



Ministry of Gender, Labour and Social Development

OPENING REMARKS MADE BY

Hon. Major Rtd. James Kinobe
Minister of State for Youth and Children Affairs

TO THE UN COMMITTEE ON THE RIGHTS OF CHILDREN

16TH SEPTEMBER 2008

GENEVA, SWITZERLAND

**Madam Chairperson of the Committee on Rights of the Child,
Distinguished members of the Committee
Representatives of the UN Agencies
Civil Society representatives
Ladies and gentlemen,**

On behalf of the Government of Uganda and on my own behalf, I am greatly honored to lead the Uganda Government delegation to discuss with you pertinent matters relating to the two Optional Protocols namely the Optional Protocol on recruitment of children in the Armed Forces and the Optional protocol on the Pornography, Sale and Trafficking in Children.

I am Maj. (Rtd) Jimmy WL Kinobe, the Minister of State for Youth and Children Affairs in the Ministry of Gender, Labor and Social Development and Leader of a delegation, comprising of Technical Officers from the different departments that are involved in the implementation of the protocols. I now wish to invite members of my delegation to introduce themselves.

Madam Chairperson, I am aware that this distinguished Committee has fully examined the written submissions of the Government of Uganda in respect of the two protocols. It is therefore not my intention to elaborate the substantive content of the two reports. However, I would like to seek the indulgence of the Committee to highlight the most significant progress made in relation to the implementation of the protocols as well as the major challenges that have retarded our progress.

With regard to the Optional Protocol on Children and Armed Conflict, our most significant achievement has been in the arena of legislating a minimum age for recruitment into the armed forces and other auxiliary forces (UPDF Act 2005). We have also opened up our recruitment procedures by inviting other child focused agencies such as UNICEF and Save the Children, to mention a few; to witness the process of recruitment so as to increase transparency and minimize any possibilities of flouting in the recruitment system to recruit children. And in the framework of the Uganda Task Force on Monitoring and Reporting, they are free to visit the military establishments to verify independently.

As the Committee is already aware, the 22 years of 'Armed Conflict' that has ravaged northern Uganda has caused untold suffering to children, including the conscription of children into the LRA ranks. The government of Uganda has made significant progress in the restoration of peace in the region, and the rescue, rehabilitation and re-integration of children that had been abducted by the LRA. This has been made possible through the establishment and operationalisation of Child Protection Units within the UPDF, the Amnesty Commission and District Local Governments' Disaster Committees. To date about 25,000 children have been rescued, rehabilitated and reintegrated into their communities.

The government of Uganda is still strongly committed to pursuing all feasible measures for securing lasting peace in northern Uganda.

Madam Chairperson, Distinguished members , in respect of the Optional Protocol on the Sale of Children, Child Pornography, Prostitution and Trafficking in Children, the government has strengthened the legal framework for protecting children from sexual exploitation by among other things, amending the Penal Code , The Magistrates Act , and the Trials on Indictment Act.

These amendments covered a number of important areas including;

- definition of sexual abuse, (which was expanded to include all forms of sexual engagement of children.
- categorization of sexual abuse, (included aggravated and non-aggravated defilement)
- jurisdiction (allowing Chief Magistrates Courts to try non-aggravated defilement)
- Sentences/penalties (life imprisonment for non-aggravated defilement) and other disposals (e.g compensation of victims)
- Procedural improvements (to introduce discretionary in-camera hearings, HIV tests), to mention a few.

Overall the above legislative reforms were intended to address a number of important gaps that had been identified over the years within the legal framework on child sexual abuse.

More specifically, the Prevention in Trafficking in Persons Bill, 2007; has been tabled before the Parliament of Uganda. The bill will provide a robust legal framework for the protection of children from trafficking and its associated violations. The Sexual Offences Bill that will

comprehensively cover various sexual acts against the children is also before Cabinet.

Madam Chairperson, allow me to highlight two key vulnerability factors that continue to undermine government efforts in protecting children under the two protocols. These are poverty and HIV/AIDS.

Despite government's initiatives in the area of poverty reduction, a significant number of children and their families are still trapped in poverty. While children constitute 56% of the population, of these 62% live below the poverty line. This forces some care takers and children to take desperate actions for survival, in the process predisposing many children to abuse and exploitation. We had for instance in the past, situations where children, parents and some local authorities colluded to have children recruited into the armed forces as a means of securing a living. There are also significant links between poverty and children's vulnerability to prostitution and trafficking.

Our situation is further exacerbated by the exceptionally high numbers of children affected by HIV/AIDS. With over 2 million orphans, coupled with diminishing traditional social support structures, many children are increasingly exposed to the rigors of adult responsibilities at a very early age.

The legislative load created by the 1995 Constitution that required the review of all the existing laws to conform to the new constitution, also in a way has dictated the pace at which enactments are concluded.

The government is aware of its primary responsibility for creating a safe and protective environment for children and is doing all that is within its means to work towards this end. However, effectively dealing with these challenges requires broader efforts including international cooperation and support, and I wish to salute our major partners, like UNICEF, USAID and others for their immense support.

We call upon the Committee to urge the International community to render more focused support to the government and our partners in ensuring the full implementation of the provisions of the CRC and the two protocols under discussion to day.

Madam Chairperson, Distinguished members of the Committee, on behalf of my delegation I once again welcome the opportunity to engage further with you on these and other issues pertinent to the protection of the rights of children in Uganda and as we strive to create a " World Fit for Children".

Thank you very much

For God and my County.

Monday, September 16, 2002