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Presented By | Emerging Solutions Africa

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Event Rapporteur



## [VICTIMS' COMMUNITY DIALOGUE REPORT]

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## EVENT LOGISTICS

**Venue** | Global Friendship Hotel, Gulu

**Date** | 1<sup>st</sup> August 2018

**Theme** | From the Ground up: *Promoting Dialogue and Engagement within the Victim Community to Agitate for the Timely Implementation of Transitional Justice Processes*

**Number of Participants** | Thirty-Seven (37)

**Number of Facilitators** | Three (3)

**Photography & Videography** | Weng Solutions, Gulu

## PREAMBLE:

The climate setting was made by Lorraine Smith van Lin, the REDRESS Post-Conflict Justice Advisor. She welcomed the participants; and observed that through her interface, Northern Uganda, and Gulu in particular, is perhaps the most researched post-conflict setting. Yet, she decried the extent of the needs that still abound. She implored the victims to take it upon themselves to create support networks on a model she observed in neighbouring Kenya in the aftermath of the 2007 political conflict. She expressed admiration for the robustness of the Kenyan experience. She called upon the victims to work with the new team so that – together with them – they can champion the victims’ cause through a down-to-top approach. She then highlighted the profile, experience and pedigree that the Hon. Lady Justice Nahamya Elizabeth, whom she has closely worked with before, is bringing to the table in pursuit of justice for the victims and victim communities.

## OPENING REMARKS

**Remarks Made By: Hon. Lady Justice Elizabeth Nahamya (Rtd.) | ESA Executive Director**

She introduced herself as a retired Judge who served on the Ugandan bench at the level of the High Court until her retirement.

She gave background to her work with the Transitional Justice processes with wide experiences on International Crimes in Yugoslavia and Rwanda, among others.

She gave assurance of her commitment to the plight of people. Her experiences on the grand corruption then occurring in Nigeria, West Africa led her to initiate Transparency International, Uganda Chapter

She assured the participants that – together with them – we can create a robust critical mass that can influence Government, policy makers and civil society activists to put the plight of the victims on the national agenda.

## SESSION 1

### EXPERIENCE SHARING: VICTIM'S NEEDS AND REALITIES ON THE GROUND

**Facilitated By: Opio Francis | Foundation for Justice and Development Initiatives (FJDI)**

This presentation was largely a group exercise that explored the following questions:

1. What are the fundamental needs of victims?
2. Are these needs needed Collectively or individually?
3. Is it money? Is it food? Or are they bigger and higher needs?
4. What were their unique experiences?
5. How has the war affected each of them to date?

In his preamble, the presenter observed that several petitions that are prepared to Government need to be clearly articulated, qualified and quantified to its logical details of costs. That there is therefore need for a strategic approach to address victims` needs. It was observed that across the trouble spots, almost all conflicts are largely generic, with only a few differences.

To kick start this presentation, each participant was called upon to tell his/her story focusing on personal experiences of what they went through and the challenges currently being experienced in coping with the traumatic experiences. This aimed at bringing out the uniqueness of the respective experiences so as to bring out the big picture from the small (individual) picture. [See summary of participants` feedback below]

#### *TESTIMONIALS*

Three case studies are cited for reference from the many testimonies.

#### **1<sup>st</sup> Testimonial**

##### **Male | Former Driver**

*Josh (not real name) was a truck driver plying the Gulu Kitgum route. On the fateful day he was cautioned that the road was not safe; yet that was his source of livelihood. Along the way, he entered a rebel ambush at the time with 19 passengers on board. He was shot 30 bullets. 8 of those remained in his body. As he drove on, he overran a land mine. 9 passengers were shot dead.*

*The landmine shrapnel destroyed his eye sight and impaired his vision. For 8 years he would not see. All his 4 wives abandoned him.*

*Later with the help from World Vision Uganda, he was identified and taken to South Africa for an eye surgery. Upon his return, he could not see for 3 months. Later they provided him with glasses (spectacles) and gradually he started recovering his sight. Eventually 2 of his wives came back; in any case they already had children with him. Going through due process of medical tests for HIV/AIDS he made up with them. For many years he lived with 13 bomb shrapnel in his body. So far 10 have been removed; 2 were removed just the previous week; with 1 still remaining.*

*It is against this background that he mobilised similar persons and they formed an Association of Victims, operating in Amuru and Nwoya, of which he is the Chairperson.*

## **2<sup>nd</sup> Testimonial**

### **Female | From Pajule, Pader**

*Grace (not real name) was a Primary P.7 pupil at the time of her abduction in 1997. On her 1<sup>st</sup> night in the bush, 3 rebel officers started fighting over right to her body. One of them – in apparent act of laying claim over her – threw his bag at her with the ominous warning that if she did not keep it securely for him, she should consider herself dead. At the time, she confessed, she was still a virgin.*

*In the evening, one of the rebel officers, came and dragged her from her cohort of abductees, took her on the sideline and raped her. Later she was to discover she had conceived. That is how she dropped out of school.*

*Weeks later, she escaped during a fire exchange between the Government and rebel fighters and came to the reception center at Gulu Support Center (GUSCO). While at GUSCO she started feeling morning sicknesses until she was tested. She was confirmed pregnant.*

*Eventually she produced a baby girl. The girl is already in Senior Two (2) at Sacred Heart Secondary School. Her biggest challenge- currently - is how to sustain her daughter in school*

### **3<sup>RD</sup> TESTIMONIAL:**

### **Male | From Moyo, West Nile**

*Interestingly this testimony was an inquiry into the culpability of Government armed forces (NRA/UPDF)*

*The participant expressed dismay that the story is always about Kony; never about Government soldiers who are known to have committed killings. In the 1<sup>st</sup> case he cited his Uncle (one Kalisto Edi) who was killed in cold blood by UPDF soldiers. Under the pretext of stationing at the site to fight LRA and other anti-government forces, this*

*became a focal point for unleashing terror on the population. In the process, his brother was shot at. The bullet was later removed from Kitgum hospital.*

*In the 2<sup>nd</sup> incident, following a rebel attack, the Government forces purportedly in pursuit of the rebels attacked and killed six (6) students and burnt a school truck in the process. So he thinks as the say goes: what is good for the goose is good for the gander, his perception of justice is to bring such Government soldiers- who should have been the ones to protect the population – to face justice too.*

## COMMON CHALLENGES OF WAR VICTIMS

In group discussions that explored the most common challenges of war victims and the top three (3) priorities of victims and victim communities, the following were summarized:

- Children born from war zones
- Interrupted schooling
- Financial problems
- Enmity
- Missing persons
- Lack of means of livelihood
- Corruption
- Exploitation, using the victims' story – until the next workshop
- Victims' identification – a selective approach
- Slow Government's approach
- Entrenched sense of apathy among victims and victims' community
- Unresolved conflicts.
- Medical problems, especially of the women folks
- Loss of family and property
- Real or perceived lack of political will.

## PRIORITIZATION OF VICTIMS NEEDS BY GROUP:

### GROUP I

- Livelihood support
- Resolution of unresolved conflicts like:
- Domestic violence
- Land matters
- Widow chasing off the marital land
- Resettlement of children born of war

- Resolution of conflicts related to
- Medical support
- Livelihood
- Psychosocial support and
- Leadership

#### *GROUP II*

- Advocate for the speedy passing of the Transitional Justice Policy
- Identify and classify victims and build a data base

#### *GROUP III*

- Provide Livelihood
- Provide financial support

#### *GROUP IV*

- Compensate for lost lives and properties
- Expedite the passing of the TJ policy
- Come up with desegregated data on victims

## SESSION II

### EXPERIENCE SHARING: IMPORTANCE OF COMMUNITY OUTREACH – PSYCHOSOCIAL SUPPORT

**Presented By: Robert Adongakulu | Capacity Building Specialist and Victims` Counsellor**

The paper defined psychosocial support as a discipline at the core of victims` support since time immemorial. It then defined Community outreach and barriers to psychosocial support that necessitate Community Outreaches.

The paper then defined different categories of victims and how they relate to a targeted and effective psychosocial support.

The paper then delved into core psychosocial needs: Trauma Management, Providing Social Safety nets and addressing material needs of victims. According to the paper a critical appreciation of these needs makes the case for community outreach interventions.

The paper concluded with challenges that both the victims and victims support agents encounter during Community outreaches.

[See detailed presentation in the annex]

## SESSION III

### OVERVIEW OF THE TRANSITIONAL JUSTICE POLICY

**Presented By: Ogwang A. Ashaba Ingrid | ESA Legal Officer.**

The Legal officer pointed to the Juba Peace Process that concluded with the Juba Peace Accord (2006) as the basis for Uganda Government's commitment to a Transitional Justice Policy (TJP). Out of this the Government put a Technical Working Group vested with dialoguing and recommending a framework for formal Justice Processes and to strengthen the existing ones in the country.

Out of this came a draft policy that promised victims: tradition and custom; formal criminal prosecution; amnesty; reconciliation and nation building and reparations.

Whereas the policy, as a draft, is still before Cabinet Ministers and awaiting approval, options in the policy could nevertheless be used by victims and victim communities. This include, interalia, creation of networks to organize and agitate for change; lobbying the various levels of leadership; actively engaging development partners and civil society players to create awareness and keeping victims' support stakeholders updated on Government's effort for involving them in the T.J process.

## SESSIONS IV

### MOVING FORWARD – VICTIMS EMPOWERMENT AND AGITATION

**Presented By: Chris Ongom | Uganda Victims' Foundation**

The paper sought to focus on how victims may be empowered and agitated as players in the Transitional Justice process.

The paper defined the practical components of transitional justice under the following forms and mechanism

- Traditional justice mechanism
- Formal justice system

- Truth telling process
- Reparation process

The paper also identified and highlighted the following players and stakeholders in the cause of transitional justice:

- Civil society movement
- Academicians
- Activists
- Victims community

Working together, with ability and energy, these should push the cause of the Transitional Justice Process.

N.B. [See detailed presentation in the annex]

CHALLENGES/ OBSERVATIONS:

#### *LANGUAGE*

With two distinct local languages (Luo and Lugbara) arising from the composition of the participants meant the translation was more elaborate. Naturally some meanings could have been lost in the process. Or the exercise could have taken a little longer.

#### *ACCURACY OF TRANSLATION*

Against the request of the translator, many speakers tended to speak on and on without the requisite and appropriate pauses required for effective translation.

#### *ROLES DEFINITION*

The duplication or triplication of the roles of translation, presentation and rappeurtouring in one person meant some of the proceedings might not have been diligently captured.

#### *WAY FORWARD*

#### *VICTIMS' SENTIMENTALITY*

The nature of the subject dealt with meant (i) it was difficult to stop a victim once he/she is telling his/her story since this in itself is part of therapy; and yet time is always limited or (ii) those who could not tell their story felt short-changed. It was evident that some victims were near breakdown.

*TIME FRAME*

A two day exercise would allow more room for these stories that would help enrich feedback.