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Ugandan Rebel Leaders Indicted

First ICC Indictments Offer Hope of Justice and Accountability for Uganda

NEW YORK, October 7, 2005—The International Center for Transitional Justice (ICTJ) welcomes the indictments against key members of a brutal Ugandan rebel group, the Lord's Resistance Army (LRA). Announced today by the Ugandan government, the indictments are the first to be issued by the International Criminal Court (ICC) at the Hague.

The arrest warrants constitute a crucial part of the solution to the conflict in Northern Uganda. Because some of the indictees are believed to be found in neighboring countries, the ICTJ urges the international community and the governments of Uganda, Sudan, and the Democratic Republic of the Congo, to search for, arrest, and transfer the rebel leaders to the ICC's jurisdiction as soon as possible.

The ICTJ also stresses that indictments must be accompanied by measures that protect victims and minimize their risk of further abuse. After nearly two decades of war and extreme violence against civilians, top UN humanitarian aid personnel describe Northern Uganda as one of the world's worst and least known humanitarian disasters.

"The indictment of top LRA leaders is a promising step on the road to accountability for the conflict in Northern Uganda, but indictments are only one element of a comprehensive solution," said Marieke Wierda, senior associate and head of the ICTJ's Uganda program. "There are many other measures that must be undertaken immediately to relieve victims and civilians from both the violence and its consequences."

Background

For the last 19 years, the people of Northern Uganda have suffered terribly as a result of the war between the LRA and government forces. LRA fighters have killed and mutilated countless numbers of civilians, abducted over 20,000 children (and many more adults) to serve as soldiers and sex slaves, and displaced up to 1.6 million civilians, many of whom still live in vulnerable and squalid refugee camps.

The Ugandan government has employed military action, peacemaking measures, and mediation to try to end the conflict. In 2000, the government passed an act granting broad amnesty from criminal prosecution to any rebel who demobilized. But the amnesty process has suffered from several weaknesses, including the fact that amnesty is readily

available even to the worst offenders. The process has also failed to ensure adequate reintegration opportunities, involve affected communities, and provide sufficient incentives for LRA leaders to disarm. In December 2003, President Museveni referred the situation in Northern Uganda to the ICC.

Survey on Attitudes about Peace and Justice in Northern Uganda

Until recently, the voices of Ugandans have gone largely unheard in the heated international debate surrounding the ICC's first intervention. In July 2005, the ICTJ and the Human Rights Center (HRC) at the University of California, Berkeley, released a report entitled "Forgotten Voices: A Population-Based Survey on Attitudes about Peace and Justice in Northern Uganda." (Click [here](#) to download the report)

"Forgotten Voices" is based on detailed interviews conducted in April and May 2005 in four districts in Northern Uganda. More than 2,500 Ugandans were interviewed about their personal experiences of the conflict and their opinions on how peace and justice should be achieved.

Among the report's findings are that the population of Northern Uganda has experienced extremely high levels of exposure to traumatic events—including killings, abductions, mutilations, and sexual violations. Forty percent of the survey respondents said that they had been abducted by the rebel Lord's Resistance Army (LRA), 45% had witnessed the killing of a family member, and 23% had been physically mutilated at some point during the conflict.

Survey respondents indicated the availability of food and a sustained peace as their immediate needs. "However, the study also shows that the people of Northern Uganda want both peace and justice, and that many are not willing to forgo justice in order to achieve peace," said Wierda. When asked what should happen to leaders of the LRA, a majority of those interviewed (66%) were in favor of punishing them, while 25% suggested measures such as forgiveness, confessions to the community, and compensation. Only 27% said they had heard of the ICC, but among those, a majority believed that the court would contribute both to peace (91%) and justice (89%).

Survey respondents also expressed strong support for transitional justice mechanisms, including a truth commission and reparations. Over 80% of respondents said that they wanted to speak publicly about the abuses they had suffered.

Recommendations

In light of the indictments issued against Ugandan rebel leaders, the ICTJ urges that timely action be taken in the following areas:

- The governments of Uganda, Sudan, and the Democratic Republic of the Congo, along with the international community, must do everything they can to enforce

the indictments, including searching for, arresting, and transferring the indictees to the ICC;

- The ICC should take steps to ensure the security and protection of witnesses and victims;
- The ICC should implement an outreach strategy to make Ugandans more aware of the court's mandate and operations;
- The Ugandan government must reform its amnesty process to ensure a voice for victims and to provide a measure of accountability;
- The international community, the Ugandan government, and civil society must alleviate the suffering of the victims of this war by cooperating on an integrated and comprehensive strategy for peace and justice in Northern Uganda; and
- Local leaders should develop mechanisms to better integrate the views of their constituents into peace and justice policies.

"The people of Northern Uganda have been cruelly brutalized over the past two decades," said Wierda. "With efforts already underway, it is crucial that the international community and local leaders allow space for victims to participate in efforts to achieve peace and justice."

About the ICTJ

The International Center for Transitional Justice (ICTJ) assists countries pursuing accountability for past mass atrocity or human rights abuse. The Center works in societies emerging from repressive rule or armed conflict, as well as in established democracies where historical injustices or systemic abuse remain unresolved.

In order to promote justice, peace, and reconciliation, government officials and nongovernmental advocates are likely to consider a variety of transitional justice approaches including both judicial and nonjudicial responses to human rights crimes. The ICTJ assists in the development of integrated, comprehensive, and localized approaches to transitional justice comprising five key elements: prosecuting perpetrators, documenting and acknowledging violations through non-judicial means such as truth commissions, reforming abusive institutions, providing reparations to victims, and facilitating reconciliation processes.

The Center is committed to building local capacity and generally strengthening the emerging field of transitional justice, and works closely with organizations and experts around the world to do so. By working in the field through local languages, the ICTJ provides comparative information, legal and policy analysis, documentation, and strategic research to justice and truth-seeking institutions, nongovernmental organizations, governments and others.