

ACHPR/Res.94(XXXVIII)05: RESOLUTION ON THE HUMAN RIGHTS SITUATION IN UGANDA

The African Commission on Human and Peoples' Rights, meeting at its 38th Ordinary Session held in Banjul, The Gambia, from the 21st November to 5th December 2005.

Bearing in mind Article 45 of the African Charter on Human and Peoples' Rights which stipulates the mandate of the African Commission on Human and Peoples' Rights;

Considering that conflicts in many African countries, including the Republic of Uganda have been responsible for the violation of the Human Rights of civilian population, in particular vulnerable groups such as the elderly, women and children;

Concerned that the said conflict has been responsible for insecurity in Northern Uganda leading to displacement of an estimated 1.8 million people; among whom are young children who are constantly trekking between their villages and towns at night to avoid abduction;

Taking note of the previous concerted efforts by the Government of the Republic of Uganda to bring this conflict to an end;

Welcoming the investigations by the Office of the Prosecutor of the International Criminal Court and the subsequent issuance of arrest warrants in respect of the top leaders and commanders of the Lord Resistance Army (LRA);

Aware that the Republic of Uganda is committed to the independence of the Judiciary and legal profession in that country, as stipulated under Article 26 of the African Charter on Human and Peoples' Rights;

Recalling Article 7 of the African Charter and the Guidelines and Principles on the Rights to Fair Trial and to Judicial Assistance developed by the African Commission on Human and Peoples' Rights;

Deeply concerned and disturbed that the LRA has committed grave Human Rights violations against the civilian population in particular, the mutilation of their victims, abduction of young boys into its rebel forces as child soldiers and forces the young girls into sexual slavery;

Disturbed by recent events on 16th November 2005 threatening the judiciary and lawyers in Uganda;

1. **Calls on** the parties to the conflict to immediately open negotiation with a view to a conclusion of a ceasefire and peace agreement;
2. **Calls on** the LRA to free immediately all the child soldiers, young girls and women held by them and demobilize all combatants;
3. **Supports** the efforts of the Office of the Prosecutor of the International Criminal Court in its investigations against conduct and activities by the parties to the conflict deemed to be violations of the Rome Statute and to bring those responsible for war crimes in Northern Uganda to justice;
4. **Calls on** the international community to urge the parties to the conflict in Northern Uganda to find a peaceful and lasting resolution to the conflict;
5. **Urges** the international community to offer material support to take steps to demobilize the combatants of the LRA, and to assist the people of Northern Uganda in their rehabilitation after 19 years of conflict;
6. **Condemns** the recent incidents of violence in Uganda, which threatens the peace and stability of the country, in particular the threats to the independence of the judiciary and the legal profession in Uganda;
7. **Calls on** the Government of the Republic of Uganda to guarantee the independence of the Judiciary and the integrity of the members of the legal profession, in order to ensure impartiality in rendering justice, without intimidation or interference;
8. **Calls on** the Government of Uganda to undertake amendments to its laws and abolish the practice of bringing civilians before the Court Martial, and reserve its exclusive jurisdiction to matters affecting serving members of the military in Uganda;
9. **Urges** the Government of the Republic of Uganda to ensure that it guarantees the respect, promotion and protection of human and peoples' rights in Uganda.