PERMANENT MISSION OF UGANDA
STATEMENT BY DR. RICHARD NDUHUURA,
TO THE GENERAL ASSEMBLY ON THE REPORT OF THE
INTERNATIONAL COURT OF JUSTICE

[Agenda Item 73]

31st October 2014

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Thank you very much Mr. President for the opportunity to address the Assembly on the work of the ICC. I wish to start by thanking Judge Song, the President of the International Criminal Court for the comprehensive report, as well as his presentation. This being the last such address to the General Assembly in the capacity of President of ICC, we congratulate him for his service to the cause of fighting impunity, and wish him the very best in his future endeavours.

Mr. President,

From the onset, let me reiterate Uganda’s commitment to the fight against impunity for the perpetrators of the most heinous crimes of concern to the international community. We have domesticated the Rome Statute, followed by the establishment of the War Crimes Division of the High Court. The Division is seized with cases that would otherwise be handled by the ICC. We commend the Court for the assistance it has rendered by training the judges and prosecutors of the International Crimes Division. At the moment, the Division is seized with the case of Uganda v. Thomas Kwoyelo, an LRA commander accused of Rome Statute crimes.

Uganda was the first to make a State referral to the ICC which led to the indictment of Joseph Kony and others. Unfortunately the indictees are not only at large, but they continue to cause untold suffering wherever they operate. Under the auspices of the African Union-Regional Task Force (AURTF), the UPDF is in Central African Republic (CAR) to pursue Joseph Kony and his LRA. Due to the asymmetric tactics and the nature of the terrain in which LRA operates, the maintenance and sustainability of the AURTF
forces is very costly to individual Troop Contributing Countries, and we would encourage further support. That notwithstanding, the UPDF observe high standards of discipline as outlined in their operational code of conduct. There is a field court martial which deals with cases of errant soldiers as soon as they are detected. All reports indicate the least incidence of crime in the areas where UPDF is operating.

Mr. President,

In paragraph 33 of the report on the situation in Uganda, it is stated that the Office of the Prosecutor (OTP) continued to gather and analyse information related to alleged crimes committed by the Uganda People’s Defence Forces (UPDF) and continues to encourage national proceedings in relation to both parties to the conflict. This should not create the impression that the Government is soft on UPDF members who are alleged to have committed crime in the course of pursuing the LRA. Far from it, the Uganda Government routinely investigates; and conducts public trials in a General Court Martial of any errant individuals.

We would therefore welcome any further information available to the Prosecutor of the ICC so as to aid in our national investigations and prosecutions. This kind of collaboration would go a long way in enhancing our common efforts in the fight against impunity.

Lastly Mr. President, let me end by addressing the issue of unfunded mandates. I am talking about the referrals by the Security Council which are not funded from the budget of the UN. By their nature, Security Council referrals involve the most difficult cases. If the referrals continue to be unfunded, the resources of the ICC will be depleted with nothing much to show for it in the end.

I thank you.