



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

THEMATIC FOCUS ON ARTICLE 5:

**THE RIGHT TO PROTECTION FROM TORTURE, INHUMAN AND DEGRADING
TREATMENT AND SLAVERY**

ISSUE:

**PROGRES ON THE PROTECTION, PROMOTION AND RESPECT OF
THE RIGHT TO FREEDOM FROM TORTURE AND CRUEL, INHUMANE,
DEGRADING TREATMENT OR PUNISHMENT IN UGANDA**

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PROGRES ON THE PROTECTION, PROMOTION AND RESPECT OF THE RIGHT TO FREEDOM FROM TORTURE AND CRUEL, INHUMANE, DEGRADING TREATMENT OR PUNISHMENT IN UGANDA

The Honourable Chairperson, the Commissioners of the African Commission on Human and Peoples Rights (ACHPR), Member States, the African Union, Inter-Governmental organisations, National Human Rights Institutions, Non-Governmental Organisations (NGOs), ladies, gentlemen and others, all protocol observed. I bring you greetings from the African Centre for Treatment and Rehabilitation of Torture Victims (ACTV), an NGO based in the Republic of Uganda in East Africa.

Acknowledgement of State contributions in torture prevention and accountability

We welcome the following contributions by the Republic of Uganda towards the promotion and protection of the right of freedom from torture;

- ❑ Progressive implementation of the Human Rights (Enforcement) Act, 2019 by the judiciary which has invoked its provisions in the determination of human rights cases torture inclusive.¹
- ❑ De-militarisation within the Uganda Police Force with the recent appointment of the Inspector General of Police and Deputy Inspector of Police both not from the Army.
- ❑ Joint capacity building programmes by NGOs and security agencies; Uganda Police Force and the Uganda Peoples Defence Forces on effective investigation and documentation of torture and stress management.
- ❑ Joint development of a checklist on effective investigation and documentation of torture cases by the Office of the Directorate of Public Prosecutions, Criminal Investigations Directorate and The African Centre for Treatment and Rehabilitation of Torture Victims. The latter is a guide during capacity building programmes for state prosecutors and investigative arm of Uganda Police Force.

Challenges faced in 2023- June 2024

Although there are these tremendous steps taken, torture and other cruel degrading treatment remain one of the most violated human rights reported by both the Uganda

¹ Paul Wanyoto Mugoya Vs. Sgt. Oumo Joshua & Anor, Civil Appeal No. 91 of 2021, Ssekaja & 2 Ors. Vs. AG & 2 Ors, Misc. Cause No. 71 of 2021.

Human Rights Commission (UHRC) and Civil Society Organizations (CSOs) mainly due to the following challenges;

1. The ineffective implementation of the Prevention and Prohibition of Torture Act 2012 and its 2017 regulation
2. There major Gaps in investigation and documentation of torture and ill treatment cases that has limited access to rehabilitation and redress for survivors and their families.
3. Fear among survivors and affected communities to report to relevant authority especially to the Uganda Police Force.

ACTV contributions towards torture prevention and accountability

ACTV has managed to make the following contributions to torture prevention and accountability;

1. Comprehensive training of state and non-state actors that include; 38 professionals on medico-legal documentation, 20 community health workers, 76 Uganda Police Force, 21 Human Rights defenders, 100 community volunteers, 13 State prosecutors, 20 journalists²,
2. Developed a position paper to guide and advise the Committee on Human Rights of Parliament on the need to ratify the Optional Protocol to the Convention Against Torture as well as the value of enacting the Witness Protection Bill 2015 into law in fostering reporting and mitigating fear to report.
3. Created awareness to 3,975 (2,181 Male and 1,794 Female) community members on torture prevention and accountability in the Central, Rwenzori, Northern and Karamoja region³.
4. Offered rehabilitation services to 903 survivors of torture and gender-based violence.
5. Through the Coalition Against Torture members, we provided free treatment and rehabilitation to victims of brutality during the march to Parliament on corruption.

Recommendations

We therefore, call upon the ACHPR to urge the Republic of Uganda to consider addressing the following recommendations as priority areas;

1. The Ministry of Health to consider jointly developing and adopting a national rehabilitation policy for torture victims and survivors with relevant NGOs.

² Districts of Kayunga, Mukono, Kampala, Gomba, Masaka, Karamoja and Gulu in Uganda

³ In the districts of; Masaka, Gomba, Kabong, Gulu and Kasese district.

2. Capacity building of criminal justice actors on the effective implementation of the PPTA 2012 and the regulations. This should also integrate a trauma informed approach in investigation and documentation including on anger and stress management should be mainstreamed in the module. Stress and anger besides other causes contribute to acts of human rights violations especially torture and ill treatment.
3. Ministry of Foreign of Affairs to consider ratifying the Optional Protocol to the Convention Against torture (OPCAT) 2006.
4. Parliament to consider enacting the Witness Protection Bill 2015 and National Legal Aid bill into law to foster timely reporting and access to justice for all respectively.
5. Consider appropriating commensurate funds to the Uganda Human Rights Commission to enable the NHRI to deliver on its mandate.
6. The Uganda Police Force to consider coding the Prevention and Prohibition of Torture Regulations 2017 forms to enable effective investigation and documentation of torture and prosecution.
7. Uganda should consider prioritising criminal prosecution of alleged perpetrators besides civil litigation.
8. All security institutions should consider mainstreaming and disseminating the Mendes principles on torture across all training programmes in the training schools. It will promote compliance with international human rights standards during investigation and interrogation to prevent torture.

Conclusion

We will appreciate any technical support or efforts from the African Commission on Human and Peoples Rights (ACHPR) either rendered to Uganda or to call upon the Republic of Uganda to actualise these recommendations as we continue a collective transformative approach by both State and Non-State institutions in actions towards torture prevention and accountability for all. We believe that with the necessary political will, torture free spaces are attainable.

Thank you for your kind attention.



Samuel Herbert Nsubuga
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The African Centre for Treatment and Rehabilitation of Torture Victims
(ACTV)