

POLICY BRIEF

Reparation as a human right, not a political favour

Discussing the practice of political assurances in Uganda in light of the right to reparation

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EXECUTIVE SUMMARY

For years, different segments of Ugandan society have been calling for a comprehensive Transitional Justice process to address the country's history of conflicts. These voices were partially heard in June 2019 when the National Transitional Justice Policy (NTJP) was adopted. Among others, the NTJP affirms the Government's commitment to providing redress to survivors of gross human rights violations or abuses, through the development of a comprehensive reparations programme. However, two years after the policy's adoption this programme has yet to be established. The official discourse about reparations also remains vague and the concept poorly understood.¹

In the absence of an effective reparations policy framework, political players enjoy leeway in designing *ad hoc* schemes to address harm from past or contemporary episodes of violence. This phenomenon of 'pledges', or 'Government assurances' recurs and amplifies during electoral

processes such as presidential and parliamentary elections, where political aspirants express assurances and promises to various groups. To target survivors of conflicts with such assurances has been a way to gain leverage in nearly all the presidential and parliamentary campaigns in the last three decades.

This Policy Brief discusses how such practices undermine the advent of a Transitional Justice process in Uganda. Indeed, the practice disables key oversight mechanisms, confuses the access pathways for survivors and introduces a bias in the selection of survivors 'eligible' for compensation. This practice is fundamentally at odds with the Right to reparation and remedy, in particular in as far as it negates responsibility for the harm suffered by survivors and enables discrimination between them. The Policy Brief summarizes a qualitative study undertaken by ASF in four conflict affected sub regions of Acholi, Lango, Teso and Rwenzori. The Policy Brief also relies on a thorough desk review and various data

¹ ICTJ, Building Blocks for Reparations Providing Interim Relief to Victims Through Targeted Development Assistance (2020).



collected through ASF's long standing intervention in promoting Transitional justice in Uganda.

INTRODUCTION

Uganda's population has suffered massive human rights violations over the last decades, including before and after independence. Hundred thousands of people have lost their lives or got injured physically and mentally, and/or lost land and other property in various conflicts.² Hence, while the focus of this Policy Brief is on the regions of Acholi, Lango, Teso and West Nile, due to their intense and recent history of conflicts, all regions of the country today host groups of survivors, who have and continue to suffer from these conflicts. Yet, very few have received redress.³

In November 2019, the Cabinet of Uganda passed the [National Transitional Justice Policy \(NTJP\)](#) which seeks to address the needs of all conflict-related survivors in Uganda. It is a meaningful milestone that provides commitment to a 'well-developed reparation programme'⁴; however, this policy has not yet been implemented.⁵

Reparations as a means to provide various types of redress for past violations are crucial in remedying harm and in ensuring healing. They have been recognised as vital in the acknowledgment of the wrong to the victim, and provide a means to address the complex needs of victims in the aftermath of violations of international human rights and humanitarian law.⁶ The NTJP emphasises the need to formalise this process through a clear legislative framework. It should be noted that civil society, survivors' groups and members of Parliament had been

demanding a framework for reparations for years before the NTJP was adopted.⁷



Our study shows that the failure to-date to insulate a reparations programme, as anticipated by the NTJP, has exposed reparations to the vicissitudes of politics. *Ad hoc* practices of pledging compensation and other assurances, have undermined the NTJP and its potential effectiveness. In addition, the above have led to further victimisation of survivors, who have to navigate complex and changing pathways to activate political promises.

Based on a thorough review of the assurances of 'reparation' made in conflict-affected areas, including those made by the President, this Policy brief aims at highlighting how such promises do not meet the Right to reparation and to present the risk that they constitute both for the ongoing development of a formal transitional justice framework, and for the overall trust relationship between the Ugandan Government and its citizens.

² This policy brief focuses on the conflict-affected Acholi, Lango, Teso and the Rwenzori regions. From the first coup in 1971 to the most recent attack on the Rwenzururu kingdom palace on 27th November 2016, each time civilians have been (violently) affected in one or more of these regions. For a comprehensive overview of the different conflicts which have affected Uganda and its citizens: Refugee Law Project, Compendium of conflicts in Uganda: Findings of the National Reconciliation and Transitional Justice Audit (2014).

³ An example is the attack on the Rwenzururu Kingdom Palace on 27th November 2016 or the shooting of 54 demonstrators in the run up to the 2021 elections.

⁴ Ministry of Internal Affairs, National Transitional Justice Policy (June 2019); see also ASF, The long walk: Uganda adopts a Transitional Justice Policy (2019).

⁵ The National Transitional Justice Bill remains pending and has not been made public. It has proven difficult to ascertain its drafting progress as well.

⁶ Luke Moffett, Transitional Justice and Reparations: Remedying the Past? In C Lawther, L Moffett, & D Jacobs (eds), Research Handbook on Transitional Justice (Edward Elgar Publishing, 2017) <http://www.eelgar.com/shop/research-handbook-on-transitional-justice>;

Brandon Hamber, The dilemmas of reparations: In search of a process-driven approach, in K De Feyter, S Parmnetier, M Bossuyt and P Lemmens (eds), Out of the Ashes: Reparation for Victims of Gross and Systematic Human Rights Violations (Intersentia 2005), 135-149, 137.

⁷ ASF, A beggar has no choice: victims perspectives on a reparation framework in Uganda (2017)

<https://www.asf.be/wp-content/uploads/2017/07/ASF_UG_ABeggarhasnoChoice_EN_201704.pdf> accessed 14 December 2021.

GOVERNMENT ASSURANCES IN CONFLICT-AFFECTED AREAS: A TALE OF EMPTY PROMISES

A history of conflict⁸ has placed numerous Ugandans in acute situations of vulnerability, in a country where poverty is still widespread.⁹ Government and other state actors have continued to formulate *ad hoc* promises and assurances to the survivors of conflict entitled to such reparations, especially during electoral times.

For instance, every election has been the occasion for political parties, including the National Resistance Movement (NRM), to promise to solve [the persistent question of compensation for the loss of livestock cattle in Lango, Acholi and Teso sub regions that occurred during the Lord's Resistance Army \(LRA\) war](#). Yet, in September 2021, the government released 150 billion UGX to this end.¹⁰ However, the compensation has been met with criticism of imbalance in comparison to other regions still awaiting reparations and its implementation has been challenging among others due to difficulties in compiling lists of beneficiaries, and has thus still not taken place as of today.¹¹

There is limited official record of promises made by politicians to Ugandans, which makes any attempts of comprehensive enforcement *de facto* impossible. Media reports remain the main source for tracking them down, backed by a few reports of the Parliamentary Committee on Government Assurances and Implementation (CGAI).¹² The research on Government assurances

conducted for this Policy Brief revealed that approximately one out of five promises and assurances made by the government and its agents to victims of conflict¹³ have been fulfilled.¹⁴

Their nature and content vary and have included, in addition to cattle compensation, scholarship schemes, construction of roads, schools and hospitals, etc. Some members of Parliament interviewed during the study argued that the magnitude and multitude of promises and assurances are such that there is no way for the Government to ever implement them all.

Whereas these promises could simply add up onto a list of unfulfilled electoral promises, they yet take another meaning in a post-conflict context. Since survivors hope for and are entitled to reparations to restore their dignity, as such, any financial or material promises may be interpreted as something close to reparations. According to several survivors, if the government had implemented the said promises, their socio-economic standing would be very different. Some have even reported that the disappointment caused by unfulfilled Government promises has caused them stress levels such as to impact on their mental health, as this respondent in Kasese: 'some of us were really traumatised and the only way to get relief is when these promises are fulfilled by the government'.¹⁵ This is a direct infringement of the do no harm principle, as the non-respect of survivors' rights to reparation constitutes a secondary source of victimisation.¹⁶

⁸ Refugee Law Project (n2).

⁹ World Bank, 'Uganda Poverty Assessment 2016: Fact Sheet' (20 September 2016) <<https://www.worldbank.org/en/country/uganda/brief/uganda-poverty-assessment-2016-fact-sheet>> accessed 28 October 2021.

¹⁰ Parliament Watch, 'Gov't Earmarks Sh150b for Livestock Compensation' (14 September 2021) <<https://parliamentwatch.org/news-amp-updates/govt-earmarks-sh150b-for-livestock-compensation/>> accessed 28 October 2021.

¹¹ Parliament of the Republic of Uganda, 'Imbalance Cited in Livestock Compensation' (19 August 2021) <<https://www.parliament.go.ug/news/5205/imbalance-cited-livestock-compensation>> accessed 28 October 2021; 'Cattle Compensation: MPs Query Attorney General's List' *The Independent Uganda* (15 September 2021) <<https://www.independent.co.ug/cattle-compensation-mps-query-attorney-generals-list/>> accessed 28 October 2021.

¹² Parliament of the Republic of Uganda, 'Government Assurance Committee' <<https://www.parliament.go.ug/committee/2732/government-assurance-committee>> accessed 28 October 2021.

¹³ Survivors in Teso, Acholi, Lango and Rwenzori regions, as this is where the research was conducted.

¹⁴ This data is based on in-depth interviews with a random sample of 55 conflict affected persons, relevant government departmental offices concerned with transitional justice processes and the civil society, as well as a study of newspaper archives the research was conducted in 4 conflict affected sub regions; Acholi, Lango, Teso and the Rwenzori in December 2020. Promises made by the government are not always quantifiable. Even when they are, most survivors are not aware of this value.

¹⁵ Male respondent in Kasese district (25 November 2020).

¹⁶ See among others, Guidance Note of the Secretary-General, Reparations for Conflict-Related Sexual Violence (2014) 5.

Such strains the relationship between the Government and the citizens in conflict affected communities as stated by one interviewee in Lira district: “...some of the pledges I just consider as bribes where during campaigns, (they are) in need of a vote and (...) politicians conveniently remember that there is a category of survivors existing somewhere and so they will suggest some kind of money or announce that they will give this much to survivors.”¹⁷

The linkage made between (electoral) promises and reparation echoes a broader Government-fed confusion, according to which its investments in Northern Ugandan public infrastructures and services would amount to some form of collective reparation for the survivors of the armed conflict. However, to cast such efforts as reparations is to ignore the provisions of international law on reparations, as they do not acknowledge responsibility for the harm, nor are they linked to other pillars of transitional justice, precisely to truth, justice and guarantees of non-recurrence.¹⁸ In addition, most of them do not provide adequate, effective and prompt reparation for harm suffered.¹⁹ They are often generic, non-prompt, and lack an assessment and link to the ‘experiences and needs of the survivors’ of the different conflicts.²⁰ In addition, they overlook that the great harms that reparation is supposed to redress require a broad array of coherently organised measures which go beyond simple compensation or investment.²¹ [ASF’s own research](#) shows that many victims do not count such efforts as reparations and articulate similar criteria (acknowledgement of responsibility and harm-specific measures) in their own expectations towards reparations.²²

PROMISES WITHOUT COMMITMENT: THE ABSENCE OF OVERSIGHT MECHANISMS

On paper, an oversight mechanism does exist within the Parliament, CGAI, which has the mandate to monitor Government assurances under review in the present brief.²³ The CGAI’s mandate is enshrined in Section 179 of the [Parliamentary Rules of Procedure \(RoP\)](#), and includes, i.e. to ‘(a) record and scrutinize the assurances, promises and undertakings given by a Minister, Prime Minister, President, Vice-President in the House from time to time; (b) monitor and evaluate the fulfilment of Government assurances; and (c) exercise such other functions that are not covered by paragraphs (a) and (b) as may be allocated to the Committee by the Speaker from time to time.’²⁴ A series of guarantees is further provided to avoid empty promises: the Committee shall be chaired and deputised by members of the opposition party (s 160(7)), it may define a timeframe for implementation of assurances in lieu of the official who would have formulated it vaguely (s 179(2)) and any withdrawal of assurances shall be done formally before the Committee, which, in turn, reports to the full House (s 179(3) and 180).

The existence of this framework is in itself an acknowledgement of the possible harmful effects of *ad hoc* and opportunistic promises made by political leaders. However, the practice of the CGAI is quite different, as no exhaustive public list of government assurances and promises made in the post conflict context seems to exist. This raises the question of whether the formulation of assurances is truly recorded and their implementation monitored, as required under the Parliamentary Rules of Procedure.²⁵

¹⁷ ASF research on Government commitments and assurances in post conflict communities in Uganda (December 2020).

¹⁸ UN Secretary General, Promotion of truth, justice, reparation and guarantees of non-recurrence* (14 October 2014) A/69/518 <<https://undocs.org/en/A/69/518>, paras 10-11> accessed 28 October 2021.

¹⁹ *ibid.*

²⁰ ICTJ (n1) 2.

²¹ UN Secretary General (n18) para 84.

²² ASF (n7).

²³ The Rules of Procedure of the Parliament of Uganda (14 May 2021) Statutory Instruments 2021 No. 30. (RoP).

²⁴ *ibid.*

²⁵ *ibid* Section 179 (3)-(7).

At present, the CGAI thus plays little to no public role in controlling many of the assurances made to survivors of conflict. No submission of a report to the House on the implementation and extent to which the assurances, promises and undertakings have been fulfilled, withdrawn or broken, nor a debate on the report, have been observed in the last years – even though the CGAI is required to do so ‘from time to time’ under its Rules of Procedure.²⁶ In addition, most assurances are done outside Parliament, and thus fall out of its mandate in the Parliamentary Rules of Procedure which refers to assurances ‘in the House’.

The latter challenge was also emphasised by a Member of Parliament (MP) interviewed on matters regarding government promises²⁷: *“the CGAI operates within a framework where government assurances are only considered and registered when they are made by ministers and other actors in Parliament. Where such assurances are made outside this scope, it then becomes incumbent upon the MP of the constituency where such promises were made to take it to Parliament.”* Such a ‘system’ lacks checks and balances, and is hardly in line with the Constitutional principle of good governance to be guarded, among others, by the Parliament.

The lack of publicly available list is also contrary to citizens’ right to access information²⁸, which includes a duty to maximum proactive disclosure of information with procedures for accessing information and limited exceptions.²⁹ In addition, the neglect to fulfil its mandate, including the lack of a publicly available list, as well as the limited scope of the CGAI

mandate, are not in line with the [Constitutional requirement](#) for the Parliament to protect the Constitution³⁰ and the democratic governance of Uganda.³¹ As such assurances are not being tracked, this leaves room for false promises and a lack of accountability. For example, in the 2006 presidential campaign, the incumbent promised to compensate the Itesots³² who lost cattle and their property during the insurgency. The pledge - which was not fulfilled - was again highlighted in the most recent two presidential bids.³³ Survivors of cattle looting by members of the LRA and the Uganda People’s Defence Forces (UPDF) during the insurgency, have brought claims against the government for unfulfilled promises of compensation, but so far none have obtained compensation, despite a favourable ruling by the Lira High Court.³⁴



Another stumbling block is the distinction made between a Government assurance and a political statement, according to an interviewed government actor.³⁵ Under international law, unilateral declarations ‘publicly made and manifesting the will to be bound may have the effect of creating legal obligations’.³⁶ The binding character of such declarations is based on good faith.³⁷

²⁶ *ibid.*

²⁷ ASF research (n17).

²⁸ Art 41 Constitution of Uganda.

²⁹ HRC, General comment No. 34 - Article 19: Freedoms of opinion and expression (12 September 2011) CCPR/C/GC/34, para 19

³⁰ *le* the human rights of Ugandan citizens, such as the right to access information and the right to reparation and remedy.

³¹ Art 79(1)-(3) Constitution of Uganda.

³² Inhabitants of the Teso region.

³³ ‘30 Billion Available for Cattle Compensation - Museveni’ *The Independent Uganda* (5 January 2021) <<https://www.independent.co.ug/30-billion-available-for-cattle-compensation-museveni/>> accessed 29 October 2021.

³⁴ ASF (n7) 13. See ‘Government ordered to pay war claimants’ *Daily Monitor* (16 July 2014) <<https://www.monitor.co.ug/uganda/news/national/government-ordered-to-pay-war-claimants-1578252?view=htmlamp>> accessed 14 December 2021.

³⁵ ASF research (n17).

³⁶ International Law Commission (ILC), Guiding Principles Applicable to Unilateral Declarations of States Capable of Creating Legal Obligations, with Commentaries Thereto (2006) Yearbook of the International Law Commission, 2006, vol. II, Part Two. <https://legal.un.org/ilc/texts/instruments/english/commentaries/9_9_2006.pdf> accessed 28 October 2021.

³⁷ *ibid.*

In 2008, the Government Assurances bill was brought to Parliament to complement the Parliament's Rules of Procedure with time frames for fulfilment and sanctions in case of non-implementation of the said assurances, though its scope would have remained limited to assurances made in Parliament.³⁸ However, the Committee on Legal and Parliamentary recommended that Parliament [does not pass the proposed bill into an act](#) on account that it added little to what is already contained in the Rules of Procedure of Parliament in terms of the mandate.³⁹ While indeed the material scope of the law did not broaden the current mandate of the CGAI, it remains that such a law would be particularly adequate to monitor and hold accountable Government actors on promises unfulfilled. Moreover, it would enshrine the mandate from Rules of Procedure into law, facilitating among others its enforcement.

ASSURANCES THAT UNDERMINE THE NATIONAL TRANSITIONAL JUSTICE AGENDA

The Government has over the years reiterated the need for peace, stability and social cohesion as critical requirements for national development.⁴⁰ The June 2019 NTJP reflects its commitment to address the legacy of these conflicts, the justice and reconciliation needs in post-conflict situations with the aim of promoting national reconciliation, peace and justice.⁴¹ The policy provides for a 'well-developed reparations programme' for survivors which could include (individual) monetary, collective, symbolic and other forms of reparations such as social services for the

affected communities.⁴² However, to date the outline of the reparations' programme is not known. The NTJP is also silent as to the relation between the programme and the pre-existing assurances of compensation as made by the Government.

In the Acholi, Lango, and Teso sub regions for example, the assurance that was most memorable for participants in our research was the commonly recited aspect of cattle compensation, with more than 80% of the focus group discussion participants echoing the same. In Soroti, many focus group participants mentioned that they were '*still waiting for their cows to be compensated by the government*'.⁴³ At the peak of the 2021 presidential general elections campaigns, the Government released 10 billion UGX to livestock claimants in the Teso sub region to counter criticism of empty promises for voter hunting.

This would be followed by compensation payments of claimants and beneficiaries in the Teso, Lango and Acholi sub regions respectively to reach the sum of 50 billion UGX per region promised in November 2020.⁴⁴ However, as of today, no compensation was obtained. For Lango, the government's list of beneficiaries was queried by Lango MPs in October 2021, as excluding many persons whose cattle also had been stolen, and as resulting from a process with many anomalies. One of the beneficiaries, who was verified under the process, said that when she went to the bank to check whether her account was active, she found the account number was not even matching with what she had before.⁴⁵

³⁸ Parliament of the Republic of Uganda, 'Implementation Of Government Assurances Bill' (7 November 2008) <<https://www.parliament.go.ug/cmisis/views/f821d2fe-262a-4238-ba76-d5ed0bddafb0%253B1.0>> accessed 14 December 2021.

³⁹ Opposition Lose Battle on Gov't Assurances Bill *ChimpReports* (2 April 2014) <<https://chimpreports.com/18823-opposition-lose-battle-on-govt-assurances-bill/>> accessed 14 December 2021.

⁴⁰ Government of Uganda, Peace, Recovery And Development Plan For Northern Uganda (2007-2010) (September 2007) <https://www.brookings.edu/wp-content/uploads/2016/07/Uganda_PRDP-2007.pdf> accessed 29 October 2021. See Robert Senath Esuruku, 'Horizons of Peace and Development in Northern Uganda' (*Accord*, AJCR 2011)

<<https://www.accord.org.za/ajcr-issues/horizons-of-peace-and-development-in-northern-uganda/>> accessed 29 October 2021.

⁴¹ Ministry of Internal Affairs (n4) iii.

⁴² *ibid* 12.

⁴³ ASF research (n17).

⁴⁴ John Ogulei, 'BREAKING: Government Deposits 10 Billion Shillings For Teso Cattle Compensation' *East News* (7 January 2021) <<https://eastnews.co.ug/breaking-government-deposits-10-billion-shillings-for-teso-cattle-compensation/>> accessed 29 October 2021.

⁴⁵ Patrick Adupa, Lango MPs query the verified cattle compensation list by government (11 October 2021) <<https://thecooperator.news/lango-mps-query-the-verified-cattle-compensation-list-by-government/>> accessed 29 October 2021.



In the Luwero and the West Nile region, the majority of the focus group participants, as well as reports in newspaper articles, showed that the survivors of conflict in those regions were inclined to discuss Government assurances relating to pension and gratuity for the retired army officers. In the Rwenzori region, the survivors recited promises related to reconstruction of school facilities that were destroyed by the Allied Democratic Forces (ADF), and the construction of houses to compensate the families of the deceased royal guards of the Rwenzururu kingdom during an attack on the palace on 26th and 27th November 2016.⁴⁶

Apart from the lack of an oversight mechanism for the Government assurances presented and/or perceived as reparations, which remain unfulfilled or take years to be fulfilled only partially,⁴⁷ promises do not require a harm and responsibility acknowledgement, and thus blur the nexus between harm suffered, responsibility and reparations. Such *ad hoc* practices also risk discriminating between survivors or regions by offering compensation or support to some but not others.⁴⁸ For example, such criticism has been outed regarding the cattle compensation announced for Acholi, Lango and Teso sub-regions in contrast to the harshly hit city of Kasese by ADF rebels in

Rwenzori.⁴⁹ Where there would be a 'well-developed [and implemented] reparations programme' at the national level, discrimination between survivors would be avoided as much as possible, as all survivors would be equally eligible and ensured access to the programme.

CONCLUSION

It is ASF's wish that this Policy Brief will shed light on the challenges posed to the Right to Reparation and remedy for survivors of conflicts by the current practice of assurances. To acknowledge these challenges, is a crucial step towards a reconciliation of the practice with Uganda's commitment to transitional justice.

This entails reconciling discourses and actions towards a uniform Right to reparation in line with international law⁵⁰. This institutional process brings several comparative advantages as compared to the current *ad hoc* practices. First, it allows for better efficiency in mobilising and optimising the limitedly available resources to truly implement the NTJP, especially its reparation component. Second, pre-established procedures for access to reparations, as relying on clear and known criteria, would enhance legal certainty for possible beneficiaries, and avoid risks of discrimination between them. In turn, this would work towards better trust in public services, a key element of the social cohesion advocated for in the NTJP.

Third, in line with international best practices, victims themselves should be involved in designing the reparations programmes, which is essential to ensure that no one is left behind and that the output is tailored to the needs. Also, a proper reparations' programme would be closely

⁴⁶ 'Uganda Cracks down on "dissenting" Rwenzururu Kingdom' *BBC News* (3 December 2016) <<https://www.bbc.com/news/world-africa-38169262>> accessed 29 October 2021.

⁴⁷ See eg, the recent limited progress (no actual payment yet) with cattle compensation for some regions ('Imbalance Cited in Livestock Compensation' (n 11); Parliament Watch (n 10)).

⁴⁸ [Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law](#) (adopted and proclaimed by

General Assembly resolution 60/147 of 16 December 2005) Art 25 (UN Basic Principles).

⁴⁹ 'Imbalance Cited in Livestock Compensation' (n 11).

⁵⁰ The elements of the right to reparation are outlined in the UN Basic Principles (n48) Art 11. According to the UN Basic Principles, survivors of human rights violations have the right to '• equal and effective access to justice; • adequate, effective, and prompt reparation for harms suffered; and • access to relevant information concerning violations and reparation mechanisms'.

overseen and the completion of its objectives monitored. Together, these two elements would ensure effectiveness in providing redress and answering victims' needs. Finally, a predictable, need-oriented and rule-of-law based reparations programme could attract more international partnerships, and thus benefit from financial and technical support.

The only drawback would be for individual political leaders, who would have to stop leveraging legacies of conflict in electoral processes; a development that all other segments of society would no doubt welcome.

RECOMMENDATIONS

Government

- **Adopt a transparent approach to Transitional Justice and reparations in line with international law** (acknowledge harm and responsibility, and provide reparations proportionate to the gravity of the harm), including through inclusion and participation of survivors in establishing the reparations programme and its implementation, with special attention to survivors of sexual violence and/or children;
- **Identify the institution within Government** to draft and manage uniform identification of survivors and procedures for accessing prompt and effective reparations, and map out a clear way of engaging with local actors in drafting and managing those;
- **Promote the NTJP**, and provide Justice Law and Order Sector (JLOS) with adequate resources for its implementation;
- **Inform Ugandans proactively** about the implementation of the NTJP

and the multiple dimensions of the right to reparation;

- **Delineate and distinguish development aid** and related projects, as well as other efforts towards effective public services, from the concept of reparations, when the former do not involve a recognition of harm and an acknowledgment of responsibility;
- **Abstain from making assurances that undermine the NTJP** and are contrary to international law, including the right to reparation and remedy;
- **Give full collaboration to accountability mechanisms** monitoring assurances made by Government officials;

Parliament

- **Reform the mandate of the CGAI** to include oversight of assurances made outside of Parliament by Members of Government and Parliament;
- **Include an obligation in law** (not only in the Parliamentary Rules of Procedure) for the CGAI to report to Parliament and debate on assurances and their implementation at least every quarter and designate the actor in charge of holding the Committee to this mandate. Undertake a full publicly available record of assurances made to Ugandans in conflict-affected areas and hold the Government accountable on those unfulfilled as required by the Rules of Procedure and in line with the Constitution.
- **Include an obligation in law** (not only in the Parliamentary Rules of Procedure) for the CGAI to report to Parliament and debate on assurances and their implementation at least every quarter and designate the

actor in charge of holding the Committee to this mandate. Undertake a full publicly available record of assurances made to Ugandans in conflict-affected areas and hold the Government accountable on those unfulfilled as required by the Rules of Procedure and in line with the Constitution.

- **Prioritise the adoption and implementation of the National Transitional Justice Bill** with clearly defined and inclusive criteria of and procedures for reparation, and

the multiple types of harms to be redressed.

- **Include an obligation in law** for Members of Parliament and Members of the Government of Uganda to register their assurances with the Parliament and the CGAI.

Civil Society Organizations

- **Develop advocacy frameworks** to record Government assurances to survivors of conflicts, and ensure that they are brought in line with international frameworks and fulfilled.

LIST OF ACRONYMS

ADF: Allied Defence Forces
ASF: Avocats sans Frontières
CGAI: Committee on Government Assurances and Implementation
FGD: Focus Group Discussion
ICTJ: International Centre for Transitional Justice
JLOS: Justice, Law and Order Sector
LRA: Lord's Resistance Army
MP: Member of Parliament
NRM: National Resistance Movement
NTJP: National Transitional Justice Policy
RoP: Rules of Procedure of the Parliament of Uganda (2021)
UN: United Nations
UGX: Uganda Shillings
UPDF: Uganda People's Defence Forces

ASF SUPPORTS ACCESS TO JUSTICE

With support of the Belgium Development Cooperation, ASF is implementing a program in Uganda aimed at "contributing to sustainable development goals by improving access to justice.

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