

LRA Advised to Recruit Strong Defence

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A leading proponent of peace negotiations between LRA and Ugandan government urges rebel group to prepare for Hague trials.

As the Lord's Resistance Army and the Ugandan government pursue peace negotiations, a northern official has suggested the LRA recruit a strong legal team to challenge International Criminal Court, ICC, indictments against the rebel group.

In July 2005, the ICC issued arrest warrants for five LRA commanders - Joseph Kony, Vincent Otti, Okoth Odiambo, Domenic Ogwen and Raska Lukwiya - for crimes against humanity and war crimes. Lukwiya was killed in August 2006 during fighting between the LRA and Ugandan military forces.

The LRA's second-in-command Vincent Otti has accused the ICC of being one-sided and has said that he will only go to the ICC to answer charges if the court also investigates the Ugandan People's Defence Force, UPDF.

But Norbert Mao, a former MP and the current chairman of Gulu District Council, in northern Uganda, told IWPR that Kony and his men should stop wasting time politicking about their ICC indictments and concentrate on getting top-class lawyers to defend them in The Hague.

"Kony, Otti and the others should know that their indictments can't just be wished away," said Mao, a lawyer who has been a prominent backer of the Uganda government-LRA peace process.

"They need to get a team of lawyers together fast to form their legal defence team. The ICC indictments need to be confronted using law, not politics," he said.

Peace talks between the rebel group and the LRA, which began in Juba, the capital of autonomous South Sudan in July 2006, resulted in a ceasefire two months later.

In June this year, the government and the LRA made further progress on a peace deal aimed at ending a civil war that has killed tens of thousands of people and displaced 1.7 million into internal refugee camps.

But in spite of progress at the talks, which are mediated by Vice President of South Sudan Riek Machar and former Mozambique president Joaquim Chissano, many would like the ICC to drop the arrest warrants against the LRA, which they say are a stumbling block to the peace process.

Instead, they would like traditional justice mechanisms to be used, such as the reconciliation ceremony of Matu Oput used by the Acholi people of northern Uganda.

In March this year, Mao and two other high-profile Ugandan lawyers Jacob Oulanya and expert on transitional justice Barney Afako met the LRA's top commanders at their Garamba National Park guerrilla base, in the northeast of the Democratic Republic of the Congo, to discuss the ICC indictments.

At the meeting in Garamba, where the LRA fled from their former bases in southern Sudan in late 2004, Mao told the LRA that the ICC would not drop the indictments.

Otti told IWPR in a recent interview he is ready to deliver himself into the hands of the ICC, but only if the court charges UPDF soldiers on similar counts of war crimes and crimes against humanity.

"I am ready to go and face the ICC in The Hague to answer charges if the ICC also investigates government soldiers and commanders," Otti told IWPR by satellite phone from a base deep inside the Garamba.

"If the UPDF are included on the list of indicted commanders, I will definitely go to The Hague. Short of that, I will never go."

Otti said that for the ICC only to indict members of the LRA is "very one-sided".

"It's not only the LRA alone who committed atrocities in northern Uganda. It's both the LRA and the UPDF. Why did ICC indict us alone?" he asked.

Other LRA members wanted by the ICC have in the past hinted that they would be prepared to face justice under these conditions, but this is the first time one has said so explicitly.

Mao, meanwhile, has called upon the LRA high command to review the composition of its delegation to the continuing peace talks in Juba.

"Kony needs to restructure his delegation. Let him bring people who are of value to the talks," he said.

He suggested without naming anyone that some of the current delegation members were not up to the job, "There are some of his delegates in these peace talks who are liabilities. Others are so extremely emotional. The talks need people who are focused."

The government delegation was reshuffled at the beginning of this year, with President Yoweri Museveni replacing military intelligence chiefs Colonel Leo Kyanda and Colonel Charles Otema Awany with former Uganda state minister for disaster preparedness and refugees Christine Amongin Aporu.

Officials admit that the peace process has been slow. "It is better we move slowly than sign something that will not bring lasting peace," said the chief government negotiator, Internal Affairs Minister Ruhakana Rugunda.

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Democratic Republic of Congo

Topic: Uganda

Focus: ICC - International Criminal Court

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