



Refugee Law Project

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International Day in Support of Victims of Torture

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Theme: Support Torture Survivors to Report and Access Justice?

Refugee Law Project joins survivors of torture to mark the United Nations International Day in Support of Victims of Torture. The UN General Assembly proclaimed 26 June the United Nations International Day in Support of Victims of Torture in 1997. The UN declaration was made to regularly renew attention to the need to eradicate torture and to enable the effective functioning of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT). In Uganda the legal framework criminalizing torture is the Prevention and Prohibition of Torture Act, 2012. This year's theme 'Support Torture Survivors to Report and Access Justice' offers an opportunity to examine the extent to which the 2012 Act has enabled access to justice for survivors of torture in Uganda.

Torture constitutes any act or practice of inflicting severe pain or suffering on someone as a punishment or in order to force them to do or say something. Every day, in homes, prisons, police stations and places of detention both official and secret, women, men and children are deliberately and atrociously tortured. They are made to suffer pain and humiliation, and may be made to watch vulnerable family members being tortured. They suffer prolonged isolation and lengthy interrogation; medical treatment, food and water is withheld from them for long periods of time. Torture instills fear and strips any victims of their human dignity, and many victims do not report for fear of further harm.

During conflict, torture is used as a weapon of war and is one of the reasons why millions of refugees are displaced worldwide. The majority of refugees from the Great Lakes region have either witnessed or are survivors of torture and violence in their home countries. Refugee victims have both physical and psychological effects of torture. The physical effects include scars, headaches, abdominal pain, sexual difficulties, and broken limbs. At the same time, the psychological effects of torture include nightmares, Post Traumatic Stress Disorder, detachment from others, low self-esteem, memory loss, depression, anxiety, insomnia and flashbacks. While these physical and psychological effects are felt most directly by the immediate survivor, they also impact on those close to the survivor; family members, friends and neighbours.

On this day in support of victims of torture, Refugee Law Project recognizes the need for survivors to report and access justice as part of accountability and healing. Under international law and

customary international law, torture is recognized as an international crime, which means every states has an obligation to fight this vice. We note that access to justice in the country of asylum for torture committed in the country of origin is not readily available for refugees, but that survivors of torture nonetheless have a right to access justice. We strongly believe that survivors of torture who find the courage to speak out about their physical traumatization and psychological ordeal, need empowerment and institutional support so that their stories can be heard without fear of reprisals.

Refugee Law Project under the Mental Health and Psychosocial Wellbeing program provides medical assistance, individual, group and family counselling for survivors of torture. In addition, support groups for survivors of torture have been formed so that members of the group can provide peer-to-peer counselling. The Access to Justice program provides refugees and the host community with free legal aid, including assisting survivors of torture to report their cases to the police. The Program also organizes legal aid clinics in the refugee settlement for host and refugee community.

Despite the psychosocial and legal assistance provided, many gaps remain. For instance, many survivors have livelihoods challenges. Medical assistance is costly and under-funded. Justice for the torture suffered in countries of origin remains elusive.

Refugee survivors of torture that happens in the country of asylum have shared with us that perpetrators follow them from their countries of origin, and that as a result they do not feel safe in Uganda. However, they do not know the procedures for reporting torture to governmental dutybearers charged with protection in Uganda.

On this UN International Day in Support of Victims of Torture, Refugee Law Project makes the following recommendations.

1. Include compensation and accountability for refugee survivors of torture that takes place in Uganda
2. Demonstrate zero tolerance of torture within Uganda's borders, whether by external perpetrators entering the country, or by perpetrators from within Uganda.
3. Sensitise refugee communities, both in rural settlements and urban areas, on correct reporting procedures to government duty bearers
4. Strengthen the investigation of reported instances of torture and prosecution of culprits

In conclusion, Refugee Law Project calls for zero tolerance and calls upon civil society organizations, UN agencies and the government of Uganda to strengthen reporting mechanisms and ensure access to rehabilitation, accountability and justice for all survivors of torture.