

## **Otti Sets Conditions for ICC Surrender**

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Leading LRA suspect says Hague court would also have to indict members of the Ugandan army. The second in command of Uganda's rebel Lord's Resistance Army, LRA, Vincent Otti, has told IWPR that he is ready to hand himself into the International Criminal Court, ICC, to answer charges of crimes against humanity and war crimes - but only if the court charges the Ugandan army with similar counts.

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

Unless ICC Chief Prosecutor Luis Moreno-Ocampo investigates and issues indictments against the Uganda People's Defence Force, UPDF, soldiers for crimes committed in the course of northern Uganda 's 21-year civil war, it seems the four LRA indicted commanders, including their leader, Joseph Kony, will never surrender themselves for possible prosecution in The Hague.

In July 2005, the fledgling ICC issued warrants for the arrest of the LRA's leaders - Kony, Otti, the third-in-command Raska Lukwiya, and Okot Odhiambo and Dominic Ongwen - for crimes against humanity and war crimes. However, Lukwiya was killed in August 2006 during a fight between the LRA and Ugandan military forces.

To date, Otti has persistently said no single rebel would come out of the bush hideouts - these days mainly located in the Garamba National Park in the northeast of the Democratic Republic of Congo - unless the ICC cancels the arrest warrants for the LRA's leadership.

"I am ready to go and face ICC in The Hague to answer the charges if the ICC also investigates government soldiers and commanders," Otto told IWPR by satellite phone from a base deep inside the Garamba. "If UPDF are included on the list of indicted commanders, I will definitely go to The Hague. Short of that, I will never go.

"It's not only LRA alone who committed atrocities in northern Uganda. It's both LRA and UPDF. Why did ICC indict us alone? It's very one-sided."

Otti claimed that a dossier to be published by opposition Ugandan parliamentary deputies from the Acholi area of northern Uganda, from where the LRA claims its core support, show that from 1986 to 1992 the LRA was responsible for 17 per cent of atrocities and government forces 83 per cent, and that the corresponding figures between 1992 to 2006 were 81 and 19 per cent.

"In that case, why has ICC not indicted government forces?" said 61-year-old Otti, who has been with the LRA since its insurgency was launched in 1986. "The ICC should investigate both sides. The UPDF should also be indicted."

Otti said the moment the ICC indicts UPDF commanders, he will prepare defence lawyers to defend himself at The Hague. "I am ready to prepare every defence," he said. "I will use my brain and lawyers to tell the truth."

His ICC arrest warrant lists 33 counts of war crimes violations since July 2002, including attacks on civilians and enslavement and enlisting of child soldiers.

Otti ruled out a compromise "soft landing" solution to the civil war proposed by Uganda 's president Yoweri Museveni. Attending a Commonwealth business forum in London on June 4, Museveni said he hoped the LRA rebels would opt for traditional local justice systems to atone for their crimes rather than face prosecution abroad.

One common traditional Acholi ceremony, Mato oput - meaning "to drink a bitter potion from the leaves of the oput tree" - involves a series of symbolic acts to restore unity between injured and offending parties so that perpetrators can receive forgiveness and be welcomed back into their communities. Responsibility has to be accepted for the actions of the individual seeking forgiveness, who must repent for his or her crimes and pay reparations in the form of a goat or a cow to those they have wronged.

Otto dismissed the president's remarks, saying, "A soft landing? Zero. That is a political language. I am ready to face ICC in The Hague if it also indicts UPDF."

Asked which Ugandan army officers he wants the ICC to investigate and charge with war crimes, Otti said, "I don't need to mention them. Ugandans know them very well. If the ICC wants me to tell them, I can.

"The government has huge money to bribe ICC so that the truth on their side doesn't come out. The truth is now coming slowly. Every wrong, they [the Ugandan army] are defending."

The government delegation spokesperson at the Juba peace talks in southern Sudan, Captain Barigye Ba-Hoku, said the ICC had not indicted UPDF commanders because they did not find any crimes they committed beyond those already dealt with by Uganda 's own existing laws and military court martials.

"The ICC is an independent institution," said Captain Ba-Hoku in a telephone interview with IWPR from Juba. "Their decision to indict LRA commanders was not influenced by the government of Uganda. They came to the ground and investigated. That is how they ended up indicting LRA commanders.

"Many government representatives [and soldiers] have been tried in courts of law and military field court martials."

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