

**Press Statement**  
**Women's Initiatives for Gender Justice Press Conference**  
**Review Conference of the Rome Statute**  
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As we gather to review the Rome Statute, we need to incorporate the issues of women as we advance gender justice. Aware that in the past two years the United Nations (UN) has passed three key resolutions in relation to women in armed conflict, i.e. ending impunity for those who commit sexual violence, involving women in peace processes and protecting women and children from sexual violence during war, we call upon everyone to take action in advancing gender justice.

Northern Uganda has been ravaged by acts of crimes against humanity just like in other parts of the world. We are all aware of the suffering that women go through during times of war. Their husbands and children are killed, they are left to travel long distances in risky areas to look for food, water and firewood, they are raped by warring forces, and they also suffer domestic violence from husbands who are frustrated and feel powerless and thus resort to drinking and violence. Women in armed conflict therefore suffer physical, psychological and emotional pain that they live with for many years even after the war, and such suffering is most times enhanced when women fail to get redress.

With specific reference to Uganda, we do acknowledge the role of the government and international community in addressing the issue of crime. Uganda ratified the Rome Statute and domesticated the ICC Bill which may soon become an Act when the president accepts it. This implies that our country can then prosecute international crimes. Much as the rural women in post-conflict areas may have no objection to this, since national trials for perpetrators of international crimes bring justice home to the victims and the witnesses, women still have the following concerns:

1. In May 2008 the special War Crimes Court was set up with the mandate to try the Lord's Resistance Army (LRA) in an attempt to make the International Criminal Court (ICC) withdraw the indictment. Five judges were put in place and other relevant offices were filled. The question that we ask is, since the War Crimes Court came in place under the Agreement on Accountability and Reconciliation in the Juba peace talks that the ICC is not a party to, can women consider that we have a Court that can deliver justice on crimes that are of an international nature?
2. If so, shall the War Crimes Court meet the international standards that ensure that the victims can have access to justice? As women, we feel that domestic prosecution of crimes potentially within the jurisdiction of the ICC should comply with the standards outlined in the Rome Statute.

3. Do we have civilian law and order institutions with the capacities to try these cases? What is evident in Uganda is that such institutions like courts and police are weak and overwhelmed by massive cases and inadequate staff who are ill-equipped to handle these cases and may sometimes not be independent. Accessibility to these courts may sometimes not be easy because of distance and other factors.
4. Considering the above, shall the victims get justice within the given time frame? We have evidence in Uganda that sometimes issues of importance may not be taken with the seriousness they deserve. They start with high flames but soon die out like a candle in the wind. Who can give assurance to the hurting people that justice will be done as fast as possible? ***Remember, Justice Delayed is Justice Denied.*** How sure are we that these cases will not be shelved?
5. Women need to know if the system will effectively address issues of rape and gender violence. To date it is rare to find our culture supportive of exposing rape. Rape always remains invisible to the rest but very visible to the victim. Many times women tend to bear the shame and guilt and would rather keep quiet in the name of protecting the family or the marriage. Besides, evidence required by the court may sometimes not be present. After twenty years will they still know who raped them? If they don't will they stop hurting? What about health-related issues connected to rape? How will those be handled? In such a situation the women call for support to form a team to do research and document the atrocities and to stand by the victims to give them moral support and also be witnesses. Besides they need to get assurance of the protection of the victims and witnesses. When we have a court that looks at cases through the women's eyes, we feel the cases can be handled well.
6. As activists we need to deal with realities if we are to ensure that accountability, justice and peace prevail. Many times justice becomes a loser in the name of mercy and peace. In Uganda, it is an open secret that corruption exists at all levels. How shall we shut corruption out of our court processes and out of the court room to ensure that victims get redress?
7. Women yearn for sustainable peace, justice, and security. However, the biggest challenge remains the inconclusive Juba Peace Talks. The controversial issue is that the line of the ICC and the international community now seems not to favour this. The fate of the thousands of women and girls held in captivity as sex slaves by the LRA remains in the balance. While the guns are quiet in Northern Uganda they are not quiet in the neighbouring countries of Sudan, DRC, and CAR. We need a clear position on the efforts towards peace, reconciliation, and justice. The risk and fear will still remain and keep people from participating in the ICC process.
8. Communication channels need to be clear. There exists inadequate awareness about the Rome Statute and ICC and how it operates. The outreach department of the ICC need to do a little bit more to let victims know of their legal rights and expectations. The challenge is how many have access to radio and how many attend public rallies. Remember the issue of the ICC Act has been confined mostly to a few people particularly at the level of Parliament. Since the people in

the armed conflict areas have an interest we feel that raising awareness would be appropriate.

9. Article 79 of the Rome Statute talks about the Victims Trust Fund. The victims in northern Uganda are not aware of this. If the victims are not educated about the existence of the Trust Fund there is fear that these funds can be misappropriated or merged with humanitarian assistance that may not benefit the right people.

## CONCLUSION

As women, we shall continue to agitate for reforms that are gender sensitive and gender inclusive. The irony is that more often times we feel left out and therefore are forced to create the space ourselves. E,g in the Juba Peace Talks women created their own space when we felt left out and fortunately our recommendations were later on taken as important and were very helpful. It is our prayer today that the Review Conference captures and integrates our interests. We don't have to force ourselves in the peace process every time and yet **UN resolution 1325 and others** already recognise us. Our visibility needs to be recognised by design.

We call upon all concerned to empower qualified women as judicial actors. In Uganda in the special court we have only one lady judge.

We call for engendering all activities in post-conflict northern Uganda, including economic empowerment as a means of healing trauma and ensuring social justice.

Peace will only become a reality if the special roles of women in preventing and resolving conflict and in peace building are enforced.

When planning for redress post-conflict, women victims need to be educated and involved in decisions that affect them.

We call for political will to act against perpetrators and to comply with obligations under international laws.

We call for commitment at both national and international levels. There must not be any double standards in the implementation of the Rome Statute. No group of people or country should feel left out if the Statute is to be embraced by all.

Victims and witnesses must be given a voice in the debate about international criminal justice in Uganda and the rights of victims should remain paramount.

There is need for close monitoring by regional bodies and the international court to ensure that justice is enforced in a way that is appropriate for humanity.

For God and My Country

Gladys Oyat