The Prevention and Prohibition of Torture Act, 2012

Uganda enacted the Prevention and Prohibition of Torture Act in line with Articles 24 & 44 of the 1995 Constitution, that provide for freedom from torture, cruel, inhuman and degrading treatment or punishment

**Physical torture includes**

- systematic beating, head banging, punching, kicking, striking with truncheons, rifle butts, jumping on the stomach;
- food deprivation or forcible feeding with spoiled food, animal or human excreta;
- electric shocks;
- cigarette burning, burning by electrically heated rods, hot oil, acid;
- the submersion of the victim’s head in water;
- being tied or forced to assume a fixed and stressful body position;
- rape and sexual abuse, including the insertion of foreign bodies into the sexual organs or rectum or electrical torture of the genitals;
- mutilation, such as amputation of body parts;
- dental torture or the forced extraction of the teeth;
- harmful exposure to the elements such as sunlight and extreme cold; or
- the use of plastic bags and other materials placed over the victim’s head with the intention to asphyxiate.

**Mental or psychological torture includes**

- Blindfolding;
- threatening the victim or his or her family with bodily harm;
- execution or other wrongful acts;
- confining a victim incommunicado;
- confining the victim in a solitary cell;
- prolonged interrogation of the victim so as to deny him or her normal length of sleep or rest;
- maltreating a member of the victim’s family;
- witnessing the torture sessions by the victim’s family or relatives;

**Pharmacological torture includes**

- administration of drugs to induce confession or reduce mental competence;
- the use of drugs to induce extreme pain or certain symptoms of diseases and;
- other forms of deliberate and aggravated cruel, inhuman or degrading pharmacological treatment or punishment.

**What is Torture under the Act?**

Torture is any act or omission that is intentionally inflicted on a person and that causes severe pain or suffering with the purpose of obtaining information, punishment, intimidation or coercion of the victim by any person whether a public official or other person acting in an official or private capacity.

**What is Aggravated Torture?**

A person is liable to life imprisonment for aggravated torture:

- When the offender uses or threatens to use or used a deadly weapon;
- When the offender uses sex as a means of torture;
- When the victim was a person with a disability;
- When the victim was a person under the age of 18 years;
- If the victim was incapacitated;
- If the act of torture is recurring, or;
- If the offender commits any act that the court considers aggravating.

**What is the penalty for committing torture under the Act?**

- If convicted of torture: imprisonment for 15 years and/or fine of UGX 7,200,000
- If convicted of procuring, aiding or abetting, financing, soliciting, inciting or recommending torture: imprisonment up to 7 years and/or fine of UGX 3,360,000

**Pharmacological torture includes**

- administration of drugs to induce confession or reduce mental competence;
- the use of drugs to induce extreme pain or certain symptoms of diseases and;
- other forms of deliberate and aggravated cruel, inhuman or degrading pharmacological treatment or punishment.

**Can a private individual be convicted of torture?**

Unlike the international Convention Against Torture, both public officials AND other persons acting in an official or private capacity can be convicted of torture under Ugandan law.

**What are the available remedies for torture victims/survivors?**

Compensation, rehabilitation, restitution or any payment ordered by court can be made to a survivor/victim of torture.

We all have a role to play in ending torture!

Any person including YOU can report a case of torture to Police or Uganda Human Rights Commission.

For more information, contact info@refugeelawproject.org or call 0776897057

The Government shall protect whoever reports, witnesses, makes a complaint about torture.