violence against children, and sexual and reproductive health programmes. Deliver national scale awareness-raising and sensitisation efforts – either specifically on OCSEA or combined with other, related, issues. Use the channels most likely to be accessed by children, caregivers, teachers – e.g., social media, messaging platforms, television, and radio and develop child friendly materials. Cooperate effectively with civil society organisations to – for example – engage children in the design of the programmes and the internet industry to promote the campaign on their platforms. Ensure that non-urban areas are reached through tailor-made approaches and by using local languages. These programmes must be evidence-based and not shy away from difficult and sensitive messages, such as that offenders are often people known to the children. Adapting and contextualising existing evidence-based programmes should be prioritised and existing evidence-based materials considered as a starting point. Where possible, employ already existing platforms, communication channels and materials, adapting where appropriate.

**1.2 Include child online protection (including OCSEA) in the ICT Guidelines of the Ministry of Education and Sports for schools and include OCSEA in the curriculum of computer classes, including understanding the risks, recognising and reporting OCSEA**, but also general internet navigation skills such as blocking pop-ups. Ensure specific actions to prevent and respond OCSEA of children with a disability and out-of-school children.

**1.3 For the Ministry of Education and Sports, to include OCSEA in the National Sexuality Education Framework and ensure OCSEA is included in resource material**, for instance through the [Kolibri platform](#), that reaches Ugandan children to educate them on consent, boundaries, and what adults or others around them can or cannot do to them; on risks and responsibilities when taking, sending and receiving sexual images, and on how to say 'No'. This will help children understand what acceptable or unacceptable behaviour is and provide them with better tools to stay safe. There are existing reports<sup>148</sup> and initiatives<sup>149</sup> that can provide good starting points and best practice examples of age-appropriate resource material.<sup>150</sup> When children do not know about sex, it enables offenders to take advantage.

**1.4 Awareness and education programmes should be developed and tested through safe and ethical consultations with children, caregivers and teachers**, reflecting children's perspectives of online risks and the techniques children they can use to keep themselves safe.

148. UNFPA. (2021). [My Body is My Own](#).

149. UNGEI. (2020). [Bodily autonomy and SRHR](#).

150. NSPCC. (2017). [Talk PANTS with Pantosaurus and his PANTS song #TalkPANTS - YouTube](#).

## 4. HOW TO DISRUPT HARM IN UGANDA

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**1.5 Support caregivers and frontline workers who are in contact with children overcome discomfort in discussing sex and sexuality to encourage open dialogue about sexual abuse and exploitation online or in person.** In the longer term, this will make it easier for caregivers to talk to and support their children and will make children more likely to come to their caregivers for help when needed. To assist caregivers, provide evidence-based education and information to caregivers so that they can recognise exploitative or abusive behaviour from members of the community, online and offline. This will also help them teach children how to recognise such behaviour and keep safe. Best practices already exist<sup>151</sup> and can be used to build on and set in the local context.

**1.6 Education and awareness-raising efforts should not focus disproportionately on ‘stranger danger’.** Overall children are more likely to be asked to talk about sex or share sexual material by people they already know, rather than by online strangers. Efforts to raise children’s, caregivers’ and teachers’ awareness about the risks of sharing images online should avoid an excessive focus on the “dangerous stranger”; typically, it is a person known to the child who makes the request. Prepare messages and materials with the aid of experts and encompass the various manifestations of OCSEA. Include information on where to go if a child is in danger or needs support, and how caregivers and communities can foster safe and child-appropriate communication channels with children.

### **Caregivers, teachers, medical staff and social support workers<sup>152</sup>**

**1.8 Improve their understanding of digital platforms and technologies.** Half (51%) of Ugandan caregivers are not internet users. Being involved and supportive of a child’s internet use will help them understand the risk and benefits of being online and lead to more open dialogue between children and adults when children face dangers or harm online.

**1.9 Learn about what their children are doing online and be vigilant about the people who their child or the children in the community interact with** and consider whether these interactions seem appropriate for children. Only some threats come from strangers on the internet.

**1.10 Inform children about their right to be protected from all forms of physical and mental abuse and exploitation,** and on how to stay safe by setting boundaries, recognising appropriate and inappropriate behaviour from adults and those around them, and how to say no to inappropriate behaviour.

**1.11 Help children, caregivers, teachers, and those working with children understand the full extent of the risks** of sharing sexual content and how to engage in harm minimisation to limit possible negative repercussions. Most children who shared sexual content initially did so because they were in love or trusted the other person, but this behaviour can lead to serious harm, such as non-consensual sharing of the content with others and sexual extortion.

### **Industry**

**1.12 Offer funds and services to support building awareness raising campaigns on OCSEA,** if this is not already being done.

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151. See: the Australian eSafety Commissioner’s programme ‘[Start the Chat](#)’ to encourage caregivers to talk with their children about their lives online; and eSafety Commissioner’s programme for seniors going online for the first time ‘[Be Connected](#)’.

152. Government, inter-governmental agencies, and civil society need to translate and convey these messages to reach caregivers, communities, medical staff and teachers.

## Model National Response

Many countries, companies and organisations have joined the WeProtect Global Alliance to prevent and respond to OCSEA.

As a member of the Global Alliance, Uganda can use the [Model National Response to Preventing and Tackling Child Sexual Exploitation and Abuse](#) to respond to OCSEA. The Model is a valuable tool for governments to organise and improve the level of response.

Most of the proposed recommended actions in this report align with the 21 ‘capabilities’ articulated in the Model National Response, but *Disrupting Harm* identifies priority areas for intervention based specifically on the data for Uganda. The evidence from Uganda shows that even though many of the capabilities in the Model National Response exist, they are not functioning optimally.

*Disrupting Harm* recommendations primarily address legislation,<sup>153</sup> dedicated law enforcement,<sup>154</sup> judiciary and prosecutors<sup>155</sup> and education programmes.<sup>156</sup> All recommendations are practical, evidence-based, and actionable. *Disrupting Harm* has also indicated to whom the various recommendations are addressed – i.e., the government, law enforcement authorities, justice professionals, the internet and technology industry, or communities, teachers, and caregivers.

## INSIGHT 2

**OCSEA mostly occurs on social media. Facebook, Facebook Messenger and WhatsApp were the most common reported platforms where it occurred.**

### Law enforcement

**2.1 Improve law enforcement officers’ abilities to flag/refer cases of OCSEA to global online platforms, and to report content hosted outside of the country** – e.g., on a website. Training should be provided to the specialised dedicated unit or officers (or in the absence of these, dedicated staff within the Cybercrime unit) on how to engage with the most commonly reported platforms, and where to make reports and flag suspected instances of OCSEA. Ugandan law enforcement agencies may consider utilising INTERPOL capabilities especially connection to the International Child Sexual Exploitation (ICSE) Database and other INTERPOL tools.

### Government

**2.2 Impose legal duties on Internet service providers** to retain data for a set minimum period and to filter and/or block and/or take down CSAM as well as to comply promptly with law enforcement requests for information. This will assist investigations into crimes as well as controlling the wide distribution of CSAM.

**2.3 Ensure that there are robust procedures, through legislation if appropriate, for the removal of CSAM by service providers in Uganda once notified.**

153. Model National Response #3.

154. Model National Response #4.

155. Model National Response #5.

156. Model National Response #13.

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### Industry

**2.4 Make formal reporting mechanisms within platforms clear and accessible to children** and detail in child-friendly terms what the process looks like after children submit a report. Platforms and service providers must respond rapidly to reports made by children and demonstrate transparency and accountability. Platforms should work proactively to prevent sexual content from appearing on children's feeds and where relevant adhere to government regulations to do so.

**2.5 Internet service providers should comply with regulations** to filter and remove CSAM. Enforcing this action is vital in keeping children safe online.

### INSIGHT 3

**Many children did not tell anyone the last time they were subjected to OCSEA. Children tend to disclose to people they know rather than reporting to a helpline or the police.**

### Government

**3.1 Ensure a national effective hotline equipped to deal with OCSEA.** It should be connected to international networks (e.g., via the INHOPE network), and be empowered to serve take-down notices on domestic Internet service providers. The Uganda Child Helpline (Sauti 116) may be positioned to take this role but would require funding and human resources to expand beyond the current two telephone counsellors. These commitments could be addressed in the forthcoming National Plan of Action on Online Child Sexual Abuse and Exploitation.

### 3.2 Provide public financial support to Uganda

**Child Helpline (Sauti 116)** under the Ministry of Gender, Labour and Social Development to ensure its sustainability and improve its ability both to receive reports and to provide psychosocial support to children subjected to OCSEA. In return, Uganda Child Helpline could be requested to assess their efficiency and hold extensive consultations with children on how they can best provide support for OCSEA. Even if children are made aware of helplines, if initial responses to disclosure and help-seeking are poor, the child – and others observing the case – will be much less likely to seek help again.

**3.3 Increase awareness-raising efforts about hot-and helplines** as a reporting and help-seeking mechanism for OCSEA. Methods for advertising helplines (and accessing them) should use channels most commonly accessed by children – e.g., social media, messaging platforms, television, basing the selected channels on audience research.

**3.4 Invest in improving the capacity of social service workforce.** Improve capacity of frontline staff in contact with children to better identify children at risk or that have experienced OCSEA. This should include teachers and staff in schools as well as health workers, additional to all those providing psychosocial support.

### Law enforcement

**3.5 Do not require OCSEA victims and caregivers to first obtain referrals from local councillors before reporting to the police.** Ensure that they can directly report to the police.

**3.6 Ensure that child-friendly procedures are implemented** whenever children are involved as victims in the justice system through the wider dissemination of training, guidance and good practices and the provision of the necessary resources. The court methods used in the Barnahus model<sup>157</sup> may also be explored for adoption.

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157. See: Child-friendly centres for abuse victims: Barnahus. [www.barnahus.eu/en/](http://www.barnahus.eu/en/)

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**3.7 Commit to and deliver training to all law enforcement officers at district level** on how to handle OCSEA-related crime cases. Ideally this training is focused on a specialised unit or dedicated subset of staff (See 4.9). Staffing should be planned to minimise turn-over, so that training is effective and economically sensible.

### **Caregivers, teachers, medical staff and social support workers<sup>158</sup>**

**3.8 Foster safe and ongoing communication** between children and trusted adults about their lives online. Normalising communication about online activities will increase the likelihood that children will disclose any concerns, risks, and harmful experiences they may face.

**3.9 Responses to disclosures of OCSEA should always convey that it is never the child's fault,** whatever choices they have made. It is always the fault of the adult abusing or exploiting the child. The research shows that children subjected to OCSEA often blamed themselves and felt they had let their caregivers and others down or were judged by the police. Responses should be without judgement or punishment. For example, [see guidelines](#) on first-line response to child maltreatment.

**3.10 Try not to restrict children's internet access as a response to potential harm or fear.** Restricting access to technology is potentially seen by children as a punishment and does not effectively prevent them from being harmed in the long run. It only protects children temporarily and does not teach them how to navigate similar situations in the future. This response also tends to discourage children from confiding in adults about the problems they experience, and limits the opportunities for education and socialisation offered by the access to the online world.

### **A further consideration from the data**

Although the household survey results show that boys and girls are both subjected to OCSEA, boys were victims in just 2% of total defilement cases from 2017–2019 in Uganda, suggesting that a large number of cases involving boys are not reported. Children abused by an offender of the same sex may have difficulty disclosing instances of exploitation or abuse or seeking help due to the stigma associated with being viewed as homosexual (regardless of their sexuality). Moreover, they face the risk of self-incrimination as homosexuality is illegal in the Ugandan Penal Code as an 'unnatural offence'. Although the household survey results show that boys and girls are both subjected to OCSEA, no male victims could be identified for interview during the research for Disrupting Harm in Uganda.

## **INSIGHT 4**

**Law enforcement, the justice system and social services lack awareness, capacity and resources to understand and respond to cases of OCSEA. Children we spoke to were not successful bringing their case to justice through the court system.**

### **Government**

**4.1 For the Ministry of Internal Affairs to support the training of law enforcement, the Ministry of Gender, Labour and Social Development to support the training of Probation and Social Welfare Officers, the Ministry of Justice and Constitutional Affairs to financially support the training of judicial professionals and finally, for the Ministry of Local Government to support the training of local councillors** – training can take place for instance through the multi-disciplinary manual on gender-based violence and violence against children (including OCSEA) or a new training programme to be developed by the National Working Group

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158. Government, inter-governmental agencies, and civil society need to translate and convey these messages to reach caregivers, communities, medical staff and teachers.

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on Prevention of Online Child Sexual Abuse and Exploitation, so that these professionals can learn how to respond to (O)CSEA cases, uphold the rights of child victims and investigate and prosecute offenders effectively. Allocate funding as part of the forthcoming National Plan of Action on Online Child Sexual Abuse and Exploitation. Local government need to be included as they are often the entry point for victims.

**4.2 Review the Child Online Protection Handbook** and disseminate it widely under the direction of the National Working Group on Prevention of Online Child Sexual Abuse and Exploitation, to ensure a common understanding among all concerned.

**4.3 Include OCSEA in standard operating procedures for frontline workers**, including a suggested referral network and reporting channels.

**4.4 Provide free psychosocial counselling, medical and legal aid services** to victims of child sexual exploitation and their families. For example, adopt the Legal Aid Bill currently in Parliament to improve the availability of legal aid to child victims. Encourage improvements including allowing victims to choose the gender of their lawyer and the tracking of OCSEA cases by the Uganda Law Society and other legal aid providers.

**4.5 Make a transport budget available** to enable victims of sexual exploitation and abuse and caregivers to attend court hearings by meeting their expenses, in the same way as is done for police and social welfare officers.

**4.6 Increase the numbers of probation and social welfare officers** in all regions and train and support them so that they can play an increasingly effective role in addressing child sexual exploitation and abuse.

**4.7 Offer psychological support** to personnel working closely with victims and cases of child sexual exploitation and abuse.

**4.8 Allocate funding earmarked for OCSEA** to the government agencies<sup>159</sup> with mandates in this area to put these recommended actions into effect.

### Law enforcement

**4.9 Create a dedicated specialised unit**, or dedicated specialised officers within a unit, to investigate OCSEA cases. This should be composed of officers with experience of both online and offline crimes against children. Short of a dedicated specialised unit, a task force of dedicated officers (from the Cybercrime unit and the Sexual and Gender-Based Violence Unit, for example) might suffice.

**4.10 Expand and institutionalise training for police officers from all units and locations** (urban, peri-urban and rural police stations) by including OCSEA into the standard curriculum to ensure that law enforcement officers understand that online abuse is a form of child abuse, are sensitive to the rights of children and victims, and have the knowledge and skills to fulfil their functions in handling, investigating and adjudicating OCSEA-related crime cases effectively – including the use of the appropriate provisions of law to bring charges against offenders of OCSEA.

**4.11 Track the number of OCSEA-related crime cases** in the data collected on offences related to child sexual exploitation and abuse. This would only require adding a (sub)category for OCSEA offences, as the existing record keeping system appears robust and reliable, as evidenced by the published Uganda Police Force Annual Crime Reports.

**4.12 Clarify the roles of the different units of the police force** in cases involving children, particularly OCSEA, and in referring these cases to the dedicated specialised unit. Ensure that sufficiently trained and specialised staff, including male and female officers, are available wherever they are required.

**4.13 Develop detailed guidelines for police on how to interview children during the criminal justice process**, in addition to the Prosecution Performance Standards and Guidelines. This will prevent children from being interviewed multiple times, which can be stressful and traumatic.

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159. I.e., the Ministry of Internal Affairs; Office of the Director of Public Prosecutions; Ministry of Gender, Labour and Social Development; Uganda Communication Commission; Ministry of Justice & Constitutional Affairs. National Information Technology Authority; Ministry of Foreign Affairs; Ministry of Education and Sports.

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**4.14 Provide officers/prosecutors/courts with a standard information package** to provide to all victims and their caregivers related to child sexual exploitation and abuse (including OCSEA) to ensure that all the relevant procedures and rights, including their right to compensation, are clearly explained to them. This will enable child victims to make informed decisions and make them aware of the upcoming procedures.

**4.15 Establish and maintain a connection to INTERPOL's International Child Sexual Exploitation (ICSE) database** and establish a national image database on OCSEA. This requires good quality internet connections.

**4.16 Allocate a specific budget to support investigations of OCSEA-related crime cases.**

**4.17 Provide an effective mechanism and adequate resources to ensure that international OCSEA referrals,** including NCMEC CyberTips, are subject to an appropriate level of investigation, with a view to minimising ongoing harm to children.

### Justice professionals

**4.18 Expand and institutionalise training for prosecutors, judges, and magistrates** to ensure that they understand that online abuse is a form of child abuse, are sensitive to the rights of children and victims, and have the knowledge and skills to fulfil their functions in OCSEA-related crime cases effectively. Ensure that the training reaches all magistrates and judges responsible for hearing children's cases, including in rural areas.

**4.19 Develop regulations or guidelines that clarify the requirements of child-friendly and victim-friendly justice** and make use of these in training activities. Ensure that family and children courts are established in every district to meet demand. Make child-friendly rooms and props available to all prosecutors and law enforcement units.

**4.20 Set time limits in procedures** to ensure that OCSEA-related cases are processed and adjudicated without undue delays to secure digital evidence and protect the child's well-being.

**4.21 Ensure that child victims do not have to face the offender** – for example, by employing video-link technology so that evidence may be given from another room. If certain options are unavailable, witness protection boxes can be used (although boxing the offender rather than the child is preferable).

**4.22 Request a victim impact statement** by a probation and social welfare officer for all OCSEA-related cases. This will help create awareness about the impact of OCSEA and allow the victim to feel truly seen and heard in the court process. It will also facilitate compensation awards after convictions.

#### A further consideration from the data

During the *Disrupting Harm* research activities, respondents expressed concern that requests for informal payments constituted serious barriers to formal reporting and obstruct access to justice in some instances.

## INSIGHT 5

**Important OCSEA-related legislation, policies and standards are not yet enacted in Uganda.**

### Government

**5.1 Finalise and release the National Plan of Action on Online Child Sexual Abuse and Exploitation which commits to clear action which** prevent and respond to online child sexual abuse and exploitation, which is currently under development. Ensure that the Plan reflects the findings of this report and draws on the evidence-based recommendations proposed. Ensure adequate arrangements for funding, implementing, and monitoring the Plan are in place.

**5.2 Adopt and implement the Terms of Reference for the agencies that take part in the National Working Group** on Prevention of Online Child Sexual Abuse and Exploitation facilitated by the Ministry of Gender, Labour and Social Development.

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**5.3 Integrate OCSEA in other policies addressing violence against children** for example in the Reporting, Tracking, Referral and Response Guidelines on violence against children in schools.

**5.4 Develop, adopt, and enforce specific legislation to explicitly criminalise online grooming** of children for sexual purposes, as recommended by the Uganda Law Reform Commission in 2016.

**5.5 Amend legislation to explicitly criminalise the live-streaming of child sexual abuse and sexual extortion** committed in the online environment. While the Computer Misuse Act is a milestone in Uganda's fight against OCSEA, as it explicitly criminalises child sexual abuse material and related conduct, and provides the procedural rules needed to assist law enforcement officers in the investigation of OCSEA-related crime cases, it fails to explicitly criminalise other OCSEA offences.

**5.6 Issue regulations for Internet service providers that ensure that children cannot accidentally access pornography** through advertisements and search engines while using the internet.

**5.7 Accede to the Convention on Cyber Security and Personal Data Protection** adopted by the African Union in 2014. With respect to OCSEA, the Convention specifically includes child sexual abuse material.

**5.8 Consider amending legislation to conform to other international conventions** which offer good guidance for addressing OCSEA, such as the Council of Europe's Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) and Convention on Cybercrime (Budapest Convention). These conventions provide useful measures of national legal frameworks related to OCSEA and are open for accession by states which are not members of the Council of Europe.

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