PRESS STATEMENT

CONCERNS ABOUT THE ANNEXTURE TO THE AGREEMENT ON ACCOUNTABILITY AND RECONCILIATION

On 29th June, 2007, the Government of the Republic of Uganda and the Lord’s Resistance Army/Movement signed a principle agreement on Accountability and Reconciliation aimed at ending the conflict in Northern Uganda. An annexture to that agreement was signed on February, 19, 2008.

HURINET-U and The Uganda Coalition for the ICC (UCICC) hold in high esteem the efforts of the negotiating teams and other stakeholders directly or indirectly involved in the process in Juba. As a result of their commitment to the process, the above mentioned Annexure to the Agreement on Accountability and Reconciliation was signed.

This is long overdue and comes at a time when the population in Northern Uganda has borne the brunt of the conflict for over 20 years.

However, the “post Juba era” poses a number of challenges and in particular, Hurinet-U and UCICC are concerned about the feasibility of some of the provisions of the agreement:

1. (a) The agreement mandates government to, by law, establish an entity to inquire into the past and related matters (principle Agreement Cls. 2.2 and 2.3, Cl.4 Annex). Details about the formulation of this entity should be made public, with utmost transparency and involvement of all stakeholders including civil society.
   (b) The work of the above mentioned entity should not be limited to the period of the conflict in Northern Uganda. It ought to include investigations of all post independence human rights violations, root causes of the conflict and any other matters related thereto.
2. All perpetrators should be subjected to the same standard of justice. The Special Division of the High Court (Principle Agreement: Part 5, cl.7 Annex) should have the mandate to try both former rebels and UPDF soldiers suspected of having committed crimes triable by the Court.

3. Measures should be put in place to protect the independence of the Special Division of the High Court. This is in light of the fact that the Executive has previously interfered in matters before the courts of Judicature.

4. Efforts to implement the agreement should reflect Uganda’s international obligations.

5. The Special Division of the High Court should be given sufficient facilities to expeditiously dispose of matters before it.

6. The rights of the victims, witnesses and the accused persons appearing before the Special Division of the Court should be protected. There should be a National strategy for the above, and funds set aside for that purpose.

7. (a) All provisions of the Agreement and all annexture appended thereto should be accorded equal attention in terms of implementation and resource allocation, for a comprehensive solution to the conflict.

(b) The ongoing regional efforts of Government to rehabilitate the North should not be taken for reparations to victims or their communities for atrocities committed during the conflict. (Principle Agreement: Cl6.4 &9, Annex, Cl.16)

HURINET- U and UCICC expects that the agreement will be implemented in a manner that reflects Uganda’s National, Regional and International obligations, and should compliment the ongoing efforts of disarmament, reintegration and reconstruction of Northern Uganda as laid down in the Peace, Recovery and Development Programme.

Mr. Mohammed Ndifuna
National Coordinator
HURINET- U

Rose Nakayi
Coordinator UCICC