



PRESS RELEASE
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IMMEDIATE RELEASE

New Hope for Ugandan Conflict

The International Criminal Court Launches Formal Investigation

WASHINGTON, D.C. – The International Criminal Court (ICC) today announced the launch of a formal investigation into human rights atrocities committed in Uganda, an ICC member country, since the Court’s jurisdiction took effect on July 1, 2002. The 18-year-old conflict in northern Uganda has been marked by extreme brutality against the civilian population, especially children, and has spread into southern Sudan. Ugandan President Yoweri Museveni formally requested the Court’s assistance in December 2003. The ICC Prosecutor has now decided that sufficient preliminary evidence exists to move to a full, active investigation, the next stage in the ICC’s pre-trial process.

“The world community needs to pay more attention to this war and use all the tools it has in its toolbox to bring peace and justice to the people of Uganda,” commented Maggie Gardner, Citizens for Global Solutions’ International Law and Justice Program Manager. “The ICC is a new tool which, if used correctly, could help move Uganda towards a peaceful resolution of this conflict.”

The Citizens for Global Solutions’ new report, “**In Uncharted Waters: Seeking Justice Before the Atrocities Have Stopped – The International Criminal Court in Uganda and the Democratic Republic of the Congo,**” suggests that ICC involvement in Uganda could help draw attention to the conflict, force government and military reform, and deter some of the on-going atrocities through the threat of prosecution. To be effective, however, the ICC must continue to:

- Investigate all sides fairly and transparently: With tensions high between the central government and the northern population, the ICC must ensure that its actions are not misconstrued as favoring one party to the conflict.
- Work with local civil society: Civil society in northern Uganda continues to seek a peaceful resolution to this conflict, an effort that the ICC can complement.
- Communicate the work of the Court to the Ugandan people: The work of the ICC is intended to benefit the Ugandan people, but this requires transparency and public education to keep Ugandan civilians abreast of the workings of justice.

The U.S., which is not a member of the ICC, has standing law that prohibits it from general cooperation with the Court. However, once the ICC identifies specific individuals and crimes under investigation, the President can – and should – waive these restrictions and assist the ICC investigations by sharing non-classified intelligence, satellite imagery, and other information that can help put the leaders of these horrible atrocities in jail.

“It is such a shame that the country behind Nuremberg – the country that pushed for justice in Yugoslavia and Rwanda and Sierra Leone – should have its hands tied when it comes to bringing justice to the people of Uganda,” noted Gardner. “The U.S. should be fighting against the use of child soldiers and the use of rape as a war tactic, not standing on the sidelines.”

The Ugandan investigation is the second launched by the ICC Prosecutor. In June 2004, the Prosecutor announced a formal investigation into ongoing atrocities in the Democratic Republic of the Congo, another ICC member state that had referred its own conflict to the Court. ICC personnel arrived in the D.R. Congo earlier this week to begin coordination for on-the-ground investigations.

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“The ICC could be a very effective tool in Sudan, too,” noted Citizens for Global Solutions’ Executive Vice President Don Kraus. “If we want to increase the pressure the Sudanese Government to stop the atrocities in Darfur, the U.S. could refer the Darfur crisis to the ICC using a UN Security Council referral. This would show those most responsible that the international community is serious in its demands for the raping and murdering to end immediately.”

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Notes to Editors:

Atrocities committed in Uganda:

The Prosecutor, Luis Moreno Ocampo of Argentina, has clarified that the Court will be looking into allegations against both the leaders of the rebel Lord’s Resistance Army (LRA) and Ugandan military leaders involved in the conflict. The Lord’s Resistance Army (LRA) is accused of kidnapping thousands of children and forcing them to kill others, work as slave labor, or serve as sexual slaves to commanders. (Children under the age of 18 at the time of the commission of a crime cannot be tried before the ICC.) The ICC might be able to prosecute the LRA leaders for widespread and systematic

- Use of children under age 15 in any capacity for an armed force during conflict;
- Rape, sexual slavery, and any other form of sexual violence of comparable gravity;
- Enslavement and the trafficking of children; and
- Murder, mutilation, torture and other cruel treatment.

Accusations against members of the Ugandan military also include acts of torture, rape, and the use of children under age 15 in the military. If shown to be widespread and systematic, these acts could also be prosecutable under the ICC.

In Uncharted Waters provides background on the structure and policies of the ICC, the conflict in Uganda and the status of the peace process, the next steps in the ICC’s pre-trial process, and a discussion of the challenges facing the ICC in Uganda. Full text of the report can be found at <http://www.globalsolutions.org/iccreport.html>

The press release announcing the investigation, issued by the International Criminal Court’s Office of the Prosecutor, may be read at: <http://www.icc-cpi.int/newspoint/pressreleases/33.html>

The International Criminal Court is the only permanent international court to try individuals accused of war crimes, crimes against humanity and genocide when there is no other recourse to justice. Its jurisdiction extends to the nationals and territories of its 94 member countries; the UN Security Council can also refer any grave situation to the ICC. The ICC can only take a case if no national authority is willing or able to investigate the allegations, even if those authorities decide not to prosecute. For more information, see www.globalsolutions.org/programs/law_justice/icc/icc_resources.html.

Citizens for Global Solutions is a nonpartisan membership organization that works for cooperative U.S. global engagement and supports strong and effective international institutions, to solve problems nations cannot solve alone.