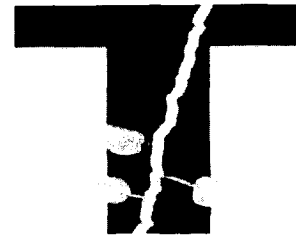


***JOINT PRESS STATEMENT on
the Commemoration of the
INTERNATIONAL DAY IN
SUPPORT OF TORTURE
SURVIVORS –
26 June 2023***

Issued Today Tuesday, 20th June 2023



1.0 PREAMBLE

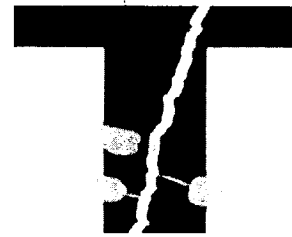
The Uganda Human Rights Commission (UHRC) together with the Coalition Against Torture in Uganda (CAT) chaired by the African Centre for Treatment and Rehabilitation of Torture Victims (ACTV), and partners jointly issue this statement in commemoration of the International Day in Support of Victims of Torture, which will fall on Monday, 26th June 2023, under the theme; **“Stop Torture, Rebuild lives of Survivors for Sustainable Development”**.

2.0 BACKGROUND

On 9th and 10th November 2022, the Committee Against Torture (CAT) reviewed Uganda in its 75th Session. On 22nd November 2022, a number of recommendations during the concluding observations were made. The recommendations were along four main issues; a) **Monitoring Places of Detention**, b) **Documentation, Investigation and Prosecution of Torture cases** and c) **Reparation and Rehabilitation** and d) **Prevention of Human Trafficking, Redress and Rehabilitation of survivors**.

For Uganda, the UN CAT for instance recommended; reinforced awareness-raising, capacity-building and training of all law enforcement agencies on effective implementation of the Prevention and Prohibition of Torture Act of 2012 and the Prevention and Prohibition of Torture Regulations of 2017, and ensure the systematic use of Form 4 and sanctions against officials who do not implement the Prevention and Prohibition of Torture Act.

This year's commemoration comes at a time when we are left with only 7 years to assess our progress in implementation and realization of the



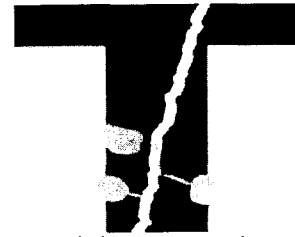
Sustainable Development Goals (SDG) 2030 of which SDG 3 on 'good health and well-being' and SDG 16 on 'Peace, Justice and Strong Institutions' are critical in Torture Prevention and Response. Torture prevention and accountability is essential for nation building and economic sustainability for any nation.

Therefore, the Coalition Against Torture in Uganda (CAT) together with the Uganda Human Rights Commission (UHRC) commits to continuous inclusive prevention, response and accountability efforts collectively with the State and non-State actors for sustainable development.

3.0 SITUATIONAL ANALYSIS

Despite having in place a comprehensive legal framework against Torture, torture remains an issue of national concern in as far as prohibition and accountability is concerned. In February 2023, the Attorney General cautioned public officials against Torture and pledged not to defend anyone implicated. This implies that the State has the will to prosecute those found in abuse or violation of Articles; 24 and 44 (a) of the 1995 Constitution. Torture is criminalized in Section 4 of the Prevention and Prohibition of Torture Act No.3 of 2012.

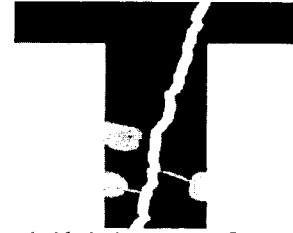
In 2020, the Uganda Human Rights Commission (UHRC) registered 308(49%) complaints of torture out of 627 human rights violations registered, and in 2022 UHRC registered 267 (37%) complaints of torture out of 691 human rights violations. Relatedly, ACTV has continued documenting a number of torture complaints for treatment, rehabilitation and legal support over the years; 2017 – 834, 2018 – 1,070, 2019 – 2020



960, 2021 – 1,151 and in 2022-788 complaints. In addition, there is a significant number of 767 cases of torture by private individuals from 2018-2021 arising from mob violence, land disputes among others as reported by ACTV in its Annual Reports. Actually, civilians commit the worst forms of torture.

3.1 Progress made

- A number of private legal practitioners are filing torture cases citing the Prevention and Prohibition of Torture Act 2012, and the Human Rights Enforcement Act 2019.
- Journalists have realised there is need for specialised support for victims and survivors of torture beyond treatment and continue referring torture complaints for holistic care including rehabilitation.
- ACTV Medico-Legal reports address the gaps in professional documentation and continue to be critical in enabling victims and survivors in accessing legal support including compensation.
- The Criminal Justice actors especially Uganda Police Force, Uganda Peoples' Defence Forces and the State Attorneys under the Office of the Directorate of Public Prosecutions have undergone trainings on utilising the Prevention and Prohibition of Torture Regulations 2017 for effective documentation and investigation of torture cases to aid prosecution. In April 2023, the Office of the Directorate of Public Prosecutions (ODPP) agreed to work with ACTV to develop a checklist for investigation of torture, and a capacity building programme for State prosecutors in Uganda on documentation and prosecution of torture



using the forms in the Prevention and Prohibition of Torture Regulations 2017.

- We commend the recent prompt and swift action on errant Police officers involved in the violent arrest of suspects at Sheikh Yunus Kamoga's home, those who were involved in the confrontation with Woman MPs and those who pepper sprayed journalists during the intern doctors' demonstration.

3.2 Gaps in effective implementation

Despite efforts by several stakeholders in prevention and accountability, gaps still persist. The Prevention and Prohibition of Torture Regulations 2017 are not yet popularized thus affecting their enforcement. Similar to the ***rules on the establishment and operation of the alert and reporting mechanism to the African Commission on Human and Peoples' Rights on situations of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment*** adopted at the 73rd Ordinary Public Session in Gambia by African Commission on Human and Peoples Rights in October 2022. These Regulations contain 7 (seven) forms which are essential and offer guidance on how to effectively document and investigate torture. We commend the Uganda Police Force for documenting 'Child Torture/abuse' in its 2021 and 2022 Crime Reports. We urge the force to equally document torture against adults.

4.0 EMERGING ISSUES

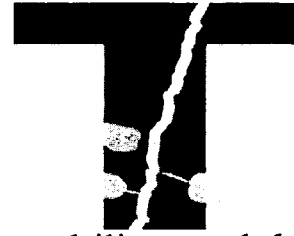


Key among the UHRC's various functions under Article 52(2) of the Constitution, is to monitor the human rights situation in the Country and make appropriate recommendations to relevant stakeholders. As we look forward to the Commemoration of this day, we note some emerging Issues of Human Rights concern including violation of the right to life, deprivation of property and security of person as shown below:

4.1 ADF Kasese Attack

On the night of Friday 16th June 2023, suspected terrorists of the Allied Democratic Forces (ADF) attacked Lhubirira Secondary School (formally, Nyabugaando Peter Hunter Secondary School) in Mpondwe Town Council, Kasese District, brutally murdering 42 innocent people who included 39 students, 2 residents and one Security guard. 22 students were hacked with machetes while 17 died after a bomb was detonated in their dormitory. The Commission also learned that eight students who were critically injured in the attack were taken to Bwera Hospital in Kasese District.

The Commission condemns such acts of violence and terrorism as totally unjustifiable, barbaric and criminal. Schools must be a safe and secure environment for learners, teachers and support personnel. Under international humanitarian law, schools and hospitals are protected civilian facilities, and therefore benefit from the humanitarian principles of distinction. Unfortunately, this safe space was violated by terrorists. We stand in solidarity with the bereaved families, the students, the teaching staff, the school authorities, families of those abducted by the terrorists and the country at large.



Terrorist and violent extremist groups aggravate instability and human suffering. Terrorism is not only a national threat, but also a global threat to democracy, the rule of law, economic development, human rights and stability, and therefore requires a serious multipronged response.

The UHRC appreciates the Government's efforts to enhance security and efforts to apprehend the suspects, though more security measures to protect citizens from such incidents are still needed.

We invite the rest of the world to stand with Uganda and support our armed forces as they fight this menace. We call upon the ADF to unconditionally release their innocent captives.

4.2 Karamojong cattle rustling in Kitgum and Bulambuli Districts

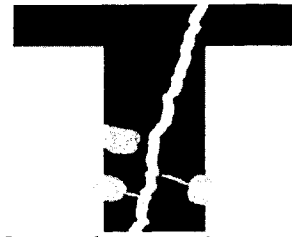
The Commission has established that Karamojong warriors have been attacking communities in Kitgum and Bulambuli Districts. The most affected sub-counties include; Orom, Namukora, Orom East and Omiya-Anyima Sub-counties in Kitgum district. In Bulambuli district, the worriers have affected Bumufuni, Bunambutye, and Bwikhonge Sub-counties.

a) Loss of life

People have been kidnaped and others killed in Kitgum and Bulambuli districts. UHRC has documented 14 deaths in Orom sub-county since 2021.

b) Cattle Theft

Hundreds of cattle and thousands of goats and chickens have been robbed in various sub counties of Orom, Namokora, Omiya-anyima and Orom East

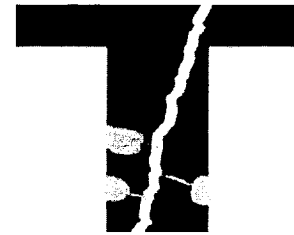


Sub-counties. In Namukora Sub-county, 48 heads of cattle, 146 goats and over 10 chickens have been looted by the rustlers from 43 households since 2022 to date. Similarly, in Orom sub-county, a total of 520 heads of cattle and over 1000 goats have been stolen by the warriors since 2021 to date. The local authorities in Orom Sub-county have reported that in the last one month alone, a total of 170 goats and 05 sheep were stolen from 23 households by the raiders. Omiya-Anyima sub-county has recorded a loss of 40 cows and 123 goats raided by Karamojong warriors since January 2023.

In Bulambuli District, over 600 heads of cattle have been grabbed during the cattle raids in the said period. In May 2023 alone, about 50 heads of cattle were raided. The residents of Bulambuli have resorted to self-defense by arming themselves with arrows and spears to protect themselves and their animals.

c) Loss and destruction of property

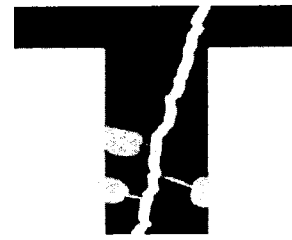
Other than the theft of livestock, the warriors have also looted valuable items such as Cash, solar panels, mobile phones as well as food items. They also burnt grass thatched homesteads/huts as a scare tactic to coerce the victims to comply with their demands or as a means of punishment, killing families inside. Between May and June 2023, a total of 11 huts were burnt by the rustlers, with 04 in Orom sub-county, 04 huts in Orom East, and 03 huts in Omiya-Anyima.



d) Temporary displacement

Hundreds of communities have been temporarily displaced, relocating into Trading centres while others have been compelled to abandon their homes at night in search for safety in schools and churches- where UPDF detachments are located. These temporary displacements have been noted in Orom, Lalamo, and Namokora sub-counties. For instance, in Namokora sub-county, about 100 residents of Pajere, Dibunga, Agotagot from Deite Parish, commute every night to Deite Primary school. Similarly, about 100 residents of Kuruc, Nyapea 'B', Mulogi Villages in Pugota West Parish commute every night to Bola Primary school and Bola Catholic Church where there is presence of security installations.

In Orom sub-county, communities from Kamanding, Lugerema, Omoro, Madi opei-sleep at Mulamula Trading centre where there is a UPDF detachment. Communities from Lagwelima, Muleme, Israel, Labworomor and Labworomor West commute to Orom Trading centre and Lakwatmaber Catholic church, and Orom Mosque which are close to the UPDF detachment. In Omiya-Anyima Sub-county, residents of Kalele, Kalele Central, Teyaa, Ogili, Lacanbil and Coopelwor were night-commuting and sleeping at Kalele Primary school while those from Kumele Wicere, Kasese, Lanyap, Ajuku, Langolongola and Baratoyo villages were every night commuting to Kumele Primary school, close to the UPDF detachment.



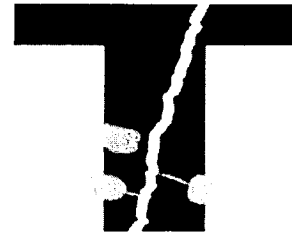
e) Right to food

Due to insecurity especially in the areas of Orom Sub-county, people have abandoned agriculture and cultivation of food in fear of being attacked in their gardens by Karamojong warrior. This has caused food shortages and hunger.

We take cognisance of efforts by security agents to recover rustled animals, even though over 70% of them have not been recovered. The UHRC also notes that there is a functional presence and deployment of security agencies particularly the UPDF in the affected areas to combat criminality. However, the warrior have continued to attack communities, the presence of the army, notwithstanding. The UPDF is a defence force, they have a duty to defend and protect all the people of Uganda from both external and internal threats. They must not fail us.

5.0 WHY THE COMMEMORATION

This year's commemoration is part of the routine reflection mechanisms during which we assess the progress made, challenges faced and set goals towards the realization of our targets in the protection and promotion of human rights and freedoms especially freedom from torture, cruel, inhuman and degrading treatment or punishment. It is also a time during which we hold joint advocacy activities to create awareness and further sink the anti-torture message into the general public. This year, the UHRC and the CAT have lined up a series of activities under the theme **“Stop Torture, Rebuild lives of Survivors for Sustainable Development”** as indicated below.



5.1 Joint Commemoration activities:

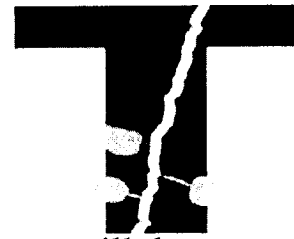
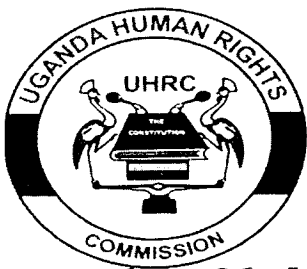
- **Hold a Joint press conference in the Central region:**

Today, Tuesday, 20th June 2023, we are holding a joint CAT-UHRC press conference to address both duty bearers and rights holders about the torture situation in the country, available response mechanisms and respond to emerging issues before flagging off the commemoration activities for June 2023. This is our first activity for this year.

- **Conduct Media campaigns:**

We will also conduct media campaigns using different media platforms to create awareness. Four Spot messages (1 in Luganda, 1 in English, 1 in Luo and 1 in Lusoga) have been produced for airing from Wednesday, 21st June 2023 to Sunday, 25th June 2023. We are also conducting a social media campaigns on Twitter and Facebook under the hash tag; **#StopTortureUG2023** from today Tuesday, 20th June 2023 to Friday, 30th June 2023. We will also hold five radio talk shows involving key players in response and prevention from Monday, 26th June-2023 (1 in the Central region, 1 in Gulu in the Northern Region, two in Kapchorwa and two on Radio Nine in Bukwo in Eastern Uganda) and one spot advert for Television will air for two days during peak hour of a news bulletin on 24th and 25th June 2023 ahead of the main events in Kampala, Gulu and Kapchorwa.

- **Community dialogue in Gulu, & Barazas in Sebei Region**



On Monday, 26 June 2023, one community dialogue will be conducted within Gulu district to commemorate the Day but also raise awareness about torture, the existing response mechanisms jointly with the duty bearers in the district and CAT-UHRC partners. There will be a side Medico-Legal, psycho-social camp during the community dialogue to enable screening and offering of basic counselling and response. Similarly, four Barazas will be conducted in the Sebei sub-region in Eastern Uganda, 2 in Kapchorwa, 1 in Bukwo and 1 in Kween.

- **Anti-Torture Football Gala within the Central region:**

A football gala will be held on Saturday, 24th June 2023 in Kampala District for networking and strengthening partnership by CAT-UHRC, Torture Survivors, Journalists and the community members where the gala will be held. The same activity will be utilized to raise awareness about torture, and the value of timely reporting. There will also be a side medical, legal, psycho-social camp for onsite referrals and dissemination of torture response and prevention information materials.

- **National Public Dialogue/Main event**

All these activities will climax into the main event which will be a National Public Dialogue on Monday, 26th June 2023, at Golf Course Hotel in Kampala. The Dialogue will involve Government officials, the academia, survivors of torture, political and opinion leaders, Media personnel, Civil society and the general public. This is aimed at getting an update from the



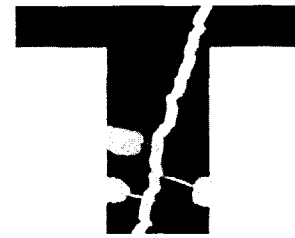
State on the state of implementation of the recommendations of the UN CAT to inform constructive discussions and a way forward on collective action in torture prevention and accountability in Uganda.

6.0 RECOMMENDATIONS FOR THE JUNE 2023 COMMEMORATION

- The State should appropriate more financial resources to the UHRC to enable it effectively perform its torture prevention, response and accountability roles as established in the Constitution and UHRC Act 1995.
- Uganda Police Force and the Office of the Directorate of Public Prosecutions should operationalise the Prevention and Prohibition of Torture Regulations 2017 to enable effective documentation, investigation and prosecution of torture complaints.
- The State should train criminal justice actors and health workers on the value of effective documentation and investigation of torture using the Istanbul Protocol of 1998. The Istanbul Protocol of 1998 is a manual on effective documentation and investigation of torture. The guidelines in this manual are recognised by the United Nations and have since been revised in 2021 to aid professional documentation by lawyers and medical practitioners.
- Parliament should enact the Witness Protection Act to empower the public to report and testify in all cases of torture and ill treatment. It should also expedite the enactment of the National Legal Aid Bill.
- The public, torture survivors and victims should embrace timely reporting of torture related complaints for timely response and access



to justice.



- The Ministry of Health should consider development and adoption of a national policy on rehabilitation of torture victims. This will promote effective data disaggregation and documentation to aid prosecution and other response support.
- The Ministry of Justice and Constitutional Affairs is commended for timely settlement of compensatory awards.

Regarding the Emerging issues of Human rights Concern, the following are the recommendations

- The UPDF and UPF (security agencies) should tighten security in all the neighbouring districts of Karamoja to check the continuous incursion of Karamojong into the affected sub-counties.
- The UPDF and the UPF should scale-up operations against Karamojong worriers in the affected communities to restore security and normalcy in the areas.
- The Government of Uganda should verify claims on rustled animals with the view of compensating the affected households.
- Humanitarian assistance should be rendered to those whose homesteads have been burnt
- The community members should desist from taking the law into their hands and follow the lawful procedure of handling suspects.

7.0 CONCLUSION



Torture prevention and accountability is a collective effort and involves a change in attitude, behavior and perception of both State and non-State actors. On 26 June 1987 Uganda ratified the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The willingness to sign and ratify this instrument should resonate with the will to actualize the aspirations of this instrument.

For God and My Country!

Mariam Wangadya
CHAIRPERSON,
UGANDA HUMAN RIGHTS COMMISSION

Samuel Herbert Nsubuga
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COALITION AGAINST TORTURE (CAT) IN UGANDA