



AFRICAN CENTRE FOR TREATMENT AND REHABILITATION OF TORTURE VICTIMS (ACTV)



TORTURE AND INHUMAN DEGRADING TREATMENT BY POLICE OFFICERS ON CIVILIANS

Background

The African Centre for Treatment and Rehabilitation of Torture Victims is a key stake holder in the fight against all forms of torture in Uganda. ACTV together with members of the Coalition Against Torture hereby adds her voice to that of other human rights activists in condemning the unprofessional conduct involving Torture and cruel, inhuman and degrading treatment as a human rights violation by some police officers. The use of excessive force including electric cables, batons and sticks against some groups of people in Kampala and Wakiso districts last week as viewed and reported by the media and concerned parties is not only a violation of the human right to freedom from torture, cruel, inhuman and degrading treatment or punishment guaranteed to any person under **Article 24 of the 1995 Constitution of Uganda, but also unprofessional and criminal.**

The latter further makes this right absolute in **Article 44(a)** as a non-derogable right.

These acts are criminalised by the Prevention and Prohibition of Torture Act, **No. 3 of 2012.**

What is Torture? Torture is the intentional infliction of physical or mental pain or suffering for reasons such as; to obtain a confession, to punish, intimidate or coerce someone.

Is torture ever acceptable? No. Torture is absolutely prohibited and can never be justified under any circumstances. (Section 3 of the Act) the constitution of Uganda provides for this absolute prohibition under article 44, as well as Article 2.2 of the United Nations Convention Against Torture.

Who can commit Torture? Both agents of the state and private individuals can commit torture. Anyone who helps, finances, incites or orders torture to be committed may also be found guilty

What is the penalty for Torture? The severity of the crime of torture justifies a very serious penalty. Any person who

commits torture may be imprisoned for a maximum of 15 years, receive a fine, and have their property confiscated to provide compensation and rehabilitation to the victim (Section 4 of the Act)

Who and where should report be reported? The Act provides that any person, who suspects or has reasonable grounds to suspect that torture, is being or has been committed, has a duty to report to any relevant institution such as Courts of law, Directorate of public prosecution, Uganda Human Rights Commission or Police.

Torture still ranks high among human rights violations as reported in Uganda Human Rights Commission reports and those published by other human rights organisations despite having an Anti-Torture Law in place.

ACTV and members of the Coalition Against Torture therefore urge all stakeholders including the Uganda Police Force and general public to put an end to all acts of torture, inhuman, degrading treatment and take the following measures;

1. Victims and any one that witnesses acts of torture to report this to the relevant bodies as highlighted above
2. A thorough investigation into the conduct of each of the police officers allegedly involved in acts of torture, inhuman and degrading treatment and charge them individually
3. The JLOS and all stake holders to work together and implement the Prevention and Prohibition of Torture Act, 2012.

"TOGETHER IN THE FIGHT AGAINST TORTURE"

For more information contact:

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