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ROUNDTABLE DISCUSSION ON THE PREVENTION AND PROHIBITION OF TORTURE: GOOD PRACTICES and CHALLENGES IN UGANDA

**Organised by the Committee for the Prevention of Torture in Africa
and the
Uganda Human Rights Commission**

18 December 2014

Protea Hotels

Kampala, Uganda

On 18 December 2014, the Committee for the Prevention of Torture in Africa (CPTA), with assistance from the Uganda Human Rights Commission (UHRC), organized a *Roundtable Discussion on the Prevention and Prohibition of Torture: Good Practices and Challenges in Uganda*. The objective of the discussion was to identify and discuss good practices and challenges in the prevention of torture in Uganda and elsewhere. Participants at the Meeting included state actors, civil society organisations (CSOs) and representatives from UHRC.

CPTA members who attended the meeting were its Chairperson, Commissioner Lawrence M. Mute; Mr Jean-Baptiste Niyizurugero, Vice Chairperson; Madam Hannah Forster, Member; and Mr. Malick Sow, Member.

The Chairperson shared the experiences of the Commission in relation to torture prevention and prohibition, as well as the jurisprudence of the Commission in that regard.

Mr. Kamadi Byonabye, Director of Regional Services of UHRC; Mr. Samuel Nsubuga, Executive Director of the African Centre for Treatment and Rehabilitation of Torture Victims (ACTV); and General Kale Kaihura, Inspector General of Police of the Uganda Police Force, were amongst the principal participants who shared the experiences in their respective Institutions in relation to the prevention of torture in Uganda.

This is a summary of the good practices, challenges and opportunities identified during the roundtable discussion.

Good Practices

i. Implementation of the Prevention and Prohibition of Torture Act, 2012

- Participants commended the Government of Uganda for its exhibited political will and commitment in the fight against torture in general, and the implementation of the Prevention and Prohibition of Torture Act, 2012 (the Anti-torture Act) in particular.
- UHRC has developed and distributed copies of the Anti-torture Act, and had the Act translated into four other languages.
- Guidelines on the Anti-torture Act have been developed.
- ACTV has simplified the Anti-torture Act and prepared an easy to read version.

ii. Trainings

- Magistrates, the police, and medical personnel are amongst groups that have been trained in relation to the implementation of the Anti-torture Act and relevant laws, including the Constitution of the Republic of Uganda.
- Justice Centres Uganda is one amongst few Organisations that offers trainings to cultural leaders to eradicate practices such as lashings for wrong-doings and corporal punishment of children.
- To address the occasional overlap of trainings, resulting from lack of coordination amongst the stakeholders providing the trainings, a strategy is now being developed to create synergy in administering trainings.

iii. Coalition working on Torture Issues

- A coalition comprising UHRC, human rights defenders and other stakeholders was established, with the aim of preventing torture in Uganda. Cooperation and collaboration are crucial if torture is to be eradicated.
- Anti-torture networks should identify key events or issues around which they may undertake anti-torture campaigns. The Ugandan coalition works together to commemorate the International Day in Support of Victims of Torture – 26 June. The coalition further works on sensitising relevant actors, both governmental and non-governmental bodies, to the Anti-torture Act.
- Legislative reform including passage of anti-torture laws remains a critical facet of the prevention of torture. In this regard, the coalition played an important role in the process of enactment of the 2012 Anti-torture Act. There is currently advocacy

for the Parliament of the Republic of Uganda to ratify the Optional Protocol to the Convention against Torture (OPCAT).

- Further, a road map/action plan for the prevention and prohibition of torture was adopted. It outlines the roles of different bodies, including government institutions and civil society organisations in the fight against torture.

iv. The Ugandan Police Force

- There is a disciplinary code of conduct within the Uganda Police Force.
- The Human Rights Directorate which was instituted within the Uganda Police Force receives complaints on violations, which may be referred to relevant departments, depending on the nature of the alleged violations. The Police Force would then follow-up on the process, including investigations and implementation.
- The Uganda Police Force has set up regional human rights offices and human rights officers have been trained.
- The training curriculum of the Uganda Police Force has been revised to take account of the Anti-torture Act.
- Intensive awareness raising programme of the general population is taking place so as to encourage the reporting of abuses to police.
- Human Rights Network Uganda, together with the Uganda Police Force, has developed a form that can be filled by complainants alleging torture.

Challenges

i. Financial Constraints

- There is insufficient budget to undertake trainings, and even when trainings do take place, some groups are trained multiple times on similar issues by different stakeholders, while others receive no training. This is due to the absence of coordination amongst stakeholders on the administration of trainings.
- There is a challenge of ensuring that all victims are fully compensated. Most compensation to victims of torture is outstanding.
- Financial constraints make dissemination of the Anti-torture Act difficult. More needs to be done in the area of sensitisation, particularly amongst the public about the Anti-torture Act and the need to report violations.

ii. Legislative and other measures

- A witness protection law is yet to be adopted. The law and its implementation is necessary for the protection of victims or others who report acts of torture.
- The Republic of Uganda is yet to ratify OPCAT.
- There is need to ensure the availability of the Guidelines on the Anti-torture Act to relevant actors and the public at large.
- Implementation of the Anti-torture Act is a challenge. Very few cases have been brought forward since the adoption of the Act in 2012.
- The Republic of Uganda has not utilised the available international human rights forums in order to share its good practices and to learn on how to improve the situation in the country as regards the prevention of torture.

Opportunities

Joining the Convention against Torture Initiative (CTI)

The Convention against Torture Initiative (CTI), which was developed at the international level as part of the fight against torture was introduced by CPTA to the Meeting. The CTI came at a time when 30 years of the United Nations Convention against Torture (the UNCAT) was being marked. CTI was launched in March 2014 by five countries, namely Chile, Denmark, Ghana, Indonesia and Morocco to celebrate 30 years of the UNCAT.

The objective of the Initiative is to achieve universal ratification of UNCAT by 2024. It further aims to identify and address challenges in ratifying and implementing the UNCAT. Governments, civil society organisations as well as other prominent international and regional organisations and individuals have joined in support of CTI, as Group of Friends to the Initiative.

CTI presents a good opportunity for the CPTA and participants to work towards the eradication of torture in Africa.

The Danish Mission to the United Nations in Geneva is the focal point for applications to join the CTI Group of Friends. Interest in joining the CTI Group of Friends can be expressed by letter/fax/mail to the Danish Mission to the UN in Geneva (address: rue de Moillebeau 56, 1211 Geneva; fax: +41 22 918 00 66; email: gvamis@um.dk). Further information on the CTI can be found at www.ap.t.ch or <http://fngeneve.um.dk/en/human-rights/cti/>.