



**Convention on the  
Rights of the Child**

Distr.  
GENERAL

CRC/C/SR.1345  
24 September 2008

Original: ENGLISH

---

COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-ninth session

SUMMARY RECORD OF THE 1345th MEETING

Held at the Palais Wilson, Geneva,  
on Tuesday, 16 September 2008, at 10 a.m.

Chairperson: Ms. LEE

CONTENTS

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Initial reports of Uganda under the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography

---

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Editing Unit, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Initial report of Uganda under the Optional Protocol on the involvement of children in armed conflict (CRC/C/OPAC/UGA/1; CRC/C/OPAC/UGA/Q/1 and Add.1)

1. At the invitation of the Chairperson, the members of the delegation of Uganda took places at the Committee table.
2. Mr. KINOBE (Uganda), introducing the initial report of Uganda under the Optional Protocol on the involvement of children in armed conflict (CRC/C/OPAC/UGA/1), said that he would focus on the significant progress that had been made in the implementation of the Optional Protocol and on major challenges that had delayed progress.
3. The most notable achievement had been the enactment of legislation on a minimum age for recruitment into the armed forces and other auxiliary forces through the Uganda People's Defence Force Act of 2005. Greater transparency regarding recruitment had been sought by inviting the United Nations Children's Fund (UNICEF) and Save the Children to observe recruitment procedures and by allowing the Ugandan Task Force on Monitoring and Reporting to carry out independent visits to military establishments.
4. The 22 years of armed conflict that had ravaged northern Uganda had caused children untold suffering, including the conscription of children into the ranks of the Lord's Resistance Army (LRA). Through the efforts of child protection units within the Uganda People's Defence Force, the Amnesty Commission and local government disaster committees, to date approximately 25,000 children who had been abducted by LRA had been rescued, rehabilitated and reintegrated into their communities. The Government of Uganda was strongly committed to pursuing all feasible measures for securing lasting peace in northern Uganda.
5. Mr. KRAPPMANN (Country Rapporteur for the Optional Protocol on the involvement of children in armed conflict) said that, in recent years, there had been a number of positive developments in Uganda, including the adoption of measures to implement the Optional Protocol, the adoption of the Uganda People's Defence Force Act, and efforts by the authorities to ensure the strict observance of recruitment regulations. He welcomed the fact that recruitment into the armed forces was voluntary and that there was no conscription. He also welcomed the establishment of a human rights desk within the Uganda People's Defence Force to monitor the recruitment process; the training in human rights and children's rights provided to army and peacekeeping personnel; the active monitoring role played by the Uganda Human Rights Commission; and the Government's willingness to cooperate with the Special Representative of the Secretary-General for Children and Armed Conflict. Other positive developments included the establishment of the Uganda Task Force on Monitoring and Reporting to monitor violations in accordance with Security Council resolution 1612 (2005); the action plan drafted pursuant to that resolution to end the recruitment of children and the use of child soldiers; the ratification of the Rome Statute of the International Criminal Court and the referral of crimes committed by the Lord's Resistance Army to the Court in 2003.

6. He commended Uganda's efforts to ensure the release of all children who were still under LRA control, as well as the Government's cooperation with UNICEF and NGOs in order to ensure the recovery, rehabilitation and reintegration of children harmed by forced recruitment and military service. In that regard, he welcomed Uganda's orphans and vulnerable children policy.
7. According to available information, it seemed that there was no wilful or systematic recruitment of children by the Uganda People's Defence Force. However, some children were admitted to the army because they submitted false documents, which were generally provided by the local authorities, certifying that they were 18. It had been reported that up to 10 per cent of recruits were under 18, but that that number was decreasing.
8. He welcomed the framework put in place for the Ugandan Task Force on Monitoring and Reporting to carry out visits to defence force facilities with a view to determining the extent of the problem of children in the armed forces. He hoped that the information obtained would be reliable, and that any children recruited illegally would be released. He understood that an official agreement concerning such visits had not yet been concluded, and he encouraged the State party to conclude the agreement as soon as possible.
9. He expressed concern about the statement contained in the replies to the list of issues (CRC/C/OPAC/UGA/Q/1/Add.1) to the effect that the adoption of the action plan drafted under Security Council resolution 1612 (2005) was no longer relevant. He encouraged the Ugandan Government to adopt the action plan in order to demonstrate its commitment to eliminating child recruitment, and he invited the delegation to comment on the matter.
10. He stressed the importance of incorporating a provision in the Penal Code that criminalized the recruitment of children into the armed forces.
11. He reminded the State party of its obligation to ensure that the peace agreements were in conformity with international norms, and that no amnesty should be granted for persons who bore the greatest responsibility for the war crime of recruiting children for participation in hostilities. He requested further information on measures taken in that regard.
12. Two other related concerns were the low rate of birth registration and the lack of reliable statistical data. The delegation should explain how the Government planned to fill the enormous registration gaps and to establish a better statistical system that included data on child soldiers.
13. Referring to reports that poor parents urged their children to join the armed forces, he asked whether there were any campaigns in Uganda to inform parents about the law, the provisions of the Optional Protocol and the best interests of the child.
14. Ms. SMITH said that Uganda had made considerable progress in preventing the recruitment of children into the armed forces, and she asked whether any relevant amendments would be made to the Children's Act. The delegation should clarify the Government's views on amnesty.

15. Mr. ZERMATTEN said that the key to preventing the recruitment of child soldiers was proper birth registration. While some progress had been made in recent years, there were still reports of collusion and even corruption among local government officials where birth certificates were concerned. He asked what steps were being taken to remedy the situation.

16. He enquired whether the local defence units had been completely dismantled, and wished to know what had happened to the children recruited into those units. He asked whether the problem of “night commuters” had been resolved.

17. Mr. PARFITT asked whether the Uganda Human Rights Commission had the authority to conduct investigations in military establishments and to have access to their documentation. He wished to know whether the Commission could conduct such investigations on its own initiative, since it was unlikely that child soldiers or their parents would file complaints about underage recruitment. The delegation should indicate how many members of the Commission dealt exclusively with children’s issues.

18. He enquired about the function and status of the human rights desk within the Uganda People’s Defence Force. He wished to know whether it was independent of the Uganda Human Rights Commission and whether it could conduct investigations.

19. He requested additional information concerning the peace agreements. He asked whether persons responsible for recruiting underage soldiers would be granted amnesty.

20. Mr. CITARELLA asked what the Government had done to disseminate information about the Optional Protocol, not only among persons in the military, but also among other armed groups that might take part in armed conflict. He wondered whether the Government was able to ensure that children throughout the country who had been recruited into armed groups had the freedom to return to their homes.

21. Ms. AIDOO asked what strategies were used to disseminate information about the Optional Protocol and whether the effectiveness of those strategies was periodically assessed. She wished to know whether the Optional Protocol had been translated into local languages. She enquired how Uganda’s poverty reduction strategy addressed the problem of child recruitment. Since birth registration still posed a problem in Uganda, she asked whether the Government had considered setting up mobile registration units.

22. Mr. FILALI asked what measures were being taken to avoid the direct use of children in armed conflict. He wished to know how the Amnesty Act addressed the problems of children and whether it encouraged impunity. While the Amnesty Act dealt with the situation of members of the Lord’s Resistance Army, it apparently made little or no mention of other armed groups. Since parents were often complicit in the illegal recruitment of their children, the delegation should inform the Committee what measures had been taken to criminalize and prosecute the falsification of children’s documents by family members. He wished to know whether schools informed children about the Optional Protocol, and what status the Optional Protocol had in Uganda’s legal system. Lastly, he asked whether the Government intended to set up its own criminal courts to hear cases of war crimes, which would obviate the need to refer such cases to the International Criminal Court.

23. Mr. KOTRANE asked about the situation of “night commuters”, which had been a subject of concern to the Committee in 2005. He wished to know whether the Optional Protocol was applicable under domestic law.
24. Ms. KHATTAB asked how the Government of Uganda assessed the foreign assistance that it was currently receiving, both in general terms and with regard to assistance for children. The State party had not provided any information on budget allocations for the implementation of the Optional Protocol. She noted that there were no programmes specifically intended to acquaint prosecutors, judges and medical professionals with the provisions of the Optional Protocol, and she wondered whether that was because those groups were difficult to approach, or because Uganda lacked the necessary resources. She expressed concern at reports that peace education activities were not systematically included in the school curriculum at all levels. There were three elements of fundamental importance to the implementation of the Optional Protocol: first, each child must be registered at birth; secondly, poor parents must be provided with the necessary information in order to dissuade them from encouraging their children to join the armed forces; and, thirdly, comprehensive poverty alleviation policies must target marginalized families.
25. The CHAIRPERSON said that, according to the Secretary-General’s report on children and armed conflict in Uganda (S/2007/260), the military had occupied schools in abandoned communities, and he asked whether that practice had been stopped. The United Nations High Commissioner for Human Rights had called on the Government to ensure informed choice in encouraging the return of children to camps in Uganda, as there had been widespread reports of sexual abuse and exploitation at such facilities. He asked whether the Government’s policy of returning children who had been released from military service to their families was being complied with. The Committee had been informed that children must be returned to their families within either 36 hours or 48 hours, and he enquired which time limit had been established by the legislation.
26. Mr. PARFITT asked whether there were any mechanisms to ensure that the Government of Uganda did not sell weapons to States that recruited children into their armed forces.
27. Ms. VUCKOVIC-SAHOVIC asked whether the Ugandan Task Force on Monitoring and Reporting had been effective, and how the Government cooperated with that body.

The meeting was suspended at 11.10 a.m. and resumed at 11.40 a.m.

28. Mr. KINOBE (Uganda) said that the Government and the Ugandan Task Force on Monitoring and Reporting had concluded an agreement that addressed the commitments under Security Council resolution 1612 (2005) and the extent of compliance with them. While the Government considered that failure to comply was no longer particularly relevant, since many of the children were now adults and the situation had changed, he said that, in the light of the Committee’s concerns, that position would be reconsidered. The recruitment process was very transparent, and all parties were free to take part in it. It was true that in the past some recruitment, particularly for the auxiliary forces, had not been systematic or deliberate; however, such problems had disappeared when the auxiliary forces had been disbanded. Young people who had been in the auxiliary forces had either been demobilized, or had reached the age of

majority. The recruitment of children into the armed forces was no longer an issue in Uganda. He pointed out that, although the agreement between the Government and the Task Force provided for unhindered, unlimited access to military installations, access to military installations in Uganda, as in most countries, was restricted.

29. Mr. PARFITT said that most independent agencies, including the Task Force, should be able to have access to military facilities without notification.

30. Mr. KRAPPMANN pointed out that the agreement provided for free access to recruitment offices, not military installations.

31. Mr. KINOBE (Uganda) said that recruitment was usually carried out in publicly accessible places, where no authorizations were required for monitoring teams. The main problem in the recruitment process was how to ascertain the age of recruits. While the policy of the Ugandan military clearly prohibited recruitment of persons under the age of 18, false documents were often used to circumvent the prohibition. The Government had adopted a law that made the use of false documents punishable under the Penal Code; an improved birth registration system would help to reduce the problem in the future. Local and sub-county-level or municipality-level birth registrations were forwarded to the districts, and then to the central Government. In order to provide an incentive for registration, the Government had made birth registration a requirement for universal primary and secondary education. In the recruitment procedure, the Government was hoping to require the submission of official documents, or “long certificates”, which, if falsified, would incur criminal liability on the part of the person who issued or presented them. Currently, temporary documents, or “short certificates”, were still being accepted.

32. Mr. KRAPPMANN asked whether the military accepted recruits who had not graduated from secondary school.

33. Mr. FILALI asked whether cases involving violations of the Penal Code would be heard by civilian or military courts.

34. Mr. KINOBE (Uganda) said that, since Uganda was attempting to professionalize the army, educational qualifications were used as a criterion for recruitment. For the ordinary soldier, secondary education was the minimum requirement, while cadets were required to have completed high school or have a university degree. Replying to Mr. Filali, he said that military courts tried only members of the armed services or individuals who used arms ordinarily used by members of the army. Others were tried by the ordinary courts.

35. The CHAIRPERSON asked whether the delegation was certain that there were no children under 18 in the local defence units, since the Committee had received conflicting reports on that subject. Given the low level of birth registration, she wondered how it was possible to guarantee that there were no persons under 18 in the armed forces.

36. Mr. KINOBE (Uganda) said that the local defence units had been formed as auxiliary forces in response to the prevailing situation at the time. At the end of the war, the units had been absorbed into the army, the children had been demobilized and only the adults had been retained.

37. No one had ever come forward with evidence to show that, at the time of recruitment, any individual had falsely claimed to have reached the age of 18, and, he assured the Committee that there were no child soldiers in the Ugandan army. The Government was not systematically recruiting child soldiers. While his Government had information that LRA still retained children in its fighting ranks, it had no precise figures. However, LRA was no longer operating in Uganda but in the Congo.

38. On the question of reconciling peace and justice, he said that a War Crimes Court Division of the High Court had been established. However, those principally responsible for recruiting children into LRA would be dealt with in a different way.

39. His Government was working with civil society to make parents aware of the dangers of child recruitment and had set up programmes, such as the Universal Secondary Education programme and the Poverty Eradication Action Plan, to steer children away from the armed forces.

40. Ms. AIDOO said that she wished to see a link between poverty programmes and the protection of children. She asked to what extent Uganda's poverty reduction programmes targeted children susceptible to recruitment into local defence units.

41. Ms. KHATTAB said that targeting children in poor families was not the same as specifically targeting children through poverty alleviation programmes, since assistance given to poor families did not necessarily benefit children. She asked whether Uganda received any assistance from UNICEF or other sources in targeting poor children.

42. Mr. SSENBATYA (Uganda) said that Uganda's Orphans and Vulnerable Children policy, which was being implemented nationwide, covered not only individual children, but also provided assistance to families. However, given the large number of families involved, including families headed by children, the Government was experiencing problems in allocating the necessary resources for such assistance.

43. Mr. KINOBE (Uganda) said that it was difficult to target children specifically without including their parents, except in the case of households headed by children. There was no longer a problem of "night commuters", since, with the restoration of peace, children were gradually returning to their villages.

44. Mr. KRAPPMANN said that he had read that children in border areas were still liable to be abducted by military groups, including LRA, which was not very far away. He wondered how such children were being protected.

45. Mr. KOTRANE asked what was being done to prosecute and punish such abductions in accordance with the Optional Protocol.

46. Mr. KINOBE (Uganda) said that it was not true that LRA was operating not far from Uganda's borders; it was a very long way away. What Uganda could guarantee was that the Uganda Peoples' Defence Force had secured all the borders and that no armed group was operating within those borders. It was well known that certain groups were still trying to

organize outside those borders; in that regard, Uganda needed the help of the international community. He found it difficult to understand why international troops, such as those of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), which were operating in the same area as LRA, did not intervene to arrest LRA leaders.

47. On the question of human rights training for members of the armed forces, he drew the Committee's attention to the manual used in training courses for the Uganda People's Defence Force.

48. Mr. SSONKO (Uganda) said that the army had established a human rights directorate whose mission was to raise awareness of human rights among members of the army and their families, to monitor human rights violations by and against the army and to handle matters of domestic violence and other family-related issues. Its terms of reference included investigation of complaints, inspection of army detention centres and working with national and international human rights organizations.

49. Mr. PARFITT said that, as he understood it, the Human Rights Directorate could receive complaints from members of the military, whereas civilians' complaints were addressed to the Uganda Human Rights Commission. He assumed that the Commission and the Directorate referred complaints to each other where appropriate.

50. Mr. SSONKO (Uganda) said that the Commission and the Directorate did refer complaints to each other. Where a complaint was made against a member of the Uganda People's Defence Force through the Commission, the Directorate would, if required, hand over the individual to the Commission for investigation. Civilians could also contact the Directorate and meet with one of its representatives at a place of their own choosing.

51. Mr. KINOBE (Uganda) said that the Uganda Human Rights Commission could investigate the army independently and of its own motion. As a constitutional body, it had the power to compel any individual to appear before it or to produce any document it requested.

52. It had not been possible to translate the Optional Protocol into all local languages. The problem was one of funding: the insecurity created by the armed conflict meant that development funding had tended to be earmarked for specific projects and could not be easily reallocated.

53. The Amnesty Act applied to anyone who denounced rebellion and abandoned armed resistance. It did not apply to cases involving violations of children's fundamental rights.

54. The fundamental requirements of the Optional Protocol were addressed in the Constitution, the Children's Act and the Trafficking in Persons Act. However, more comprehensive legislation would be needed to incorporate all the provisions of the Optional Protocol into domestic law.

55. Ms. SMITH said that it seemed that, under the Amnesty Act, everyone was granted amnesty except where they had committed "very serious crimes". She wondered what was meant by "very serious crimes" and how many people had not been granted amnesty.



56. Mr. KINOBE (Uganda) said that the five LRA commanders were not subject to amnesty or pardon. On the other hand, children who had been abducted at the age of 12 and had in some cases reached the age of 30 tended to be seen as victims: they had been forced to commit crimes, sometimes against their own relatives, but were not necessarily considered criminals.
57. Ms. SMITH said that, if she understood correctly, there were only five individuals not covered by the Amnesty Act.
58. Mr. KRAPPMANN said that those who had been abducted as children had reportedly experienced problems on their return to their families and villages. He wished to know what was being done to assist individuals with the process of reconciliation with their families.
59. Ms. AIDOO said that article 7 of the Optional Protocol clearly stated that States parties must ensure the rehabilitation and social reintegration of victims. There was also a gender dimension, which was reflected in the stigmatization of girls who had been forced to marry LRA officers and had had children with them. She wondered if there were any gender-sensitive programmes to discourage the stigmatization of such young women and their children.
60. Mr. KINOBE (Uganda) said that the Amnesty Act included a provision denying amnesty to those who had committed heinous crimes during the armed conflict. The guilt experienced by those who had committed crimes against their own kin was indeed an important problem. However, following broad consultation among communities on how to deal with such offences, it was felt that the traditional justice system known as “mato oput” provided the best hope of cleansing and forgiveness. Those who feared to return to their own village were often taken in by other communities who saw them as victims caught up in the tragedy of war.
61. Mr. OTIM (Uganda) said that community volunteers had been trained to counsel young women returning with children born of rape, and there were psychosocial programmes to help them and former women combatants. In addition, with support from UNICEF, child protection committees had been formed to identify problems and refer children to appropriate agencies.
62. Mr. FILALI wondered whether, under the Amnesty Act, abduction and rape did not count as serious crimes. It seemed that women who had in the past been abducted and raped were still living with men who had been granted amnesty. If a victim complained, would the man be taken to court or would the Amnesty Act prevail over the victim’s right to justice?
63. Mr. KINOBE (Uganda) said that the question of women who might have borne several children to men who had abducted them and raped them over a period of years was a complex one. In psychosocial terms, a woman had to come to terms with the reality that the children were not only hers but also those of a man who had violated her. On the other hand, while such actions constituted crimes under the Rome Statute of the International Criminal Court, it was necessary to decide whether peace or justice should come first. The victims had come forward and their captors must also be persuaded to come forward in order to move on to the next phase of restoring justice. The only way to achieve justice and peace at the same time was through the traditional “mato oput” system.

64. The CHAIRPERSON asked why there had not been a single case of prosecution of the perpetrators of abduction and rape. Research had shown that there could be no real peace for women in the absence of justice and she wondered how the State party addressed that issue. She expressed concern that impunity was being granted under the guise of restoring peace.

65. Mr. KINOBE (Uganda) said that the perpetrators were not within the country's borders and were therefore outside the Government's jurisdiction. He would welcome the international community's assistance in bringing about an immediate peaceful settlement, which would help to restore justice and make it possible to prosecute the perpetrators.

66. Ms. VUCKOVIC-SAHOVIC said that international tribunals, such as the International Tribunal for the former Yugoslavia, could play an important role in bringing perpetrators of crimes to account. The real problem was when a society actually tolerated impunity. She asked what the State party was doing to raise awareness of that issue.

67. Mr. KINOBE (Uganda) said that, while Uganda did not tolerate impunity, it had had no choice but to opt for peace over justice. He called on the international community to use its jurisdiction to prosecute the perpetrators in question.

68. Replying to the question concerning the military's occupation of schools in abandoned communities, he said that that practice had been stopped, and that work was currently under way to re-establish all the schools that had been affected during the war. Information and awareness-raising activities were being conducted to enable people to choose to leave temporary camps, and infrastructure was being provided to facilitate their return.

69. Mr. SSONKO (Uganda) said that the matter concerning the maximum period during which children formerly held in captivity could be held by the military was not one of legislation but of practice. Civil society organizations had requested that children should not remain in the child-protection units staffed by the military for more than 48 hours before being handed over to rehabilitation centres. That request was being complied with.

70. Mr. KINOBE (Uganda) said that, while there was no State policy concerning the transfer of arms to insurgents, the proliferation of small arms in the region presented a real problem. Efforts were being made to track and destroy those arms, but had so far not met with much success.

Optional Protocol on the sale of children, child prostitution and child pornography  
(CRC/C/OPSC/UGA/1; CRC/C/OPSC/UGA/Q/1 and Add.1)

71. Mr. KINOBE (Uganda), introducing the initial report of Uganda under the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPSC/UGA/1), said that the Government had strengthened the legal framework for protecting children from sexual exploitation through amendments to the Penal Code, the Magistrates Act and the Trials on Indictment Act. The definition of sexual abuse had been expanded to include all forms of sexual engagement of children, and the offence now covered aggravated and non-aggravated defilement. Chief magistrates courts were allowed to hear non-aggravated defilement cases, and guilty parties could be sentenced to life imprisonment.

Measures had been taken to compensate victims. Procedural improvements, such as discretionary in camera hearings and HIV tests for persons accused of sexual offences, had also been introduced. A bill on the prevention in trafficking in persons had been tabled before Parliament and a bill on sexual offences was being considered by the Cabinet.

72. The two main factors undermining the Government's efforts to protect children under the two Optional Protocols were poverty and HIV/AIDS. Despite government initiatives to reduce poverty, 62 per cent of Ugandan children lived below the poverty line. Poverty forced children and their parents and guardians to take desperate action for survival, which exposed many children to abuse and exploitation. For example, some parents and local authorities had colluded to have children recruited into the armed forces as a means of securing a living. There were significant links between poverty and children's vulnerability to prostitution and trafficking.

73. The situation was aggravated by the exceptionally high number of children affected by HIV/AIDS. With over 2 million orphans, coupled with diminishing traditional support structures, many children were increasingly exposed to the rigours of adult life at a very early age. In addition, all existing legislation had to be brought into line with the 1995 Constitution, which to some extent had dictated the pace at which new laws were enacted.

74. The Government was doing everything possible to create a safe and protective environment for children. However, broader efforts, including international cooperation and support, were required. In that connection, he thanked Uganda's major partners, including UNICEF and the United States Agency for International Development (USAID), for their support. The Committee must urge the international community to provide more focused support to the Government of Uganda and its partners in order to ensure the full implementation of the provisions of the Convention and its Optional Protocols.

75. Ms. ORTIZ (Country Rapporteur for the Optional Protocol on the sale of children, child prostitution and child pornography) commended the State party on the collaborative spirit in which its report (CRC/C/OPSC/UGA/1) had been prepared. Labour exploitation, domestic work involving labour or sexual exploitation, and crimes such as prostitution, were all activities covered by the Optional Protocol on the sale of children, child prostitution and child pornography. Countries of destination for economic migration included the Sudan, the United Arab Emirates and Saudi Arabia; in many cases migration was facilitated by "middlemen". The children involved were aged between 8 and 18, with the majority between the ages of 12 and 15. Little research on such cases had been carried out, although one study had shown that 91 children had been trafficked to the Sudan in 2007. The written replies by the Government of Uganda to the list of issues (CRC/C/OPSC/UGA/Q/1/Add.1) also referred to a study commissioned in 2006, according to which 20,000 children had been trafficked.

76. She expressed concern that girls appeared to be particularly vulnerable to exploitation. She was also concerned at the high number - over 2 million - of HIV/AIDS orphans, who added to the number of potential victims of the sale of children for the purpose of exploitation. She asked what steps the State party was taking to deal with those problems, and to what extent Uganda's improved economy had benefited children or reduced the need for forced migration. It seemed clear that, despite the State party's considerable efforts to establish a system for the comprehensive protection of children's rights, the issues covered by the Optional Protocol were not being sufficiently addressed at the community, national, regional and international levels.

77. The Optional Protocol could be used by the State party as a major frame of reference for legislation to protect children from being sold, trafficked or exploited. She expressed concern that draft legislation in that area had been pending since 2006, and said that she would welcome more information on efforts to bring the Penal Code into line with the Optional Protocol, and on the planned reform to the Children Act. She wished to know what tangible results had been achieved following implementation of the Media Council Act, under which the Media Council was mandated to monitor exposure of children to pornography.

78. In order to prevent the sale of children for adoption, there appeared to be a need for specific legal provisions to cover the issue of custody. A national plan of action to combat violations of the Optional Protocol was also required. In view of the need for a strong, effective coordination body, she wished to know what was being done by the National Council for Children, and local councils, to address the issue of the sale of children, and she wondered whether the National Council and the local councils had sufficient human and material resources for that purpose.

79. While noting the efforts made to provide training to police officers on the subject of labour exploitation of children, and the existence of children and family protection units, she expressed concern that children often reported that they had been sexually abused by the police, and she would welcome information from the delegation in that regard.

80. The root causes of the exploitation of children, which included chronic poverty and the HIV/AIDS epidemic, had been clearly identified, and there appeared to be growing awareness of the issues involved. However, Uganda was not sufficiently prepared to address that problem seriously. She requested the delegation to explain why that was the case, and what the State party intended to do to remedy that situation.

81. Ms. SMITH expressed concern that, given the scale of the problem of sale of children and child prostitution in Uganda, only 1 per cent of budgetary resources was being allocated for children; that was clearly not sufficient for the implementation of the Optional Protocol. She asked whether that amount could be increased and whether the State party would be working with UNICEF and NGOs to implement the Optional Protocol.

82. Mr. CITARELLA said that higher levels of birth registration would enable the problems of the sale of children, child prostitution and child pornography to be addressed more effectively. He expressed concern that the Penal Code did not contain a specific provision on the sale of children, and he enquired whether there were any plans to incorporate such a provision in the Penal Code.

83. Mr. PARFITT expressed concern that few members of the Uganda Human Rights Commission had specific responsibility for children's issues, and asked to what extent the Government assisted the Commission in fulfilling its mandate. He wished to know what happened to pregnant girls who were driven from their homes, and whether cultural attitudes in Uganda made it difficult to provide assistance to those girls. The delegation should confirm whether the behaviour of the young men responsible for young women's pregnancies had been criminalized. With regard to the prevention of pregnancies, he asked what sexual reproduction education programmes existed, and whether they were of the "ABC" (abstinence, be faithful, use a condom) type.

84. Mr. KOTRANE expressed concern at the difficulties being experienced by the State party in bringing legislation - in particular the Penal Code - into line with the provisions of the Optional Protocol. He asked what steps were being taken to achieve that objective.

85. Ms. KHATTAB requested information concerning the budget and mandate of the National Council for Children; she wished to know why the Council had not been represented in the delegation. She enquired how the figure of 1 per cent of budgetary resources for children had been reached. In order to determine whether that amount was adequate, it would be useful to know what percentage of the population was represented by children.

86. Ms. VUCKOVIC-SAHOVIC said that effective national coordination was essential for the successful implementation of the Optional Protocol. In that regard, she was concerned that the National Council for Children did not have sufficient human and financial resources and was staffed by members working for other ministries. She asked whether the Committee, perhaps in conjunction with UNICEF, could be of assistance in encouraging the Government to allocate additional resources with a view to ensuring more effective coordination.

87. The CHAIRPERSON asked for information concerning the status of ratification of the relevant Hague Conventions.

The meeting rose at 1 p.m.