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2020 Trafficking in Persons Report: Uganda

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IN THIS SECTION

UGANDA: Tier 2 Watch List

The Government of Uganda does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included investigating allegations of complicit officials, implementing the protection and prevention provisions of the 2009 anti-trafficking act, increasing convictions for alleged traffickers, and announcing plans to create an anti-trafficking department within the police force. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government reported the lowest number of investigations in the past five years and reported a substantial decrease in prosecutions. The government did not report training law enforcement and immigration officials compared with doing so during the previous four reporting periods. The government identified and referred significantly fewer victims compared with previous reporting periods. The government severely underfunded The Coordination Office for Prevention of Trafficking in Persons (COPTIP) which inhibited efforts to coordinate and combat trafficking nationally. The government did not employ systematic procedures to refer or assist victims and did

not allocate resources to NGOs that provide protective services. Therefore Uganda was downgraded to Tier 2 Watch List.

PRIORITIZED RECOMMENDATIONS:

Finalize and approve a formal national mechanism to systematically identify and refer trafficking victims to appropriate care. • Expand protective services for victims through partnerships with NGOs, including by allocating resources. • Increase efforts to investigate trafficking cases and prosecute alleged traffickers, including allegations of official complicity in trafficking crimes and prosecute and convict complicit officials. • Increase training for Ugandan embassy staff on assisting trafficking victims abroad, including victim identification, providing temporary shelter or identifying local NGO shelters for victim referral, and facilitating the repatriation of victims. • Where feasible, assign labor attachés to Ugandan embassies. • Further prioritize investigating and prosecuting traffickers who exploit children, especially from the Karamoja region, in forced begging and child sex trafficking in brothels. • Implement strong regulations and oversight of recruitment companies, and improve enforcement, including by continuing to prosecute those involved in fraudulent labor recruitment. • Increase bilateral negotiations with destination country governments on migrant worker rights, including on the release and repatriation of Ugandan migrant workers exploited by employers abroad, and on mutually enforceable standard contracts. • Implement and monitor the stipulations of the bilateral labor agreements already in place. • Proactively investigate and punish labor recruiters who fraudulently recruit Ugandans and eliminate all worker-paid recruitment fees. • Increase resources dedicated to anti-trafficking efforts. • Establish a unified system of documenting and collecting data on human trafficking cases. • Enact witness protection legislation and implement a systematic victim-witness support program. • Increase national awareness raising efforts, specifically to teachers, parents, and community leaders. • Increase quality of trafficking investigations and improve coordination between law enforcement and prosecutors, including conducting prosecution-led investigations and systematic case referral to the Office of the Director of Public Prosecutions. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained mixed law enforcement efforts. The 2009 anti-trafficking act criminalized sex trafficking and labor trafficking and prescribed punishments of up to 15 years' imprisonment for offenses involving adult victims and up to life imprisonment for those involving child victims. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as kidnapping. The law also criminalized the use of a child in any armed conflict and prescribed penalties of up to the death penalty. The Children Amendment Act of 2016 conflicted with the 2009 anti-trafficking act in some respects—for example, it defined child sex trafficking to require force, fraud, or coercion, which was inconsistent with the definition of trafficking under international law, and it prescribed substantially lower penalties for the crime.

In 2019, the government reported investigating 120 suspected trafficking cases—30 domestic and 90 transnational cases; this was a decrease compared with investigating 286 cases in 2018. The government prosecuted 50 suspected trafficking cases for trafficking-related crimes; compared with 63 cases in 2018. Courts convicted 15 traffickers in 2019, an increase compared with six traffickers convicted in 2018. Officers focusing on trafficking previously operated under the Criminal Investigation and Crime Intelligence Department; however, in July 2019, the Uganda Police Force (UPF) announced the formation of the Anti-Trafficking in Persons Department. The government reported the new department will have approximately 250 officers across the country working on anti-trafficking efforts, including at border posts, and will be headed by the Deputy Assistant Superintendent of Police. Corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. In August 2019, the State House Anti-Corruption Unit launched an investigation following complaints of government officials' involvement in trafficking; however, the government did not publish any reports nor did it arrest any officials by the end of the reporting period. In 2018, the government reported investigating security officers at Malaba Border and Entebbe Airport, as well as officials of the Civil Aviation Authority and Ground Handling Companies at Entebbe Airport, for alleged involvement in trafficking crimes, but it did not report any updates on these cases.

The government did not report initiating investigations into media allegations from the previous reporting period that police officers were complicit in sex trafficking of child and female refugees. Additionally, the media and the senior government officials reported some of the labor recruitment companies suspected of involvement in trafficking were associated with, or partially owned by, high-level officials, which impeded law enforcement agencies' ability to investigate their operations. An NGO continued to report that some complicit immigration officers at border crossings facilitated passage of trafficking victims, and several NGOs alleged that some senior police officials in Kampala protected traffickers from arrest and prosecution. The government did not report progress on prosecution of a case from 2014 involving the former Commissioner from the Ministry of Finance charged with child trafficking; the former Commissioner absconded and the government issued a warrant for his arrest.

The government maintained a trafficking-specific desk in the Director of Public Prosecutions' (DPP) office responsible for prosecuting trafficking crimes. The government did not report training front-line officials on anti-trafficking in 2019, compared with reporting training to 303 front-line officials on the anti-trafficking act and other laws related to illegal labor recruitment and training immigration officials on investigations and prosecutions during the previous reporting period. COPTIP reported that the training curriculum for both new and experienced police and immigration officers incorporated modules on human trafficking; however, the government did not report how many officials received the training during the reporting period. In February 2020, an NGO trained 31 police officers; officers selected represented regions throughout the country, including border posts. Contrary to 2018, when the government provided training on victim identification to 25 South Sudanese immigration officials, the government did not provide training to foreign officials in 2019. Ugandan police and immigration officers continued to lack an understanding of the anti-trafficking law and may have misclassified cases or encouraged victims to accept financial compensation from traffickers in exchange for dropping their cases. Law enforcement officials did not always coordinate with the DPP, frequently resulting in cases that did not proceed to prosecution or courts dismissed, because the investigations were incomplete and did not comply with protocols for admissible evidence. In January 2020, 200 Ugandan and Kenyan officers jointly identified and referred 96 Ugandan female victims in Nairobi,

including 41 minors as young as 14 and as old as 18, and separately on the same day intercepted 96 Ugandan victims at Jomo Kenyatta International Airport in Kenya as they prepared to board a flight to the United Arab Emirates (UAE). This operation resulted in the largest number of trafficking victims assisted at one time since the governments of Kenya and Uganda commenced cooperation efforts. The DPP initiated information and evidence sharing with foreign officials from the Government of Malaysia for an ongoing prosecution case in Uganda, but it did not provide further details.

PROTECTION

The government decreased protection. While the government drafted national victim identification and referral procedures, it had not finalized or approved them by the end of the reporting period. The government identified 455 victims—71 domestic and 384 transnational—in 2019, compared with identifying 650 victims in 2018. A majority of the domestic victims identified were teenage girls while the majority of transnational victims identified were women; most identified victims were subjected to forced labor. According to the government, authorities intercepted 2,334 Ugandan potential victims attempting to depart to countries officials had assessed as high risk for trafficking or for which travelers were unable to adequately explain the purpose of their travel. However, the government did not report if those individuals were identified as victims, referred to assistance, or received proper services, compared with 599 intercepted during the previous reporting period.

The Minister of Justice approved and published the implementing regulations for the 2009 anti-trafficking act during the last reporting period; these regulations outlined responsibilities for relevant stakeholders including law enforcement, medical professionals, and civil society members to combat trafficking and went into effect in March 2020. The government did not track or report how many victims it referred to care or directly assisted. It continued to collaborate on NGOs and international organizations to provide the vast majority of victim services via referrals to NGO-operated shelters, which provided psychological counseling, medical treatment, family tracing, resettlement support, and vocational education without contributing in-kind or financial support. Victim care, although high quality, remained inadequate

in quantity, and available services were primarily for children and women, with few NGOs offering shelter for adult males. The government reported continuing to fund the resettlement of street children identified by officials. The government reported training law enforcement and police officers on how to conduct child-friendly rescues of children from the street. In previous years, child victims in need of immediate shelter often stayed at police stations, sometimes sleeping in impounded vehicles, or at a juvenile detention center while awaiting placement in more formal shelters. In 2019, foreign governments identified 2,384 Ugandan victims abroad. The government assisted in the facilitation of repatriating 170 of those victims back to Uganda.

The lack of embassies in many destination countries hindered repatriation efforts of Ugandan victims abroad. Where embassies existed, they often lacked the capacity to provide adequate assistance for Ugandan nationals abroad. The government provided replacement travel documents to facilitate the repatriation of its citizens and ad hoc assistance including shelter and food in embassies; however, some trafficking victims continued to allege officials denied them temporary travel documents in order to return to Uganda. NGOs provided funding for return travel. The government continued to implement its agreement with the Government of Kenya to share information on traffickers and facilitate the repatriation of potential trafficking victims; however, the government did not report the number of potential victims that were repatriated during the reporting period, compared with 63 in 2018. Ugandan victims are also able to access shelter at Kenyan embassies abroad. The government did not report if it continued to use a temporary shelter in UAE and an emergency fund in Saudi Arabia for distressed Ugandan nationals, including trafficking victims. In response to the continued abuse of migrant workers' rights abroad, the Uganda Association of External Recruitment Agencies, a private sector entity, continued to employ a labor liaison office in Saudi Arabia during the reporting period; however, because the duties of a labor attaché are traditionally addressed by governments where victim identification and assistance is the priority, some civil society members expressed concern about possible conflicts of interest since this organization represented private businesses.

Judicial officers often encouraged trafficking victims to participate in the investigation and prosecution of their traffickers to prevent the victimization of

others, but some reports indicated that law enforcement's limited capacity and inadequate sensitivity in engaging trafficking victims discouraged many from cooperating in investigations. The absence of victim-witness protection legislation and a protection program hindered some investigations and prosecutions because perpetrators would threaten and blackmail victims and witnesses to discourage their participation in trials. There was no formal policy to provide cooperating victims and witnesses with assistance, support, or safety in a systematic way. Generally, in high court cases, victims and witnesses were provided with transportation, physical protection, shelter, interpretation services, and legal counsel, but it was ad hoc and inconsistent. Some reports indicated that police would temporarily shelter cooperating victims in their homes. Ugandan law permitted foreign trafficking victims to remain in Uganda during the investigation of their cases and to apply for residence and work permits, but the government did not report granting any victims such benefits during the reporting period. The law permitted victims to keep their identities anonymous by using voice distortion and video link facilities, but the practice had not yet been implemented. The law allowed victims to file civil suits against the government or their alleged traffickers for compensation, which two victims utilized during the reporting period.

While the 2009 anti-trafficking act prohibits the penalization of trafficking victims for unlawful acts their traffickers coerced them to commit, reports from prior years indicated the government detained and placed on bond some trafficking victims, including children, in an attempt to compel them to cooperate with and periodically report to law enforcement in support of criminal investigations. NGOs reported cases in which police pursued charges against victims who had used forged paperwork to escape their exploitative situations and cases where recruitment companies sued victims for their breach of contract. An NGO reported the government improved its ability to identify minors as victims and not file criminal charges against them due to increased awareness. Previous reports claimed that police sometimes treated street children as criminals and arbitrarily arrested and detained them in detention facilities without screening for trafficking indicators. During the reporting period, authorities reported rounding up 725 children from the streets of Kampala, of which approximately 70 percent were girls from the Karamoja region, and sending them to two children shelters where they received care and assistance and eventually were returned to their families, compared with 283

children in the previous reporting period. Many NGOs reported that the government did not adequately address or prioritize internal trafficking of children from the Karamoja region, including forced begging and child sex trafficking in brothels.

PREVENTION

The government decreased prevention efforts. The National Task Force, led by the Ministry of Internal Affairs (MIA) Permanent Secretary, with COPTIP serving as its secretariat, continued to coordinate anti-trafficking efforts. The government directed the COPTIP coordinator to be transferred to another office and a new coordinator replaced him in November 2019; the government reported that the COPTIP report was delayed as a result of this transition. COPTIP reported their budget remained insufficient and hindered the government's ability to collect data, conduct thorough investigations, and provide protection to trafficking victims during the reporting period. COPTIP continued to maintain authority to publish an annual report on government and non-government bodies' anti-trafficking efforts; however, the government did not publish the report during the reporting period. COPTIP wrote and submitted a national action plan, which awaited final approval from MIA at the end of the reporting period. In May 2019, the government passed the Kampala Child Protection Ordinance 2019, which criminalized giving money, food, or clothing to children on the street; criminalized children loitering in public places, begging, or soliciting, vending, or hawking; and banned the sale of alcohol and drugs to children. The law allowed authorities to fine offenders 40,000 Ugandan shillings (UGX) (\$10.90), sentence offenders to up to six months' imprisonment, or both. The government did not operate an anti-trafficking hotline during the reporting period; however, the government's child helpline identified 42 victims through calls in 2019.

Immigration officials continued to scrutinize travel documents, passports, and reasons for travel before clearing travelers to depart Uganda for work in foreign countries. The government continued to implement its ban on Ugandans traveling abroad to Oman due to ongoing reports of abuse and trafficking. While the government signed a labor agreement with the UAE in June 2019, officials acknowledged this agreement and Uganda's other agreements with Jordan, and Saudi Arabia did not adequately protect Uganda workers. In January 2020, the government signed a cooperation agreement with East and Central African

countries in which labor ministers discussed the harmonization of labor laws to better protect migrant workers traveling to the Middle East and other regions. The Ministry of Gender Labor and Social Development (MGLSD) encouraged Ugandan workers to seek employment only in countries with which it has labor agreements. However, the government had still not established the joint implementation committees needed to implement many of the stipulations and migrant protections within these bilateral agreements. The government's external employment management system, which functioned as a "one stop" internet portal where Ugandans could search and apply for all pre-vetted overseas employment opportunities through licensed recruitment companies had ceased functioning in January 2019. The system reopened and remained operational again at the end of the reporting period.

The 2005 Employment Regulations, required labor recruitment companies to register, undergo a thorough vetting process, and maintain a minimum bank deposit and a credit line, to ensure they could repatriate workers. The government reported vetting all labor requests received by local companies and all contracts executed between international employers and the Ugandan business. The government continued its oversight of labor recruitment agencies and reported investigating 30 labor export companies following complaints including fraud and companies charging high administrative fees. The government made three arrests from the complaints and charged the perpetrators with trafficking, compared with investigating 234 individuals and companies for trafficking-related and illegal recruitment offenses and prosecuting 76 individuals in 2018. Corruption, insufficient staffing and funding, and loopholes in law reportedly inhibited oversight of labor recruitment firms. Previously, the government reported unlicensed labor recruitment companies were responsible for trafficking more than 90 percent of the registered victims, although licensed labor recruitment companies were reportedly involved at times. The government allowed legal placement fees of 50,000 UGX (\$13.70). On February 4, 2020, the government announced all labor export companies must refund any fees in excess of this amount by February 17, 2020. On February 28, 2020, the government suspended the licenses of six labor export companies for charging potential workers illegal registration and placement fees, compared with canceling the licenses of three companies and suspending seven in 2018. MGLSD contracted private companies to conduct mandatory pre-departure

training for domestic workers who were traveling to the Middle East and utilizing registered labor recruitment companies. The weeklong residential trainings, paid for by the recruitment company and usually taken by 60-70 women each week, included training on domestic work, contract appreciation, understanding of the bilateral agreements, how to contact help, and the rights of the worker. The government conducted announced child-labor inspections in three gold mines—a sector in which forced labor occurs—to mark World Day Against Child Labor 2019; however, due to limited funds, enforcement agencies only carried out inspections after receiving complaints. As mandated by the 2015 Registration of Persons Act, the government continued to register its citizens and provide them with national identification numbers. The government continued to provide anti-trafficking training to some of its diplomatic personnel and provided guidance in the form of handbooks to the rest. The government provided anti-trafficking training to Uganda's troops prior to their deployment abroad as part of international peacekeeping missions. The government did not make discernible efforts to reduce the demand for commercial sex acts. Uganda is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Uganda, and traffickers exploit victims from Uganda abroad. Ugandan children as young as 7 years old are exploited in forced labor in agriculture, fishing, forestry, cattle herding, mining, stone quarrying, brick making, carpentry, steel manufacturing, street vending, bars, restaurants, gold mining, and domestic service. Traffickers exploit girls and boys in commercial sex. Recruiters target girls and women aged 13-24 for domestic sex trafficking, especially near sports tournaments and road construction projects. An international organization estimates there are between 7,000 to 12,000 children exploited in sex trafficking in Uganda. An international organization and NGO reported that most internal trafficking victims are Ugandans, many of whom are from the northeastern region, specifically Karamojong children whom traffickers exploit in forced begging and commercial sex in brothels. In February 2020, the government and civil society reported children from Karamoja were sold at markets in the eastern region for 20,000-50,000 UGX (\$5.46-\$13.70); traffickers exploited them in forced labor as beggars, domestic

workers, and in commercial sex. An NGO reported local authorities' intervention to remove internally trafficked children from the streets caused children to move to work as vendors in markets where they are vulnerable to exploitation. Researchers reported there are approximately 3,800 children living on the streets of Kampala and three other major towns and an additional 11,700 children working on the streets but sleeping elsewhere. Reportedly, traffickers, called "elders," force some street children to beg and exploit the girls in commercial sex. The "elders" are a well-organized network of traffickers and NGOs have alleged complicit officials allow the practice to continue. A local organization reported parents in the Acholi subregion in northern Uganda, who failed to pay their debts were required to have their children work on farms until the debt was paid. In 2018, an NGO alleged that traffickers recruited children from Napak district, northeastern Uganda, and then sold them as domestic workers for 20,000 UGX (\$5.46). Media reported that some parents sell their children to middlemen who resell the children for approximately 30,000 UGX (\$8.20). In 2018, an international organization reported separating four Ugandan children from armed groups in the Democratic Republic of the Congo (DRC). Authorities subjected some prisoners in pre-trial detention to forced labor.

Traffickers compel some children from the DRC, Rwanda, Burundi, Kenya, Tanzania, and South Sudan into forced agricultural labor and sex trafficking in Uganda. In 2017, individuals from Rwanda and Somalia, including a Somali refugee from Nakivale Refugee Settlement, were victims of internal trafficking. South Sudanese children in refugee settlements in northern Uganda are at risk of trafficking. In 2018, there were several media reports of alleged complicity of police officers in the sex trafficking of child and female refugees.

Young women remained the most at risk for transnational trafficking, usually seeking employment as domestic workers in the Middle East; at times traffickers fraudulently recruited Ugandan women for employment and then exploited them in sex trafficking. Traffickers subject Ugandans to forced labor and sex trafficking in UAE, Saudi Arabia, Oman, Qatar, Kuwait, Iraq, Iran, Egypt, Turkey, Algeria, Malaysia, Thailand, Bahrain, Jordan, China, and Kenya; India has increasingly become a destination for sex trafficking. In 2019, media reported traffickers sold girls from markets in Katakwi district and transported the girls to Nairobi where they were exploited as domestic workers; some of the girls worked for Somali immigrants in

Nairobi and were further transported to Somalia where they were exploited by al-Shabaab terrorist group. In 2018, media and government officials alleged Ugandan girls were being sold in a “slave market” in the UAE. Extremely high recruitment fees sometimes led to situations of debt bondage. To circumvent the government ban on migrant work in Oman, some licensed and unlicensed agencies send Ugandans through Kenya and Tanzania. Official complicity may have hindered government oversight of labor recruitment agencies. COPTIP reported that traffickers appear to be increasingly organized and some may have formed regional trafficking networks. The government and an NGO reported an increase in victims with university degrees as traffickers target graduates with the promise of skilled jobs abroad. The government and NGOs reported cases involving victims that were recruited by licensed companies in which victims paid high administrative fees based on promised high-paid jobs abroad; however, upon arrival, they found themselves locked into contracts in low-paid domestic work. NGOs reported that traffickers are frequently relatives or friends of victims, or may pose as wealthy women or labor recruiters promising vulnerable Ugandans, frequently from rural areas, well-paid jobs abroad or in Uganda’s metropolitan areas. Reportedly, pastors, imams, and local leaders at churches and mosques in Uganda have also assisted in the recruitment of domestic workers abroad, mostly for Middle Eastern countries; these leaders encourage female domestic workers to take these jobs and in turn receive a fee per worker from recruiters. Some traffickers threatened to harm the victims’ family or confiscated travel documents.

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