

**STATEMENT BY HUMAN RIGHTS NETWORK UGANDA
(HURINET-U) TO THE ASP OF THE ICC AT THE ICC REVIEW
CONFERENCE. KAMPALA MAY 31ST-JUNE 11TH 2010.**

Distinguished Ladies and Gentlemen, we take the honor to welcome you to Uganda-the pearl of Africa; we applaud the government of Uganda for its efforts in hosting this first ICC review conference.

We would also like to applaud the government of Denmark for supporting state delegates visits to Northern and Eastern Uganda that were coordinated by HURINET-U, NPWJ and the UCICC, we especially would like to call upon the ASP to institutionalise state delegates visits to the affected communities within the programme of the Assembly as a way of keeping the state delegates in touch with the realities that affect victims and other affected communities. It is also important that states should make pledges in that regard.

The ICC review conference presents a unique opportunity for states to strengthen the Rome system especially through the stock taking process and possible amendments to the Statute. We encourage states to harness this opportunity and deliver on the promise of an effective, efficient and independent court.

HURINET-U further welcomes efforts by states that have ratified the ICC statute; we however call upon states to further this obligation by domesticating the Rome statute in their national laws.

We acknowledge that state co-operation is at the core of the ICC, without it the court will not achieve fully the purpose for which it was formed; failure by states to co-operate will only undermine its credibility. State co-operation is urgently needed to execute arrest warrants that are withstanding, this is especially necessary with regard to fugitives that maraud in different countries. We also encourage regional and supra-national institutions to provide the necessary support to the court, in this end we call upon the African Union to give greater and unequivocal support to the court.

We welcome the comment by The Prosecutor of the ICC that reparations and compensation do not have to wait for the completion of cases and the entire justice process; this resonates quite strongly with the views of victims

and affected communities in Northern and Eastern Uganda. This obligation to provide compensation should not be abdicated to the court but the states need to take full responsibility for this.

We acknowledge the challenge of delivering justice in the context of an ongoing conflict, there is always the temptation to sacrifice justice at the altar of peace, it noteworthy that peace and Justice are not mutually exclusive but could be pursued reasonably without neglecting either. This is vindicated by the situation in Northern Uganda- at the height of the conflict, victims and affected communities because of inadequate protection demanded for Peace, today because the situation is relatively peaceful; the demands for justice have come to the fore.

We stress that one of the fundamental premises of the Rome statute is the principle of complementarity, states have the first obligation to try crimes appearing in the Rome statute and the court is one of last resort. Thus, national Justice Mechanisms should be fully functional and must not ignore the gravity and seriousness of the crimes that exist within the statute but only to ensure that prosecution is within the requirements in the Rome statute and international human rights instruments.

As civil society we have generated a communiqué that came out of an international symposium on stock taking that was held in Kampala. It is our earnest prayer that it guides the discussion of the state delegates as they partake of the stock taking processes.

We wish you fruitful deliberations.