

NUAPP

Northern Uganda Advocacy Partnership for Peace
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The Conflict in Northern Uganda



“Night Commuters” heading home after spending the night in Lacor hospital.
(Christian Aid/Simon Townsley)

Key Facts:

- The conflict in northern Uganda between the Lord’s Resistance Army (LRA) and the Government of Uganda (GoU) has lasted since 1986
- While the LRA’s political agenda is unclear, it abducts children and young people from the northern region and forces them to fight and kill fellow civilians. These abductees now make up the majority of the rebel army
- At least 1.4 million people (mostly in the Acholi region) are living in displaced people’s camps, where access to food, safe water, sanitation, medical services and education is extremely limited
- Regular brutal raids are a feature of the conflict, despite the efforts of the GoU to crush the rebellion militarily and to protect the displaced people’s camps
- Over 40,000 children are currently “night commuters” – leaving their homes every night to walk up to 10 miles to temporary shelters in town centres, which give them better protection from LRA raids and abductions

NUAPP urges the British Government:

- to play a more active role in supporting the current peace efforts in northern Uganda, whilst continuing to back long-term peace efforts by civil society;
- to recognise the risks and complexities of the International Criminal Court investigation in Uganda, especially the implications of ICC indictments before a peace agreement is signed; and
- to place a greater priority on seeking a peaceful, just and lasting solution to the conflict in its dealings with the Government of Uganda

The International Criminal Court & Northern Uganda

The International Criminal Court (ICC) was established in 1998 with the ratification of the Rome Statute, the legal framework of the court. The ICC emerged in response to concerns that the most serious crimes must not go unpunished. In January 2004, the Ugandan Government requested that the ICC investigate crimes committed in Northern Uganda and the Office of the Prosecutor opened investigations in July 2004.

The ongoing ICC investigation in Uganda raises challenging issues and while all parties agree there is a need for some form of justice for the people affected by the violent conflict, civil society has raised their concerns. Some of the main concerns are outlined below;

The need to increase the understanding of ICC's role in northern Uganda

If the ICC is to operate effectively in Uganda, and make a meaningful contribution to justice, the people on whose behalf it claims to operate need to understand it properly. The ICC has to date failed to deliver an effective communications strategy in Uganda. As a result, many people affected by the conflict wrongly believe the ICC has its own means to arrest and capture the rebels.

The need to guarantee security and prevent further outbreaks of violence

Evidence from the past, and recent communications from the LRA, strongly suggest that the issuing of indictments by the ICC may generate a violent response from the LRA. The ICC needs to develop a clear strategy that will guarantee adequate security to victims and witnesses in a state of ongoing conflict where the perpetrators are still at large. The security of humanitarian aid workers may also be put at risk, further adding to the suffering of the civilian population.

Despite 19 years of trying, the Ugandan army and militia groups have failed to locate and capture most of the top LRA leadership. However, with the ICC relying on them to effect arrests of those indicted, they may use this to justify a renewed military offensive. This is likely to result in civilian deaths, violent responses from the LRA and further human rights violations by both sides.

The need to support current peace efforts

The ICC process alone cannot bring peace to Uganda. Only a negotiated peace settlement can end the violence. The people of northern Uganda desperately want a peaceful solution to this conflict, to ensure the safe return of their children who have been abducted and forced to fight.

The mediation process that is currently underway, led by Betty Bigombe, represents the best chance for peace in northern Uganda since similar attempts in 1994. It must be supported. Ms Bigombe has clearly stated that once indictments are issued she will no longer be able to continue with her efforts. The issuing of indictments is likely to severely restrict the British and other governments from offering assistance to mediation or other peace efforts.

Civil society organisations in Uganda have been pushing for a delay in issuing arrest warrants in order to give more space and opportunity for a negotiated settlement to the conflict. Under Article 53 of the Rome Statute, the Prosecutor has the power not to initiate a prosecution if it is not in the interests of victims.

The need to understand justice as a part of reconciliation

For most people in northern Uganda, justice only makes sense as part of a broader process of peacebuilding and reconciliation. The ICC intervention needs to understand and take account of this in considering the timing of its intervention, and the way in which it seeks to work alongside established local justice and reconciliation processes which are part of Acholi society.

The need to protect the reputation of the ICC

The ICC represents a significant and welcome move forward in international law towards holding those responsible for the most terrible crimes accountable. Since Uganda is its first case, there is undoubtedly pressure upon the ICC to perform. However, an intervention that destroys a peace process will damage the reputation of the ICC, and may hamper its attempts to investigate and prosecute crimes in the future.



NUAPP aims to enable more effective advocacy, primarily in the UK, to effect a "good peace" in Northern Uganda, informed by civil society organisations and networks in Uganda.

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