



Investing in Torture Prevention

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Situation of OPCAT implementation in Uganda

- Uganda is party to the UN Convention Against Torture. It acceded on 3 Nov 1986 .
- Uganda voted for the adoption but has neither signed nor ratified the OPCAT.
- The UHRC, Coalition of CSOs Against Torture, the APT & OHCHR are engaged in advocacy for the prevention of torture through, among other things, passing a Bill that prevents and prohibits torture and for the ratification of the OPCAT.



Reflections on the Practice

- Torture is still a common practice not only in Uganda but also globally
- It is important to undertake preventive actions against torture
- Article 5 of the UDHR states that:

No one should be subjected to torture or to cruel, inhuman or degrading treatment or punishment



How do you prevent torture ?

Prevention entails **mitigation** and **deterrence**

1. Mitigation involves reducing the risk factors and eliminating possible causes of torture such as Training, Human Rights Education and Monitoring places of detention

2. Deterrence involves investigation, documentation, denunciation, litigation, prosecution and sanction of perpetrators and reparation for victims



Risk Factors of Torture

- Political, social & cultural environment
- Legal framework
- Criminal justice system
- Institutional environment
- Situations of deprivation of liberty



Risk Factors of Torture

- Certain Persons of groups e.g. vulnerable groups such as minority groups –racial, ethnic, religious, linguistic, women, minors, migrants, pwds, homeless and the poor, members of the opposition political parties



Components of an Integrated Preventive Strategy

1. Legal Framework that prohibits torture

Ratification of international treaties, Prohibition and Criminalization of Torture, Legal Safeguards

2. Effective implementation of the legal framework

Procedural Safeguards, Training of public officials, Investigation and Punishment, Reparation for victims

3. Mechanisms to Monitor the Legal Framework and its implementation

Visits to Places of detention by National, Regional and UN bodies and Public Awareness Campaigns



Financial Implications of Preventing Torture

- It is difficult to come up with a figure but preventing torture from occurring is certainly cheaper than reacting after torture has occurred
- No reparation e.g. financial compensation, apology, commemoration or tribute can ever restore the victim of torture to his/her state before the torture occurred.
- Investing in prevention of torture is a **MUST!**



Preventing Torture is **MUST!**





Who should invest in Torture Prevention?

- States
- National Preventive Mechanisms
- National Human Rights Institutions
- Civil Society Organizations
- Development Partners



Why should there be increased funding for prevention of torture?

- Preventive strategies are proactive rather than reactive
- Preventive strategies are global rather than individual
- Preventive Strategies will create a systematic and ongoing process which will increase cooperation and constructive dialogue to improve conditions of detention



Documentary on social & economic costs of torture in Uganda

- The Coalition of CSOs in Uganda Against Torture (CAT) under the leadership of the African Centre for Rehabilitation of Torture Victims made a documentary entitled 'No More Impunity'
- It was filmed by the Refugee Law Project, member of CAT as one of the activities for the 26 June 2010
- UHRC worked very closely with the Coalition of CSOs Against Torture in making the documentary
- APT acts as an advisor to the Working Group i.e. UHRC and CAT on the Prevention of Torture in Uganda.



Documentary on social & economic costs of torture in Uganda

The documentary which followed previous advocacy activities for the prevention of torture by the UHRC , the Coalition Against Torture & APT highlighted the following;

- Torture is a violation of human rights
- Torture has a negative impact on victims and the country as a whole



Documentary on social & economic costs of torture in Uganda

The documentary also highlighted the following;

- Torture takes away from the progress made in terms of democracy and good governance
- Torture will cost the government more in the long run e.g. providing reparations, loss of popularity and shows a lack of respect for rule of law



Documentary on social & economic costs of torture in Uganda

The speakers in the documentary urged the government to;

- Stop and Prevent Torture
- Pass a law preventing and prohibiting torture
- Ratify OPCAT



Outcomes of Documentary and other Preventive efforts

- Increased the momentum towards Parliament passing a Bill to Prohibit and Prevent torture
- Increased awareness of torture as a human rights violation and support for its prohibition and prevention by State Agencies and Officials



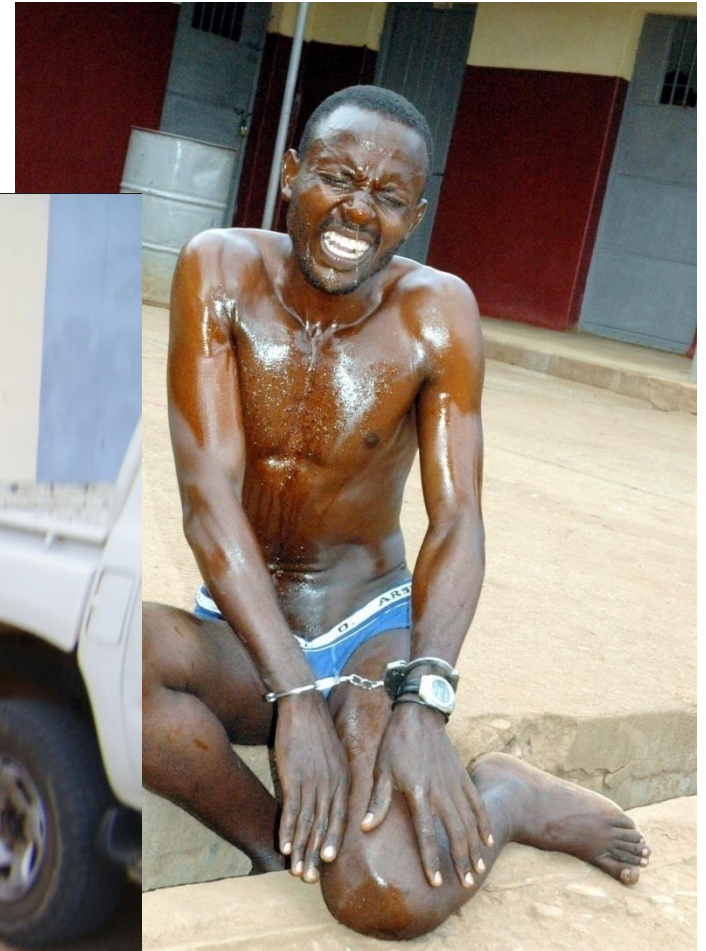
Outcomes of Documentary and other Preventive efforts

- More citizens are aware that they have a right not to be subject to torture and other cruel, inhuman or degrading treatment or punishment and make demands not to be tortured or treated inhumanely while being arrested or detained



Consequences of lack of investment in prevention of torture

Torture will remain rife!





How to ensure sufficient, adequate & sustainable resources for prevention of torture

- Political will and commitment from States and Development Partners
- Prioritize Prevention of Torture –NPMs, NHRIs, CSOs
- For those countries which have ratified OPCAT - make use of the OPCAT Special Fund



Cost Effective Measures for Prevention of Torture and other Ill treatment

➤ Collaboration among stakeholders
e.g. sharing of information & avoiding duplication of activities

Good Practice: UHRC, CAT, APT & OHCHR
Justice Law & Order Sector



Cost Effective Measures for Prevention of Torture and other Ill treatment

- Collaboration not only builds the capacity of the collaborating actors or enhances the use of synergy for better results but also encourages better use of available resources



Investing in Prevention of Torture

The End

Thank you for listening to me!

