



Fédération internationale des ligues des droits de l'Homme

ORGANISATION INTERNATIONALE NON GOUVERNEMENTALE AYANT STATUT CONSULTATIF AUPRES DES NATIONS UNIES, DE L'UNESCO,  
DU CONSEIL DE L'EUROPE ET D'OBSERVATEUR AUPRES DE LA COMMISSION AFRICAINE DES DROITS DE L'HOMME ET DES PEUPLES

International Federation  
for Human Rights

Federación Internacional  
de los Derechos Humanos

الغدرالية الدولية لحقوق الإنسان

## Open Letter

### To Mr Yoweri Museveni, President of the Republic of Uganda **No Sustainable Peace without Justice**

Your Excellency,

The International Federation for Human Rights welcomes the entry into force of an agreement governing cessation of hostilities between your government and the Lord's Resistance Army rebels (LRA), which will hopefully put an end to two decades of civil war in Northern Uganda.

However, FIDH remains deeply concerned about the proposal for amnesty for members of the LRA in the framework of the peace process and calls upon you to fulfill your obligations under the Statute of the International Criminal Court (ICC).

The Ugandan population deserves sustainable peace. Yet, experience shows that amnesties for perpetrators of war crimes and crimes against humanity has never resulted in reconciliation and long lasting peace. Amnesties for war crimes and crimes against humanity violate the fundamental principles of international law, and violate victims' rights to justice and reparations for the harm they have suffered. If the final peace agreement provides for amnesty of the perpetrators of serious violations of human rights and humanitarian law, the victims of rape, killings, forced recruitment and mutilations might never see their rights to justice and truth fulfilled.

By referring the Ugandan situation to the ICC, you recognised its jurisdiction to try persons responsible of the most serious crimes of international law and thereby committed yourself to fight against impunity, in accordance with the requirement under international law that the perpetrators of such crimes must be brought to justice.

By granting amnesty to the LRA commanders, you would contravene the very essence of the ICC Statute, which opposes decisions made « with the purpose of shielding [a] person [...] from criminal responsibility for crimes within the jurisdiction of the Court » (Article 17(2)(a), ICC Statute). Under the ICC Statute, such a decision would demonstrate the state's unwillingness to investigate or prosecute the perpetrators of the most serious crimes and therefore strengthen the admissibility before the ICC of the situation which was the subject of your referral.

It would be paradoxical, as well as untenable and inadmissible, to argue that the « interests of justice » as defined in Article 53 of the ICC Statute could provide a valid basis for the suspension of the prosecutions against the LRA commanders.

FIDH considers it your duty to demonstrate to the victims of the most heinous crimes that peace and justice are not in opposition, but go hand in hand. FIDH therefore urges you to fulfill your obligations under the ICC Statute and to execute the international arrest warrants issued against the top commanders of the LRA.

Yours sincerely,

**Sidiki Kaba**

**President of FIDH**

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