

UGANDA Trafficking in Persons Law

Trafficking in Persons Statistics

There are an estimated

slaves in the world today

human trafficking occurs within a country's borders



forced to work outside the commercial sex industry

In the past five years,

people have experienced some form

of modern slavery.

ILO Global Estimate of Modern Slavery 2017

Procedural Protections

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	Section	Provision		
	3(4)	Consent of the victim/consent of the parents if the victim is a child is not relevant		
	13	Confidentiality:		
		Identity of the victim to be protected		
		Proceedings to be held in-camera where the offence involves children, sexual exploitation, or where court considers this appropriate		

Common Types of Coercion

Physical

Withholds food & medical care Isolates & speaks for victims Forces victims to have abortions Controls identification documents Brands victims

Forces victims to commit crimes Beats & abuses victims

Commits rape

Manipulates addiction

Psychological

Promises of love & a future Threatens family members

Threatens to shame family members

Warns of police misconduct

Threatens deportation

Uses extortion

Debunking TIP Myths

Trafficking is **NOT** about movement. Its essence is COERCION.



Individuals are not only victims of sex trafficking; a vast majority of them are FORCED LABOUR victims.



Traffickers are motivated by MONEY. It's an economic crime.





ANYONE can be a trafficking victim: children and adults. women and men.

Trafficking at its Core

Compelling someone to work or to engage in a commercial sex act

Victim Protection Provisions

- Non-discrimination of victims (Section 11)
- Victims not punished for trafficking-related crimes (Section 12)
- Use language the victim understands (Section 12)
- Victims can file civil suits for damages without fees (Section 12)
- Victims receive health and social services (Section 12)
- Victims receive safe and appropriate accommodation (Section 12)
- Victims to be referred to appropriate NGOs for assistance (Section 12)
- Confidentiality of Victim's identity (Section 13)
- Repatriation of foreign victims (Section 14)
- Mandatory Victim Restitution (Section 15)

TIP Elements

1. Act

2. Means

3. Purpose

FRAFFICKING



1. Act

2. Means

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Prevention of Trafficking in Persons Act 2009

Primary Offenses

TIP Definition: Section 3(1)(a)

Trafficking Verbs: Recruits • Transports

Threat or Use of Force, Other forms of: Coercion Abduction • Fraud • Deception • Abuse of Power Abuse of Position of Vulnerability • Giving/Receiving of Payments/Benefit to Achieve the Consent of a Person Having Control over Another Person

EXPLOITATION Defined in Section 2(d)

Includes at a minimum: Sexual exploitation

witchcraft/harmful rituals, practice

Transfers • Harbours • Receives

Forced marriage • Forced labour Harmful child labour • Use of child in armed conflict • Use of a person in illegal activities • Debt bondage Slavery or a similar practice • Human sacrifice Removal of body parts for sale/

TIP Definition: Section 3(1)(b)

1. Act

Trafficking Verbs: Recruits • Hires Maintains Confines • Transports Transfers • Harbours Receives OR Facilitate these Acts

2. Means

Force or Other Forms of Coercion

Enagaging that
person in: Prostitution
Pornography
Sexual exploitation
Forced Labour
Involuntary Servitude
Slavery • Debt
Bondage • Forced or
Arranged Marriage

3. Purpose

Up to 15 Year

Section 4 - Aggravated Trafficking in Persons

10 AGGRAVATORS:

- · Victim is a child
- Adoption/Guardianship/Fostering for the purpose of exploitation
- Syndicated/Large scale
- Offender is responsible for protecting the vulnerable in the society
- Offender engaged in directing another person to commit offence
- Offender is a relative/having patental care, or control

- Offender is a public officer
- Offender is military personnel/law enforcement officer
- Purposes of harmful rituals or practices, human sacrifice, removal of any body part or organ, or any other act related to witchcraft
- The victim dies, becomes a person of unsound mind, suffers mutilation, gets infected with HIV/AIDS or any other life threatening illness

Section 5 - Trafficking in Children

6 TYPES OF CHILD OFFENSES

- Child Victim
- Child in Armed Conflict
- Child Human Sacrifice
- · Child in Commission of Crime
- Child Abandoned in Foreign Country
- Child or Body
 Part for Witchcraft

Penalty: Up to Death

Penalty: Up to Life Imprisonment

Other TIP Offenses and Punishments

Offense	Section	Punishment
Engaging the labour/service of a TIP victim	6	10 years
Promoting Trafficking in Persons	7	5 years imprisonment, or fine of 120 currency points/both fine & imprisonment
Promoting frameking in Persons		Subsequent Conviction - 7 years imprisonment with no option of fine
Offences related to Trafficking in Persons	8	5 years imprisonment, or fine of 120 currency points/both fine & imprisonment
Offences related to framewing in reasons		Subsequent Conviction- 7 years imprisonment with no option of fine
Failure to disclose conviction	9	Fine of max 3000 currency points or 3 years imprisonment or both
Duty to report Trafficking in Persons	10	Fine of max 5000 currency points or 6 months imprisonment
Publishing Victim Names	13	Fine

I ne Human Trafficking Institute