

THE DILEMMA OF PEACE AND JUSTICE IN NORTHERN UGANDA

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ABSTRACT

There is emerging consensus among the stakeholders of the peace process in northern Uganda that peace and justice are mutually reinforcing and need to be reached in a holistic fashion, through comprehensive measures at the local, national and international levels. Against that background, the International Criminal Court (ICC) which is mandated to investigate and prosecute genocide, war crimes and crimes against humanity, has been touted as a last resort to justice and an effective tool of peace-making. However, since the ICC took up the situation in northern Uganda at the invitation of the Ugandan government, neither peace nor justice has been secured. Faced with indictments by the ICC, the leadership of the Lord's Resistance Army remains elusive, while the Uganda People's Defence Forces continue to escape judicial scrutiny. Ignoring the national Amnesty Act (2000), sidestepping the issue of defining its relationship to a special war crimes court in Uganda and belittling the traditional justice system, the ICC has failed to build a rapport with civil society and establish itself as an impartial, independent and credible institution. Meanwhile, a consultative process looking beyond the Juba agreement creates momentum, raising the spectre of the people taking ownership of the peace talks to chart a path for justice tailored to their own needs rather than standards imposed on them by the 'international community.'