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# AMNESTY INTERNATIONAL

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## Arrest Now!

### Uganda: Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen

#### 1. The armed conflict in northern Uganda

An armed conflict between the Ugandan government and the Lord's Resistance Army (LRA) has been going on since 1987. About two million people have fled their homes because of the conflict. As of May 2007, about 1.6 million people remained in camps for internally displaced. Jan Egeland, former United Nations Under-Secretary General for Humanitarian Affairs and Emergency Relief Coordinator, called the conflict in northern Uganda "the biggest forgotten, neglected humanitarian emergency in the world today" (AFP, 11 November 2003).

Tens of thousands have been killed, abducted, enslaved and raped. Members of both the government forces and the LRA have been responsible for grave violations of human rights and international humanitarian law. The vast majority of the LRA fighters are believed to be abducted children, brainwashed and forced into fighting. Abducted girls have been raped, distributed among commanders and used as sexual slaves.

The atrocities continued until 2005-2006. On 26 August 2006 Ugandan officials and LRA representatives signed a Cessation of Hostilities Agreement in Juba, Southern Sudan. Peace negotiations are continuing as of 1 November 2007.

#### 2. Referral by the government of Uganda

In December 2003 the government of

Uganda referred "the situation concerning the LRA" to the Prosecutor of the International Criminal Court (ICC). The ICC Prosecutor declared that his office would study both crimes committed by the LRA and crimes committed by the Ugandan governmental forces, selecting the cases according to their gravity.

#### **What is the ICC?**

*The International Criminal Court (ICC) is a permanent independent judicial body created by the international community to prosecute crimes such as genocide, other crimes against humanity and war crimes. Its Statute was adopted at an international conference in Rome on 17 July 1998.*

#### 3. Prosecution by the ICC

The ICC said that it had recorded at least 2,200 killings and 3,200 abductions between July 2002 and June 2004, in over 850 attacks. The LRA allegedly attacked and pillaged communities in Uganda and Southern Sudan, killing thousands of men, women, boys and girls from different communities, destroying villages and camps and abducting thousands of individuals, especially children.

Following a full investigation, in July 2005 the ICC issued warrants of arrests for Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen.<sup>1</sup> The warrants of arrest referred to crimes against humanity and war crimes committed in Uganda

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<sup>1</sup> A warrant of arrest was issued also for a fifth suspect, Raska Lukwiya, who died on 12 August 2006.

since July 2002.

#### **4. The charges against Joseph Kony**

Joseph Kony is the leader, chairman and commander of the LRA. According to the ICC arrest warrant, in mid-2002 he allegedly ordered LRA forces to begin a campaign of attacks against civilians in Uganda. During 2003 he allegedly ordered LRA forces to kill, loot and abduct civilians, including those living in camps.

The arrest warrant against him lists 33 counts of crimes against humanity and war crimes, including murder, sexual enslavement, rape and forced enlisting of children.

#### **5. The charges against Vincent Otti**

Vincent Otti is vice-chairman and second-in-command of the LRA. According to the ICC arrest warrant, he is alleged to have been in command of a 2003-2004 LRA campaign, which included attacks on local communities and camps for internally displaced people resulting in killings, abductions, rape, sexual enslavement and other crimes.

The arrest warrant against him lists 32 counts of crimes against humanity and war crimes, including murder, sexual enslavement, pillaging and forced enlisting of children.

#### **6. The charges against Okot Odhiambo**

Okot Odhiambo is Deputy Army Commander in the LRA. According to the ICC arrest warrants, as a result of Joseph Kony's orders, in 2004 Okot Odhiambo allegedly commanded two attacks against camps for internally displaced people, resulting in killings, enslavement, recruitment of children and other crimes.

The arrest warrant against him lists 10 counts of crimes against humanity and

war crimes, including murder, enslavement and forced enlisting of children.

#### **7. The charges against Dominic Ongwen**

Dominic Ongwen is Brigade Commander of the Sinia Brigade of the LRA. According to the ICC arrest warrant, in this capacity he allegedly ordered an attack against a camp for internally displaced people, resulting in killings, abductions, the destruction of houses and other crimes.

The arrest warrant against him lists seven counts of crimes against humanity and war crimes, including murder, enslavement and inhumane acts.

#### **8. Where are the suspects?**

According to reports, the suspects are moving between Democratic Republic of Congo (DRC) and the Sudan. The LRA is believed to have moved its operational base from Sudan to eastern DRC. Many LRA fighters have reportedly been camped in Garamba National Park, in the far northeast of the DRC. Following the Cessation of Hostilities Agreement, LRA fighters were to assemble at two assembly points in Sudan.

#### **9. The role of MONUC**

The United Nations Security Council established the UN Mission in the Democratic Republic of the Congo (MONUC) on 30 November 1999.

MONUC has the mandate to "cooperate in national and international efforts to bring to justice perpetrators of grave violations of human rights and international humanitarian law" (Resolution 1756 of 15 May 2007). However, nothing in its mandate requires MONUC to arrest and surrender people sought by the ICC.

All persons responsible for crimes under international law committed in northern Uganda, regardless of rank, must be brought to justice, either before the ICC or before national courts, in fair trials without the death penalty.

**Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen are wanted for trial at the International Criminal Court to establish their guilt or innocence**

**concerning multiple counts of crimes against humanity and war crimes.**

**What can you do?**

Please write to the President of the UN Security Council, urging the Security Council to clarify MONUC's mandate and to :

- ask it to search for and arrest anyone named under an ICC warrant, and surrender them to the Court;
- ensure that sufficient resources are provided to MONUC.