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Uganda: Government cannot negotiate away International Criminal Court arrest warrants for LRA

Lord's Resistance Army (LRA) members charged with crimes under international law must be surrendered to the International Criminal Court (ICC) immediately, Amnesty International said today, reacting to the news that a deal has been reached between the LRA and the Ugandan government whereby LRA leaders accused of crimes against humanity and war crimes would be tried by a national court.

"It is not acceptable for the Ugandan government and the LRA to make a deal that circumvents international law," said Christopher Keith Hall, Senior Legal Adviser in Amnesty International's International Justice Project.

"Many of these people have been charged with horrific crimes – and international warrants have been out for their arrest for more than two and a half years. They must be handed over to the ICC so that their guilt or innocence can be determined once and for all. The people of Uganda deserve no less."

As a party to the Rome Statute of the ICC, Uganda is under the duty to cooperate fully with the ICC in its investigations and prosecutions. In particular, it must cooperate in arresting and surrendering any person charged by the Court, without delay.

Amnesty International noted that the Rome Statute provides that, once the men have been surrendered to the ICC, the Ugandan government may then apply to have the cases returned to Ugandan courts. However, it would be up to the Pre-Trial Chamber of the ICC to decide whether Ugandan courts are able and willing to genuinely investigate and prosecute the LRA suspects named in the warrants.

"At the moment, we have no evidence to suggest that even a new court established in Uganda to deal with these cases would be able and willing to do so in fair proceedings that are not a sham," said Hall.