



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

# E-Newsletter

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 **Kembabazi Lydia (Legal Officer-ACTV)**



## Right to **REPARATION**

In Uganda, torture continues to be widespread and has become a pervasive problem which has consequently led to a large and varied group of torture survivors within the country. With the exception of the year 2013 when torture was registered as the second most violated right, the UHRC has for the last four years registered torture as the most violated right.

Torture often results into physical and psychological harm and suffering for the person who is tortured, leading to the destruction of life or his/her dignity, as well as inability to continue with normal productive life. The right to freedom from torture therefore is about protecting someone's dignity. However, the question remains: why has reparation for the survivors taken the back seat? Uganda domesticated the Convention against Torture through the enactment of the **Prevention and Prohibition of Torture Act 2012**, which provides for the compensation of torture victims and punishment of the perpetrators. It is important to note that it is the State's obligation to offer reparation and ensure that all victims of torture are provided with appropriate levels of compensation and support.

Despite the passing of the law against torture, reparation for survivors has not received the due attention it

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deserves in tandem with international, regional and national standards. The Committee against Torture's General Comment on Article 14 of the UNCAT, the 'Nairobi Principles on Women and Girl's Right to a Remedy and Reparation' and the 'UN Basic Principles and Guidelines on the Right to a Remedy and Reparation' of 2005, all provide for ensuring reparation for survivors of torture. However, that is still lacking or there is a failing commitment to ensure the same. There is a balance of up to Shs3 billion in unhonoured awards for the survivors of torture. These statistics should be a constant searing reminder that reparation needs to be fully realized so that survivors of torture can live their lives in dignity. Nothing can fully compensate the effects of torture, but full reparation would confirm accountability and acknowledgment of the vice that was carried out

Efforts to create a compensation fund and other efforts to realize full reparation should be supported. Aware that many of the torture survivors may be ignorant of the existent laws against torture as well as the procedures for having their matters resolved in search of justice, we must engage and support mechanisms that ensure reparation in its full form in promoting and protecting human rights in Uganda lest justice remains elusive.

## UN International in support of Torture victims

The World commemorated the United Nations International Day in Support of Victims of Torture on 26 June 2014, providing an opportunity for human rights defenders and survivors to speak out against the crime of torture, and to remember and support victims and survivors of torture throughout the world. In Uganda, this day yet again offered an opportunity for human rights defenders to demand for accountability from the State and all other players in the fight against torture and implementation of the law.

Under the theme **“Fight Torture: Implement the Law”**, this year’s advocacy activities to commemorate this day

were based on implementing the Anti-Torture Law which criminalizes torture with punitive, deterrent and effective penalties.

Members of the Coalition Against Torture (CAT) led by ACTV, the Uganda Human Rights Commission (UHRC), the United Nations Office of the High Commissioner for Human Rights (OHCHR) and the Human Rights Centre-Uganda (HRCUG) carried out a series of activities which included a public dialogue, media campaigns, peaceful processions and community **barazas** in Kampala and Gulu districts.

### Recommendations relayed by the Coalition Against Torture (CAT) during the commemoration of the UN day:



1. Call upon all law enforcement agencies and the judiciary to effectively utilize the Anti-torture law to offer timely redress, rehabilitation and compensation of survivors of torture.
2. Urge all key actors including the Uganda Human Rights Commission, the Coalition Against Torture, civil society organizations, law enforcement agencies and the judiciary to widely disseminate provisions of the new anti-torture law in order to popularize it.
3. Strongly urge members of the public to report all cases of torture witnessed to the nearest police or Uganda Human Rights Commission or any other relevant institution recognized under the law.
4. Strongly urge law enforcement agencies particularly the police and the army to carry out their duties in strict conformity with provisions of the Constitution of the Republic of Uganda and other regional and international human rights standards signed and ratified by Uganda.
5. Urge state and non-state actors to jointly fully commit themselves to the elimination of torture.
6. Government to urgently ratify the Optional Protocol to the UNCAT and adhere to all its provisions as another step towards the stemming of torture from Uganda and comply with all its provisions.

### Torture as an investigative tool

 **Ocwa Simon (Legal Officer-ACTV)**

ACTV has over the years provided services to over **6000** survivors of torture in the northern region. Experience has shown that torture is routinely committed for purposes of forcing an accused person into confessing, or providing information. In many countries around the world today including Uganda, State officials continue to torture and ill-treat detainees into giving them information. To use evidence obtained through torture in any proceeding is contrary to the Anti-torture law. Under torture, or even a threat of likely torture, a person will say or do anything solely to avoid the pain. As a result, there is no way of ascertaining if information obtained is true or false. Evidence obtained under torture must be excluded from all law proceedings. If any court relies on such evidence, it provides an incentive for state officials and duty bearers to force a confession, creating a fertile ground for torture and

ill-treatment. In order to effectively meet the obligation to exclude evidence obtained by torture, measures should be considered, which include:

- Prevent the use of confessions as the sole evidence necessary for a guilty verdict. Such procedures invite coercion and force to extract such a confession.
- Exclude all confessions made by non-judicial officers, or without the presence of the detainee’s lawyer.
- Exclude evidence from any interrogation that was not recorded or video-recorded.
- Prohibit the use of hooding or blindfolding in interrogations.
- Guarantee the right against self-incrimination, and ensure the accused is informed of this right.

 **Wakabi Leila (Social worker-ACTV)**

## Psychosocial rehabilitation of torture survivors through peer-to-peer support

Peer support is distinct from other forms of [social support](#) in that the source of support is a **peer**, a person who is similar in fundamental ways to the recipient of the support; their relationship is one of equality. A peer is in a position to offer support by virtue of relevant experience: he or she has “been there, done that” and can relate to others who are now in a similar situation.

In rehabilitation of torture victims, peer-to-peer support is very vital as social, emotional or practical support is offered by people who have lived similar life experiences. Peer support is built on shared personal experience and empathy, and addresses an individual's strengths not weaknesses, working towards the individual's wellbeing. The benefits of Peer Support are: greater perceived empathy, respect for fellow peers, improved levels of self-esteem, confidence and positive feelings. Peer support workers often experience an increase in their own ability to cope with mental health problems. The psychosocial department of ACTV is working hand in hand with **eight** peer support workers in different communities to facilitate rehabilitation among the torture survivors.

### Magistrates Training

ACTV trained 25 Judicial Officers on the Provisions of the Anti-torture Law in July 2014. The objective of this training was to engage the Magistrates and secure their commitment and contribution to the prevention of torture in Uganda through the effective implementation of the Anti-Torture Law by aiding the survivors to obtain redress.

### Lobbying for the OPCAT

ACTV participated in the 55th Ordinary Session of the African Commission on Human and Peoples' Rights in Angola,

Luanda

from 24<sup>th</sup> to 26<sup>th</sup> April 2014, where a statement of the human rights situation in Uganda was presented. The statement, which commended the Government of Uganda for passing the legislation that criminalized torture under the Prohibition and Prevention against Torture Act 2012, called upon government to ratify the Optional Protocol to the Convention against Torture (OPCAT).

### Community Dialogues

ACTV with partners held community dialogues in Kampala and districts of Wakiso, Mubende, Amuru, Pader, Gulu, Lira and Kitgum. With the state and society abetting torture in various forms, there arose a need to engage the two parties to understand the intricacies of the torture phenomenon and devise appropriate means of combating it. This necessitated interventions aimed at bringing the state and community together to combat torture.

Though security agencies top the perpetrators list, private individuals come in a close second - a reflection of the violent mentality of our society. Owing to the presence of the challenge of torture in the community, ACTV engaged the Police, Prisons and communities in dialogues and awareness sessions to forge a way of eliminating torture from their mindset and practices, and ensuring that it is known by all that it is illegal, inhumane and undesirable. With an informed population, incidences of torture are bound to recede and reported acts of torture to improve.

### Eminent issues expressed by the public were:

- Police brutality under disguise of using “reasonable” force to apprehend suspects
- Detention beyond 48 hours
- Citizens don't know where to complain about errant officers
- Soliciting for money for Police bond and other services that should be free.
- Inhumane conditions in Police cells.

“Every day, I wake up in the morning with a purpose in life, and that is to help the hopeless and helpless torture survivors realize they too can overcome the suffering they went through and hope for a brighter future, free of fear”  
By: Nicole (peer support worker)





### Alleged perpetrators

The majority of the registered new clients at ACTV this year still allege state agencies, security operatives and militia associated with the state as the major perpetrators of torture. The Uganda Police Force and the Lord's Resistance Army with 31% and 17% respectively are singled out as the major alleged perpetrators by Ugandan nationals, while DRC militia (16%) and M23 rebels (13%) were alleged to have tortured mostly Congolese nationals. New

clients are accessed through four different ways namely: Self Walk-ins to the two sites, Gulu and Kampala, Prison Outreaches, Community Outreaches and Referrals from Partner organizations. Most of the Ugandan clients are accessed through prison visits and community outreaches, while refugee clients were mostly referred to the Kampala Centre by partners. Most referrals are mostly made by HIAS, Refugee Law Project, Jesuit Refugee Centre and Bondeko Community Centre.

 Msheilla Gladys

## Internship at ACTV



While Interning at ACTV under the Social Workers Department in Gulu, I was privileged to go for a prison visit where I was able to interact with prisoners, and we assessed and provided psychosocial rehabilitation. Working with victims of torture requires the ability to communicate across gender, age, and cultural lines; effective listening, confidentiality and empathy. The fact that the victims are vulnerable having had their rights violated in ways I never imagined possible, motivated me to make a difference in lives of the victims and survivors I interacted

with.

I learnt that it is crucial to be aware of any particular circumstances surrounding the situation of a client. These circumstances have a natural and lasting impact on the client's wellbeing and mental health. Being able to read between the lines or knowing when to probe further in a conversation or meeting is an important skill.

Internship provided me with an opportunity to "test drive" my career, network, gain new skills and an introduction to the field's culture and etiquettes.

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## Life of a Prisoner – My Experience

 Tom Q (not real name)

I was arrested on allegation of having defiled a girl. Upon arrest, the police officer demanded that I accept the accusation against me, then I was locked up. While in the police cell, I was briefed as a new inmate of the rules and regulations that I had to conform to, including:

1. Being loyal and submissive to inmates found in the cell at that time, as well as comply with all commands and demands.
2. Making a generous monetary contribution for paraffin.
3. Daily emptying of a bucket that contained faeces and urine.



Should one breach any of these laws then you are liable to punishment that ranges from slaps, kicks and punches, and any other forms that may cause a person pain and suffering. Since I did not have money to contribute towards paraffin, I had to empty the bucket for the entire period I was in the police cell. I was also subjected to severe beating, forced to punch the wall, and slapped on the back several times.

After two weeks in a police cell, I was taken to court and I ignorantly decided to plead guilty since my experience in the police cell was terrible, and I thought a government prison was better. Having pleaded guilty I was sentenced to three years' imprisonment.

Just like in the police cells, the same rules applied in the prison. There were no toilets and instead permission to attend to nature's call in a bucket had to be sought from prisoner leaders known as "katikiros" who enjoyed lots of privileges by virtue of the status quo, including punishing other inmates.

Work in the farms for prisoners is a nightmare, commencing at 7 am and lasting till 6 pm. All inmates, irrespective of your physical or health condition are expected to work at the same pace while digging, weeding or harvesting under the supervision of "katikiros" holding big sticks over prisoners' heads, ready to strike anyone who lags behind or complains of being tired, thirsty, hungry or sick and anyone who errs in harvesting maize. If an inmate accidentally hurts his feet or leg with a hoe, he is punished since that is interpreted as 'damaging tractor tyres'. An inmate in this case is seen as a tractor that can't plough without tyres just like a prisoner cannot provide labour if he is hurt.

On certain days when prisoners are given rest from working on government farms, prisoners provide labour in prison officers' private farms under the same harsh, inhumane, degrading treatment. Many times when officials visit the prison for routine monitoring, prisoners

are warned against disclosing their plight.

This is my story and it is not unique at all. Many prisoners have experienced this and even worse.

### Security awareness-prevention session for alleged stateperpetrators

Three awareness information workshops were conducted, reaching out to 209 Security Personnel (178 male, 30 female) in total. These were drawn from the Directorate of Human Rights, Political Commissars, Intelligence officers, legal officers, Administrators from Central Region, CMI Recruits and new recruits of the Special Field Force Brigade (SFFB). The officers' knowledge of the concept of torture and its consequences including key provisions in the Prevention and Prohibition of Torture Act (2012) were enhanced.

### The Prevention and Prohibition of Torture Act, 2012

A popular version of the Prevention and Prohibition of Torture Act, 2012, was developed and validated by multiple stakeholders at a validation workshop held in Kampala. The version is due for publishing and is under translation into four languages - Kiswahili, Luganda, Luo and Runyankole-Rukiga.

### Baseline Study for European Union Project

A baseline study for a 30-month project was successfully conducted. The project aims to strengthen and enhance torture prevention, rehabilitation and accountability in East Africa. It was conducted in Uganda and Kenya and it is funded by the European Union and implemented collaboratively with Independent Medico Legal Unit (IMLU) and Centre for Victims of Torture (CVT). Baseline information obtained through this study is being used to benchmark performance and achievement of planned results relating to this EU-funded project.

### Occupational therapy Initiative at Bondeko Community Centre




and tailoring accessories (clothes, threads and pins). The trainers are three Congolese females who are offering the service voluntarily.

A total of 15 clients, all female and refugees from the DRC are undergoing occupational therapy at Bondeko Community Centre through tailoring. **Occupational therapy** is a discipline that aims to promote health by enabling people who suffer from a mental, physical, developmental, and/or emotional disabling condition by utilizing treatments that develop, recover, or maintain clients' activities of daily living.

The therapy helps clients not only to improve their basic motor functions and reasoning abilities, but also to compensate for permanent loss of function. The ultimate goal of this therapy is to help clients have independent, productive, and satisfying lives. This initiative was made possible through donations of three sewing machines, one embroidery machine



# STRESS MANAGEMENT

 **Kizito Wamala-(Psychologist-ACTV)**

**M**anaging stress by staff in organizations is not only crucial in enabling organizations fulfill their objectives but also necessary in protecting the wellbeing of individual staff members and the communities they work with. 'Stressed out' staff members are less efficient and less effective in carrying out their assigned tasks. Stress fundamentally interferes with the ability of an organization to provide services to its supposed beneficiaries.

Stress can be both positive and negative. Negative stress is a condition or feeling that is experienced when a person perceives that demands exceed the personal and social resources that the individual is able to mobilize. People feel stressed when they think that they can't handle the demands put upon them. In this case then stress is a negative experience. It should be noted that stress is **not a direct consequence of an event**. It depends a lot on a **person's perception of a situation** and the person's **real ability to cope** with it.

## Sources of Stress are diverse but normally include:

1. **Job/work related**, e.g. quantity and quality of work (work over- and under- load), role played, level of responsibility, level of authority, interpersonal relations, level of

participation in decision making, availability of work resources Vs expectations by bosses, etc.

2. **Social related**, e.g. family/ domestic conflicts, economics, unemployment, level of participation and influence on laws, wars, availability of social services, etc.
3. **Environmental**, e.g. natural disasters, noisy residential or work place, slums, weather, terrain, etc.
4. **Personal**, e.g. personality type, subjective perception, beliefs, behaviour, attitude, coping styles, lifestyle, time management, etc.
5. **Physical and mental health**: multiple disabilities, chronic medical and mental conditions, terminal illnesses, etc.

## Negative stress can produce grave effects like in the following domains:

1. **Physical**, e.g. increased heart pulse, muscle tension, fatigue, etc.
2. **Emotional**, e.g. anxiety, depression, guilt, jealousy, overreaction, suspicion, anger/ irritability, etc.
3. **Mental/ cognitive**, e.g. poor concentration, difficulty in making decisions, frequent forgetfulness, depersonalization, low job satisfaction, etc.
4. **Behavioural**, e.g. interpersonal conflicts, social withdrawal, general negativistic tendencies etc.



## How can stress be managed? People manage stress differently and below are the common and most effective ways:

1. **Compartmentalize life:** locate time to cover every aspect of life, one thing at a time; time management;
2. **Understand your stress:** sources, periods, effects and plan to handle them effectively.
3. **Systematic problem Solving:**
  - + define the problem clearly
  - + write the problem into single manageable components
  - + brainstorm the possible solutions, evaluate the options
  - + choose the best options, formulate an action plan
  - + monitor and evaluate progress
4. **Develop effective skills:**
  - + be assertive, prioritize, leave room for flexibility
  - + practice rational thinking and goal setting
  - + delegate, avoid urgency operation
5. **Establish and make use of good social networks;**
  - + ask for help
  - + accept help when offered
  - + talk to people to ventilate stress
  - + don't ventilate your problem; anger, guilt, sadness, etc.
6. **Maintain a healthy lifestyle;**
  - + exercise regularly
  - + eat a balanced diet
  - + limit foods of mood, e.g. coffee, alcohol, sugar, etc.
  - + set time to relax and to enjoy yourself
7. **Recognize and accept your feelings of stress, and express them:** this calls for a high level of self-awareness and spontaneity.
8. **Set time for reflection:**
  - + meditation, reassess personal values, beliefs, goals

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# PICTORIAL OF THE UN INTERNATIONAL DAY IN SUPPORT OF TORTURE VICTIMS



Students, torture survivors and CAT members feeding facts on the "Torture Information Tree", during celebrations in Gulu



Kampala Police Community Liaison Officer, Anatoli Muleterwa dialoguing with vendors in Nakasero Market on torture



Commissioner Agaba Maguru reading the Press Statement at Nakasero Market in Kampala



Head of Delegation European Union Mr. Kristian Schmidt officiating at a public dialogue



A torture survivor sharing his experience



Chief Guest: Hon. General Aronda Nyakairima delivering his speech as he emphasizes the existence of a Commission of inquiry into violation of human rights in Uganda - June 26th at Kampala Railway Grounds.

**African Centre for Treatment and Rehabilitation of Torture Victims(ACTV)**

Block No. 39, Plot 113 Owen Road (off Tufnell Drive), Kamwokya. P.O. Box 6108 Kampala, Uganda

Tel: +256 312 263918/312 263620 Fax: +256 312 263919. Email: [actv@actvuganda.org](mailto:actv@actvuganda.org); [ceo@actvuganda.org](mailto:ceo@actvuganda.org) Web: [www.actvuganda.org](http://www.actvuganda.org)



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