Introduction

On the 7th March 2017, the Greater North parliamentary Forum (GNFP) in collaboration with the Refugee law Project (RLP), School of Law, Makerere University, organised an orientation seminar for the Greater North Parliamentary Group with an estimate of over 180 Members of Parliament (MPs) approximately 40% of Members of Parliament in the 10th Parliament. This comprises of MPs from nine sub-regions, namely; Acholi, Bugisu, Bukedi, Bunyoro, Karamoja, Lango, Sebei, Teso and West Nile. Over 80 MPs, including three distinguished Ministers (Minister of Foreign Affairs, Minister of State for Internal Affairs, and Minister of State for Local Governments), participated in this orientation on Transitional Justice (TJ).
As plans to table the draft TJ policy before Cabinet are underway, this meeting generally aimed at equipping legislators with sufficient information on TJ as well as creating awareness on the national dimensions of conflicts and their legacies in Uganda. Specifically, the meeting introduced MPs to the concept of TJ, provided updates and reflections on the progress to date, including the challenges and opportunities of the Justice Law and Order Sector (JLOS) TJ policy development process. Copies of the *Compendium of Conflicts* were also disseminated as a means of empowering participants to actively contribute to the development and implementation of credible, comprehensive and meaningful transitional justice and national reconciliation processes. Additionally, five (05) civil society organizations largely based in Kampala and working on TJ notably; International Centre of Transitional Justice (ICTJ) and Avocats San Frontiers (ASF) participated in the orientation.

**Background**

The orientation was premised on the fact that since 2006 there have been remarkable changes in the Transitional Justice (TJ) landscape in Uganda. The establishment of a JLOS Transitional Justice Working Group by the Government of Uganda in August 2008, with a mandate to develop a national TJ Policy Framework, has provided an unprecedented opportunity for Uganda to engage with key issues of impunity, accountability, amnesty, reparations, institutional reform, truth-telling and national reconciliation. These commitments are shown in the moves to develop a National Transitional Justice policy embracing the principles of Truth, Accountability, Reparation, and Reconciliation. The enactment of the ICC Act (2010), the establishment of
the International Crimes Division (ICD) and the ongoing trial there of LRA’s Thomas Kwoyelo, as well as the cooperation of the Ugandan state in the trial of Dominic Ongwen at the ICC in the Hague, have all been milestones in these developments. The establishment of a National Peace Building Platform at the Office of the Prime Minister (OPM), charged with developing a National Peace Policy, is a further sign of high-level commitment.

The orientation was further influenced by the fact that, despite growing recognition of the need for a national process, the majority of stakeholders, including legislators elected in 2016, were under-informed about the wide range of conflicts and their legacies that a national process would seek to address.

**Understanding Uganda’s Context and TJ**

A paper on Uganda’s past realities examined Uganda broadly from the pre-colonial history, colonial era and post independent conflicts and was ably delivered by the Chairperson of the GNPF and MP Gulu Municipality. This paper gave a comprehensive overview of Uganda’s trajectory and brought to the surface the underlying causes of conflicts Uganda is grappling with to date.

Honorable members were also brought to scale with a textured understanding of Transitional Justice. Specifically, they looked at the discourse conceptually, distilled it, laid down the different approaches and ably explained the different mechanisms associated with it. Efforts were also made to raise awareness of the status of the TJ policy by
unpacking the most recent draft of the policy. Patricia Bako and Sarah Kahika, staff of ASF and ICTJ respectively, made these two presentations.

Finally a status update on the TJ development process was presented by JLOS by the Technical Advisor at Ministry of Justice and Constitutional Affairs where emerging TJ issues were discussed and shared with legislators to influence their ability to debate TJ policy effectively once it’s up for discussion in Parliament. It was very vivid that after all the presentations visibly anyone could tell that Legislators had become ambassadors for finalization and implementation of the TJ policy.

**Highlights of Legislators Reflections**

The Hon. Minister of State for Internal Affairs, who said he has personally interfaced with most of the conflicts Uganda is grappling with, made it clear that his Ministry is very interested in issues of Transitional Justice. He urged all other stakeholders to work with his Ministry in finalizing the policy development process. “First these conflicts you are talking about, I was not only a member but also a cause. I have been through them personally”. He said. “We have no fixed positions, I don’t have solutions but we are open to your thoughts so, debate freely and ensure that you are enriching a national process of healing”. The Minister added that the issue of conflict is so ambiguous and argued that there is need to have a clear cut-off point. It is also necessary to quantify the problem so that legislators get to clearly understand the magnitude and volume of the problem that lies ahead of them. This could perhaps trigger their response to the problem. He particularly mentioned that in the next 5-10 years land is not only going to be a conflict issue but also a security issue.

Hon. Simon Oyet - M.P Nwoya Constituency reflects on the current state of affairs in post-conflict Northern Uganda
A number of questions were posed. For instance, “What do we mean when we talk of Transitional Justice and reconciliation?” “Transitioning from where to where?” “What is traditional in the past and what is relevant now?” As one participant argued; “The reason why you look back through the car mirrors is not to go back.” We should only copy from our past what is relevant for us in our present and future.

The Minister tasked RLP to conduct research into the genesis of traditional Institutions and wondered out loud about “how traditional are some of these traditional institutions?”. He particularly asked RLP to establish; When did the Lugbara Kari begin? “How traditional are these institutions otherwise we run the risk of responding to imposters - are they worth moving forward?”, he opined, adding; “We need to continuously interrogate what we need to do as a country to set us on the path to sustainable peace.”

The Minister of State for Foreign Affairs wondered why we chose to disseminate the Compendium of Conflicts only to MPs from the greater North. He advised that since the Compendium highlights conflicts from all over the country, efforts should be made to disseminate it to all Members of Parliament and not only those from the greater North. He further advised that documentation efforts should work closely with Ministry of Foreign Affairs since the Ministry is privy to a lot of information around conflict that may be useful for such publications like the Compendium. The Hon. Minister Oryem however expressed his disappointment with the people, especially the leaders from the Greater North who, according to him, can never unite even on simple issues. “Unity has eluded us Northerners,” he mentioned with a lot of frustration. “If we could unite in a constructive manner, I am very sure our issues would be handled”, Minister Okello Oryem added. He stressed that efforts have been made to redistribute cows in the North but the biggest challenge is the issue of corruption that he said must be dealt with squarely at the district level if the North is to benefit from any intervention. Many others legislators reechoed the need for unity and the strong need for reconciliation, asserting that
what divides the nations is less than what unites it. They argued the need for unity and reconciliation. One legislator from Busia Municipality confessed that, it was the first time since joining Parliament that he was seeing and hearing Ministers and MPs discuss issues that would restore the glory of the greater North. Many others entirely agreed with him. Furthermore, MPs expressed that it is their desired goal to create a country that does not tolerate impunity, a country that respects rule of law and one that upholds the human rights of its citizenry.

One of the key issues is the need to respond to the plight of victims such as Families of the Missing Persons, Massacre survivors/victims, auxiliary forces such as arrow and Amuka boys. “How do we deal with the dual complexity of victim – perpetrator?” Hon. Simon Oyet asked. Besides, “those who committed crimes have been rewarded at the expense of the victims and or survivors” he added while emphasizing the need for a peaceful country that does not promote impunity: “Let us draw lessons from the LRA situation but broaden our thinking and go beyond the LRA to include all other conflicts Uganda has suffered.” He concluded by stating that, “There is need to push for a Truth and Reconciliation Commission for complete disclosure.”

Hon. Odonga Otto made mention that the Compendium of Conflicts is more of a partial narrative and advised that the next edition should adopt a more conventional approach, try to include global theories of conflict to give it a global perspective. In reference to the draft TJ policy, Hon. Odonga noted that the definition of TJ is very narrow and limited to the past. He said, “I would love a TJ process that addresses not only the past but also the current and continued injustices including some aspects of the future”.

“We cannot sit with wounds and pretend that all is okay,” noted the MP for Kilak County while...
emphasizing the need for a national reconciliation process. The plight of the missing and the disappeared was also mentioned in this meeting. Lira Woman MP mentioned that those who disappeared in the 1970s still remain fresh in people’s minds as though their disappearances happened yesterday. She said personally she is a victim, her uncle disappeared in 1977 and when hopes of seeing him faded and eventually disappeared, they buried a plant in place of a human being.

Members wondered why government does not own up and take responsibility for memorialization processes. They mentioned that commemoration of Barlonyo Massacre has moved from being initially a national function to now being only a local one. As one MP asked; “What went wrong in our memorialization process?”

Another MP, Hon. Atiku, observed that the situation in the north is still volatile and that “We tend to overhype issues moreover with strong political undertones. After the political season people are back into lamentations”. He further commented that the victims are living very miserable lives; “The victims of Ombachi Massacre are the poorest of the poor while their perpetrators are in government moving with lead cars”. He explained how he saw this as demonstrating the polarized state of the country. He further recommended that a special Ministry of Transitional Justice armed with resources to address the legacies of conflicts be established.

The State Minister for Local Governments listened keenly to members’ submissions and had this to say; “Given what we have gone through, people are right to be emotional as they talk but national reconciliation is the way”. She was however skeptical about the practice of telling the truth as a way of healing. She said that “if just hearing stories can make one cry, how about somebody standing in front of you and acknowledge in your face that they are responsible for the atrocities you suffered, how will it be?”
Overall Observations

Members of Parliament are a reflection of the people they represent. Conflicts affect everyone irrespective of their stature in society or class. This was evident as MPs submitted with a mix of bitterness, anger and emotions that clearly showed that national healing is an urgent priority.

It also emerged that the issues of North are cross cutting irrespective of one’s political party and position in government.

The time for National Reconciliation seems to be ripe; this was evident as most of the legislators recommended the need for national reconciliation for sustainable peace. MPs also urged for the enactment of a TJ Act or National Reconciliation Act instead of just a policy. JLOS responded by noting that the process of drafting a bill had started.

In conclusion, what started as an awareness creation meeting turned out to be a truth-telling session as MPs seized the opportunity to share their personal experiences and speak out their mind in relation to legacies of conflict in Uganda. This is evidenced by a quote from one of the MPs who said, “You should always talk out issues in the right forum, this is a right forum, and where else can we speak from if not here?” This suggests that even MPs need a platform and space of the kind provided by RLP in this meeting if they are to comprehensively express their concerns and debate fully. Legislators appealed for more interactions of this nature and pledged total support towards the development of a TJ policy and other related legislations.
About Refugee Law Project: a Centre for Justice and Forced Migrants

The Refugee Law Project (RLP) is a Community Outreach Project of the School of Law, Makerere University. It seeks to ensure fundamental human rights for all forced migrants and their hosts. RLP envisions a country that treats all people within its borders with the same standards of respect and social justice.

About the Conflict, Transitional Justice & Governance Programme (CTJ&G)

At the heart of Refugee Law Project (RLP) programming is a combination of cutting edge action-oriented research, policy advocacy and early warning intervention. Under its Conflict, Transitional Justice & Governance (CTJ&G) Programme, RLP confronts the challenges of dealing with legacies of past atrocities and human rights violations, the pursuit of justice - locally and globally - the promotion of democratisation and good governance, and sustainable peacebuilding. For more information visit www.refugeelawproject.org

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