

## QUICK FACT-BITS ON PROTECTION OF VICTIMS OF TERRORISM AND COUNTER

### TERRORISM OPERATIONS IN UGANDA



## ACKNOWLEDGEMENT

---

Justice Access Point (JAP) acknowledges the financial support of the Global Partnership for Prevention of Armed Conflict (GPPAC) that has enabled the development and production of this resource and auxiliary factsheets as an aid to activists seeking to address existing gaps in the protection systems to address violations faced by victims and survivors of terrorist attacks and the counter – terrorism operations in Uganda. JAP recognizes the contribution of its staff including Mohammed Ndifuna (Executive Director), Zam Nalwoga (Director of Programmes), and Timothy Namitego (Legal Officer) for their contribution in the development of the resource and auxiliary factsheets.

# TABLE OF CONTENTS

---

ACKNOWLEDGEMENT	-- ---- ---- ---- ---- ---- ---- ---- ---- ---- ---- --2
FOREWORD	--- ---- ---- ---- ---- ---- ---- ---- ---- ---- ---- --4
INTRODUCTION	---- ---- ---- ---- ---- ---- ---- ---- ---- ---- ---- --5
LEGAL FRAMEWORK FOR PROTECTION OF VICTIMS OF TERRORISM AND COUNTER TERRORISM OPERATIONS IN UGANDA.-	---- ---- ---- ---- ---- ---- ---- ---- ---- ---- --6
GAPS IN THE PROTECTION AND PROVISION FOR THE VICTIMS OF TERRORISM & COUNTER TERRORISM:----	---- ---- ---- ---- ---- ---- ---- ---- ---- ---- --9
THE TRAILS OF TERRORIST INCIDENTS IN UGANDA	---- ---- ---- ---- ---- ---- ---- ---- ---- ---- --15
THE BEST PRACTICES EMERGING FROM THE PROJECT IMPLEMENTED BY JAP	17
A CHANGE STORY -	---- ---- ---- ---- ---- ---- ---- ---- ---- ---- --19
RESOURCE MAP FOR DOCUMENTING NARRATIVES OF VICTIMS OF TERRORISM & SURVIVORS--	---- ---- ---- ---- ---- ---- ---- ---- ---- ---- --20

## FOREWORD

Justice Access Point (JAP) is pleased to contribute to the effort geared at addressing existing gaps in the protection systems to address violations faced by victims and survivors of terrorist attacks and the counter – terrorism operations in Uganda. JAP with support from Global Partnership for Prevention of Armed Conflict (GPPAC) has developed a number of knowledge products including this resource to aid advocacy efforts in support of the victims of terrorism and counter-terrorism excesses. We hope that this resource and auxiliary fact sheets will be a valuable resource and useful to contributing to lessons learnt in the documentation of the narratives of the survivors and victims of terrorist attacks and the counter – terrorism operations within the ECA membership of GPPAC.

## INTRODUCTION

---

This resource booklet contains brief highlights on the context of terrorism, counter-terrorism and consequences of counter-terrorism operations. Specifically, it gives a snapshot of legal framework for protection of victims of terrorism and counter terrorism operations in Uganda; gaps in the protection and provision for the victims of terrorism & counter terrorism; the trails of terrorist incidents in Uganda; the best practices emerging from the project implemented by Justice Access Point; a change story from one of the survivors; and the resource map for documenting narratives of victims of terrorism & survivors.



## LEGAL FRAMEWORK FOR PROTECTION OF VICTIMS OF TERRORISM AND COUNTER TERRORISM OPERATIONS IN UGANDA.

---

Uganda has a number of laws that are relevant to either countering terrorism or addressing violations arising out of counter terrorism operations. Among these include the following:

- ➔ The Constitution of the Republic of Uganda, 1995. (as amended) (Chapter 4)
- ➔ The Anti-Terrorism Act, 2012.
- ➔ The Anti-Terrorism (Amendment) Act, 2017.
- ➔ The Prevention and Prohibition of Torture Act No. 3 of 2012.
- ➔ The Human Rights (Enforcement) Act, 2019.
- ➔ The International Criminal Court Act No. 11 of 2010.
- ➔ The Penal Code Act, Cap 120.

To that extent, Uganda may be said to have domesticated sections of the relevant regional and international instruments for countering terrorism and violations that may arise out of counter terrorism operations. Notably:

- UN Convention Against Torture, and other Cruel, Inhuman or Degrading Treatment or Punishment.1987.
- The Rome Statute, 1998.
- The International Covenant on Civil and Political Rights 1966.
- The International Covenant on Economic Social and Cultural Rights 1966.



*Incidents from an explosion in Kampala on 16<sup>th</sup> November 2021*



## GAPS IN THE PROTECTION AND PROVISION FOR THE VICTIMS OF TERRORISM & COUNTER TERRORISM:

---

Analysis by JAP revealed a number of gaps that ought to be addressed to ensure better protection and provision for the victims and survivors of terrorism and counter terrorism. Some of the concerning issues are captured in the table1 below.

**Table 1: Gaps and issues of concern.**

No	Issue of concern	Proposed strategic intervention	Justification of action
1.	Lack of strong and comprehensive legal framework for protection of victims of terrorism	Uganda should enact a comprehensive legal framework for protection of victims of terrorism. Guidance could be sought from the	40/34 UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power

No	Issue of concern	Proposed strategic intervention	Justification of action
		<p>Model Legislative Provisions for victims of Terrorism (2022), and The Council of Europe’s Guidelines on the Protection of Victims of Terrorist Acts (2005) in the crafting of the relevant legislations.</p>	<p>UN Basic Guidelines on the right to remedy and reparation for victims of Gross Violations of International Humanitarian Law</p> <p>Article 50(4) of the Constitution of the Republic of Uganda 1995.</p>

No	Issue of concern	Proposed strategic intervention	Justification of action
2.	Inadequate awareness of the rights and needs of the victims of terrorism	State and non-state stakeholders should undertake awareness creation on the rights and needs of the victims of terrorism	The relevant UN Treaties including; The International Covenant on Civil and Political Rights 1966, The International Covenant on Economic Social and Cultural Rights 1966, The Convention Against Torture have a provision that require the states to create awareness among stakeholders on the contents of the treaties including the rights.

No	Issue of concern	Proposed strategic intervention	Justification of action
3.	Lack of access to justice through legal redress.	The state and other stakeholders should support victims and survivors of terrorism and counter terrorism to access legal redress through the domestic, regional and international mechanisms.	<p>Article 8 the Universal Declaration of Human Rights.</p> <p>Article 2 of the International Covenant on Civil and Political Rights.</p> <p>Article 14 of the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.</p>

No	Issue of concern	Proposed strategic intervention	Justification of action
4.	Absence of a support fund to respond to the unique financial and non-financial needs of the victims of terrorism and counter terrorism operations.	<p>The state should establish a national trust fund for victims of terrorism and counter terrorism operations supported from the consolidated fund. This fund should work with the non-state actors and victim networks to respond to the needs of the victims and survivors.</p> <p>A national trust fund for victims can take lessons from the experience of the trust fund for victims of international crimes which is one of the constitutive organs the Rome system of the ICC.</p>	

No	Issue of concern	Proposed strategic intervention	Justification of action
5.	Lack of a coherent psychosocial support system.	Stakeholders should develop a comprehensive referral system for the psychosocial support of victims and survivors of terrorism and counter terrorism operations.	

## THE TRAILS OF TERRORIST INCIDENTS IN UGANDA

---

Over a span of thirteen years, Uganda has experienced a series of terrorism attacks that have shattered its peace. This document succinctly explores incidents from 2010 to 2023, highlighting the resilience of its people in the face of adversity:

- 2010 bombing at Kyadondo Rugby Club in Kampala that claimed over 74 lives.
- Rubirizi district fuel tanker explosion which claimed over 20 lives and destroyed over 25 kiosks on the Kasese-Mbarara highway.
- On 23<sup>rd</sup> October 2021, terrorists used an explosive device to attack a restaurant in Komamboga, a suburb in the north east of Kampala killing one person and injuring a number of others.
- On 25<sup>th</sup> October 2021, terrorists used an explosive device on a coach travelling on the Kampala to Masaka road near Mpigi killing one person.

On 16<sup>th</sup> November 2021, terrorists used two explosive devices in central Kampala killing 4 and injuring 33 people. Two further explosive devices were disarmed by the police

On 17<sup>th</sup> June 2023, the Ugandan police attributed to militants (the Allied Democratic Forces – ADF) an attack on Lhubiriha Secondary School in Mpondwe, Kasese District, western Uganda, close to the border with the DRC. 42 people were killed.



## THE BEST PRACTICES EMERGING FROM THE PROJECT IMPLEMENTED BY JAP

---

Between the March and October 2022, Justice Access Point (JAP) implemented a project that focused on the de-radicalization of the youth survivors of terrorism and counter terrorism through narration and memorization of their experiences for accountability and healing in Uganda. The project sought to specifically document the narratives of the youth survivors of terrorism and counter terrorism in Uganda as a resource for memorization and advocacy; engage key stake holders in the quest to address the challenges faced by youth survivors of terrorism and counter terrorism in Uganda; and disseminate the narratives of the youth survivors of terrorism and counter terrorism in Uganda to stake holders within the country and the East and Central African (ECA) region.

- Personalized interactions with trauma survivors, acknowledging their unique needs.
- Comprehensive memory initiatives for survivors through memorization projects.
- Inclusive catchment to capture survivor narratives for both urban and rural violent acts.

- Livelihood assistance integration in documenting survivor narratives.
- Legal access project for survivors to access justice.
- Engage collaborative stakeholders in documenting survivor narratives in Uganda.
- Holistic project design to addressing the needs and rights of survivors effectively.

## A CHANGE STORY

---



My name is Annet Komuhangi Kiconco, a victim and survivor of the terrorist attack that took place at Digida Pork Joint Komamboga Kyebando on 23/10/2021 . I was hired as a waitress and hoped to eke out a living at the pork joint , being a single mother and an orphan. On the fateful day, business started as usual until at about 8:00pm when a bomb blasted, I became unconscious and was taken to Mulago hospital where 27 fragments were removed from my body while 1 nail of 6 inches remained in my stomach .

In May 2022, I was approached by an officer from Justice Access Point to share my experience as a victim in a documentary. I explained my predicament, appealed to all well-wishers for assistance. My story was widely shared.

Thankfully, on 5<sup>th</sup> September 2022, I was invited together with other victims at the police headquarters and was given a compensation of 10 million shillings. I have used some of the compensation funds for an operation to remove the remaining particle. The compensation package came in handy at the time when medical assistance was most required. I still have a long way to rebuild my life and ensure a sustainable livelihood since the attack has inflicted a physical impairment upon me.

## RESOURCE MAP FOR DOCUMENTING NARRATIVES OF VICTIMS OF TERRORISM & SURVIVORS

---

This resource map is a compilation of key documents that Justice Access Point consulted during the course of implementing the project entitled: The radicalization of the youth survivors of terrorism and counter terrorism in Uganda implemented with support from Global Partnership for Prevention of Armed Conflict (GPPAC), February to October 2022. It is hoped that the resource map will be equally useful to other members addressing mass atrocity crimes. The resource map is a quick pointer to resources available online and highlights the subject addressed, the resource and source for easy access (see table 2 on the next page).

**Table 2: Key resources on documenting narratives of victims of violent extremism**

No	Subject	Resource and Source
1	Guidelines for medical professionals, legal professionals, investigators, state officials, civil society for effective investigation and documentation of torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.	United Nations Office of the High Commissioner for Human Rights (OHCHR). (2014). Istanbul Protocol: Professional Training Series – Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. United Nations. Retrieved from <a href="https://www.refworld.org/pdfid/55eea5a84.pdf">https://www.refworld.org/pdfid/55eea5a84.pdf</a>

No	Subject	Resource and Source
2	Guidance on capturing voices of victims of terrorism	Denoix de Saint Marc, G., Guglielminetti, L., Netten, J., Lacombe, S., van de Donk, M., Galesloot, J., & Woltman, P. (2016). Voices of Victims of Terrorism: Handbook. European Commission, Directorate-General for Migration and Home Affairs. Retrieved from <a href="https://home-affairs.ec.europa.eu/system/files/2020-09/ran_vvt_handbook_may_2016_en.pdf">https://home-affairs.ec.europa.eu/system/files/2020-09/ran_vvt_handbook_may_2016_en.pdf</a>
3	Guidelines for interviewing victims of tragedy, witnesses and survivors.	Turati, M. (2021, March 16). Tips for Interviewing Victims of Tragedy, Witnesses, and Survivors. GIJN – Global Investigative Journalism Network. Retrieved from <a href="https://gijn.org/2021/03/16/tips-for-interviewing-victims-of-tragedy-witnesses-and-survivors/">https://gijn.org/2021/03/16/tips-for-interviewing-victims-of-tragedy-witnesses-and-survivors/</a>

No	Subject	Resource and Source
4	Documenting truth	Bickford, L., Karam, P., Mneimneh, H., & Pierce, P. (2009). Documenting Truth. Retrieved from <a href="https://www.ictj.org/sites/default/files/ICTJ-DAG-Global-Documenting-Truth-2009-English.pdf">https://www.ictj.org/sites/default/files/ICTJ-DAG-Global-Documenting-Truth-2009-English.pdf</a>
5	Interviewing survivors of torture and other severe trauma	Interviewing Survivors of Torture and Other Severe Trauma (n.d.). U.S. Citizenship and Immigration Services (USCIS). Retrieved from <a href="https://www.uscis.gov/sites/default/files/document/foia/Interviewing_-_Survivors_of_Torture_LP_RAIO.pdf">https://www.uscis.gov/sites/default/files/document/foia/Interviewing_-_Survivors_of_Torture_LP_RAIO.pdf</a>

No	Subject	Resource and Source
6	A framework for receiving and documenting testimonies	Denborough, D. (n.d.). A Framework for Receiving and Documenting Testimonies of Trauma. Dulwich. Retrieved from <a href="https://dulwichcentre.com.au/wp-content/uploads/2014/08/A_framework_for_receiving_and_documenting_testimonies_of_trauma_by_David_Denborough.pdf">https://dulwichcentre.com.au/wp-content/uploads/2014/08/A_framework_for_receiving_and_documenting_testimonies_of_trauma_by_David_Denborough.pdf</a>
7	Torture survivors: What to ask, how to document.	Miles, S. H., & Garcia-Peltoniemi, R. E. (2012). "Torture survivors: how to ask, what to document". Journal of Family Practice. Retrieved from <a href="https://www.cvt.org/sites/default/files/downloads/Torture%20Survivors%20What%20to%20ask%2C%20how%20to%20document_Journal%20of%20Family%20Practice_April2012.pdf">https://www.cvt.org/sites/default/files/downloads/Torture%20Survivors%20What%20to%20ask%2C%20how%20to%20document_Journal%20of%20Family%20Practice_April2012.pdf</a>



No	Subject	Resource and Source
8	ICC guidelines: documenting international crimes and human rights violations for accountability purposes	ICC Guidelines: Documenting International Crimes and Human Rights Violations for Accountability Purposes. (2022, September). Retrieved from <a href="https://www.icc-cpi.int/sites/default/files/2022-09/2_Eurojust_ICC_CSOs_Guidelines_2-EN.pdf">https://www.icc-cpi.int/sites/default/files/2022-09/2_Eurojust_ICC_CSOs_Guidelines_2-EN.pdf</a>
9	Interviewing witnesses and victims – Chapter4	Interviewing Victims and Witnesses. (n.d.). University of Washington. Retrieved from <a href="https://faculty.washington.edu/sjross2/documents/FisherRoss&amp;10-interviewing%20witnesses%20and%20victims.pdf">https://faculty.washington.edu/sjross2/documents/FisherRoss&amp;10-interviewing%20witnesses%20and%20victims.pdf</a>

No	Subject	Resource and Source
10	Guidelines for interviews regarding international terrorism	Guidelines for Interviews Regarding International Terrorism. (n.d.). U.S. Department of Justice. Retrieved from <a href="https://www.justice.gov/archives/dag/guidelines-interviews-regarding-international-terrorism">https://www.justice.gov/archives/dag/guidelines-interviews-regarding-international-terrorism</a>



JUSTICE  
ACCESS  
POINT



**JUSTICE ACCESS POINT**  
P. O. Box 9235 Kampala, Uganda



+256 703 384 055  
+256 706 341 749



justiceaccesspoint@gmail.com



<https://jap.or.ug>



<https://www.linkedin.com/company/justice-access-point-jap>



<https://www.facebook.com/justiceaccesspoint>



@JusticeP