The Coalition for Reconciliation in Uganda: Important Lessons for Proactive Civil Society Engagement in Catalysing Transitional Justice Discourse

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Introduction

Since 1962, when Uganda gained her independence, the country has witnessed violent conflicts and gross human rights violations and abuses with impunity.1 In just 48 years, Uganda has had eight presidents and regime changes, none democratic. Ugandans are still to witness a peaceful transfer of power after independence. Over 22 violent rebellions and insurgencies have rocked different parts of the country in the last 24 years, the longest being that of the Lord’s Resistance Army (LRA), which has been fighting the government of Yoweri Museveni since it came to power in 1986.2 The LRA has caused the deaths of over 65,000 people in northern Uganda, the displacement of more than 1.8 million people in internally displaced persons (IDP) camps and the abduction of more than 22,000 children.3 Its leadership has been indicted by the International Criminal Court (ICC) for war crimes and crimes against humanity. But since 2005, the LRA has eluded arrest, moved out of northern Uganda and been busy perpetrating atrocities against civilians in northwestern Democratic Republic of Congo (DRC) and parts of the Central African Republic (CAR).4

This paper focuses on civil society organizations' (CSOs) advocacy efforts in shaping the transitional justice terrain in Uganda. It explores a coalition of civil society organizations—the Coalition for Reconciliation in Uganda (CORU)—how it strategized, operated and succeeded in galvanizing support for and championing the cause for peace, justice and reconciliation in Uganda. What makes CORU an example of a proactive CSO coalition? How did it organize better than other CSO coalitions to survive non-governmental organization (NGO) funding politics and bureaucracy? What challenges did CORU face and how did it respond? What came out of CORU and lessons learnt? By sharing CORU’s experiences, some of the above questions might be addressed, but a whole range of other factors equally account for the current state of transitional justice as a discourse in Uganda. My aim is to demonstrate CORU as an example of proactive civil society organizations’ engagement with each other and with relevant stakeholders to push forward the unpopular transitional justice agenda in the prevailing context in Uganda. What can be considered CORU’s successes and weaknesses should be understood in light of the nature of the conflict in Uganda, the role of the state and other non-state actors and the local and international politics involved in the transitional justice debate in Uganda.

The State of Transitional Justice in Uganda

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Uganda today presents a unique challenge for transitional justice practitioners, civil society and human rights groups and persons advocating that Uganda must implement a range of judicial and non-judicial measures in its attempt to come to terms with its legacy of large-scale past abuses and to ensure accountability, serve justice and achieve sustainable peace and reconciliation. The need for implementing credible transitional justice processes gained momentum in 2006 following the Juba Peace Talks between the government of Uganda and the LRA in Juba. Under Agenda Item 3, a whole range of transitional justice measures were proposed that helped the discourse. However, even before the Juba talks, a number of civil society actors were engaged in advocacy for credible measures to pursue peace, justice and reconciliation. The Juba talks therefore consolidated these initiatives rather than kick-started them.

No regime change has occurred in Uganda but there has been a significant shift in the Museveni regime’s policy, from repression and militancy towards some form of democratization and recognition of the need for a peaceful resolution of conflict. At the heart of Uganda’s transitional justice dilemma for CSOs is how to ensure that the regime still in power consolidates its positive attributes in governance, sheds impunity by holding itself accountable and ends ongoing conflicts without relapsing into further violence or abuse of power. While the regime itself is culpable in some of the atrocities, there is need to engage with the government to create a national framework to support ongoing peace initiatives at the grassroots. This effort embodies the struggle to democratize and nurture good governance, as well as the need to end Uganda’s longest and most brutal insurgency, as the LRA remains armed, dangerous and capable of destabilizing the entire Great Lakes region. The ever-growing number of victims of the LRA yearn for immediate cessation of hostility above all other measures of justice, but negotiating peace without “punitive justice” against the LRA is today arguably impossible under international law. This is because there is a standing ICC indictment and warrant of arrest for the LRA’s commanders.

For this reason, Uganda can properly be described as a “transitional justice hotspot,” just like Darfur and other contested contexts like Kenya, DRC and Zimbabwe. A whole range of accountability measures are being juggled to address its justice, peace and governance needs. These include ICC trials, a special war crimes division, a truth and reconciliation commission, amnesties and local customary justice processes such as Mato Oput, Kayo Cuk, Ailuc and Tuno ki Cuka. The question in Uganda today is how best can these mechanisms be harmonized to achieve sustainable peace, justice and reconciliation? Are these mechanisms able to complement each other or are they inevitably contradictory? Is it about sequencing and, if so, what comes when, where, why and how? The transitional justice dilemma for Uganda is therefore practical, not academic. Sometimes commentators portray the peace and justice debate in Uganda as opposition to the ICC. On many

7 See Human Rights Watch, “Trading justice for peace; Benchmarks for Assessing possible alternatives to the ICC; Adequate Penalty Needed” (2007).
9 The JLOS Technical Committee on Transitional Justice is composed of four different committees on Prosecutions, Truth Telling, Traditional Justice Mechanisms and Integrated Approaches.

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occasions, it is coined as the peace versus justice debate. The fact of the matter is that the ICC represents just one justice approach in this equation. While its intervention appears to be problematic and remains contentious, many people in Uganda, including CSOs, are divided on what positive role the ICC could play in shaping Uganda’s transitional justice process. For now the consensus seems to be that it is an obstacle to peace and that the chief prosecutor, Moreno Ocampo, is dining with the devil, given his close personal friendship with Museveni and his failure to investigate atrocities committed by state actors. But the ICC intervention also pushed the transitional justice paradigm in Uganda: it catalysed the creation of a Special War Crimes Division (WCD) in the High Court of Uganda and the recent domestication of the Rome Statute. This means the ICC is part and parcel of any transitional justice process in Uganda.

A Legacy of Violent Conflicts and Impunity

Uganda’s history as a state is dotted with a pattern of atrocities and impunity by both state and non-state actors. The Museveni government is partly responsible for a whole range of human rights violations that took place in the Luwero Triangle before it ascended to power, as well as atrocities in northern Uganda. In spite of the visible change and development Uganda has achieved under its leadership, the regime has since lost its popularity with the masses and is increasingly resorting to repression and election rigging to retain power. The next general election, scheduled for early 2011, is already marred by violence and is being organized by a highly discredited Election Commission. Although northern Uganda is relatively peaceful today and Uganda relatively prosperous, the LRA remains a threat, and CSOs and transitional justice practitioners continue to grapple with concerns related to human rights, good governance, democracy and sustainable peacebuilding in Uganda.

Past Transitional Justice Initiatives in Uganda

Previous attempts to address Uganda’s legacy of violence and foster national reconciliation have had little impact. In many cases such initiatives lacked credibility and were devised by political regimes to purge their guilt but not confront truths, ensure accountability and achieve closure, catharsis healing and a process of national reconciliation. Current transitional justice initiatives in Uganda, however, reflect some international developments and CSO input. While past initiatives were government led and government owned, current processes demonstrate wide consultation and inclusive participation.

Uganda’s Commission of Inquiry into Gross Human Rights Violations, 1974 and 1986

In 1974, Idi Amin set up a commission to investigate disappearances for which he was primarily responsible, and when the findings implicated him, he further terrorized some of the commissioners, causing the rest to flee. The commission barely finished its work and its report was meaningless. In 1986, Museveni instituted another commission to inquire into human rights violations that had taken place in Uganda from the period of independence up to 26 January 1986, when he assumed power. The commission, one of the first of its kind in Africa, was applauded internationally but generated little enthusiasm domestically.\(^\text{18}\) Apart from the chairman, Justice Arthur Oder (Oder Commission), the commission was perceivably staffed by Museveni’s friends and National Resistance Movement (Museveni’s party) loyalists whose impartiality and credibility Ugandans doubted. Eventually all the commissioners were appointed to cabinet and senior government positions, which vindicated Ugandans’ doubts.\(^\text{19}\)

Crippled by financial constraints and insecurity in many parts of the country, the commission took longer than the three-year mandated period and, by the time it finished its work, people had lost interest in its findings. Although it conducted hearings in all regions of the country and received thousands of complaints on gross human rights violations, it heard only a few of these cases. Complaints submitted to the commission were categorized into samples and cases were pre-selected for hearing. There were also serious concerns over witness protection. Although it conducted hearings in all regions of the country and received thousands of complaints on gross human rights violations, it heard only a few of these cases. Complaints submitted to the commission were categorized into samples and cases were pre-selected for hearing. There were also serious concerns over witness protection, as many of the culprits were amnestied, integrated and now serving the new government.\(^\text{20}\) Over 400 alleged victims testified before the commission, mainly local people, but no one came out to testify as a perpetrator before the commission.

CSOs and Ugandan elites shunned the inquiry process, which they considered biased and as having a very restricted mandate. Although the commission’s report made some important recommendations, including the creation of a national human rights commission, many recommendations were not implemented.\(^\text{21}\) Only a handful of perpetrators were prosecuted despite several culprits being recommended for prosecution. The call for the creation of a special tribunal made by Commissioner John Nagenda was outright rejected because it risked destabilizing the new regime’s consolidation of power.\(^\text{22}\) The final report was kept secret and the Ugandan public knew little if anything about the commission’s findings. Also, the commission did not investigate atrocities being committed by Museveni’s own forces, the National Resistance Army (NRA, now UPDF), at the time in northern Uganda, the truth and scale of which are still subject to speculation and a highly contentious political matter.

**Local Councils**

When the NRM came to power, its executive organ instituted the Resistance Council (RC) as a quasi-judicial organ responsible for accountability, peace, justice and democratization at the grassroots and local government levels. Initially, those elected to RC executives were respected elders. Its proceedings were attended by the masses and ruling was based on majority consensus. This made RCs very popular and indispensible in the administration of justice and local governance in Uganda. Increasingly, however, RCs, renamed Local Councils (LCs), became politicized and formalized with executive and judicial powers. Today they are paid allowances by the central government and charge

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\(^\text{19}\) Ibid.

\(^\text{20}\) Ibid.

\(^\text{21}\) Ibid.

\(^\text{22}\) Ibid.
fees to complainants. This has made even LCs, like other formal courts, largely inaccessible to many poor victims.

**Constitutional Reforms**

In 1995, a new constitution was promulgated with a good framework for separation of powers and a presidential term limit, but this was subsequently amended and watered down in a move by Museveni to prolong his stay in power. In 2000, Uganda passed an amnesty law offering blanket amnesty to all insurgents who have been fighting the government of Uganda since 1986. All those who renounced rebellion would be entitled to amnesty certificates and reintegration packages through the Amnesty Commission. This was followed by several peace deals and negotiated agreements with three major insurgent groups operating in eastern Uganda and West Nile, the Uganda People’s Democratic Army (UPDA), the West Nile Bank Front (WNBF) and the Uganda National Rescue Front (UNRF) II. Initially enacted to last for two years, the Amnesty Act has been continually renewed by parliament. In 2010, the Amnesty Act was renewed for two more years. Over 25,000 combatants, including senior commanders and rebel collaborators, have returned, renounced rebellion and been issued with amnesty certificates, with some, like Sam Kolo, former LRA spokesperson, elected into leadership positions.\(^{23}\) Seen as an important incentive to lure insurgents out of rebellion, the amnesty law enjoys considerable support within Uganda and even among victims,\(^{24}\) but many victims continue to demand accountability and reparations to complement the amnesty.\(^{25}\)

**The Need for National Reconciliation in Uganda**

The need for a national reconciliation framework in Uganda was first publicly articulated in 2006 during a three-day National Stakeholders Dialogue convened by the Refugee Law Project (RLP), Faculty of Law and Human Rights and Peace Centre, at Hotel Africana, in which participants recognized the need to move beyond the Juba talks to build a sustainable peace and national reconciliation process in Uganda. The Juba talks initially focused primarily on addressing the northern Uganda conflict. Participants agreed that a committee should be formed to organize a national conference for all civil society actors engaged in reconciliation and peacebuilding activities within Uganda. It was at this conference that a coalition of NGOs and CSOs came together to form CORU with the aim of building consensus on a national reconciliation process in Uganda.

**The Coalition for Reconciliation in Uganda**

CORU was formed as an umbrella network comprising all CSOs, NGOs, academic institutions, religious organizations, peacebuilding organizations, research institutions and networks and individuals working for peace, justice, development or reconciliation in Uganda. CORU’s core mission was to widen the transitional justice agenda in Uganda by pushing for a truth-telling and national reconciliation process to be included in any peace agreement and transitional justice initiative. Unlike other CSO coalitions, CORU operated as a loose umbrella coalition without any formal agreement stipulating its legal or other statuses, including membership and control. The core members who initiated its agenda and held its rotational chair and secretariat were Makerere Peace and Conflict

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\(^{25}\) ICTJ and Human Rights Centre, “Forgotten Voices: A Population Based Survey on Attitudes about Peace and Justice in Northern Uganda” (July 2005). Also see Stephen Oola, “Matsanga should not have been given Amnesty,” *New Vision*, June 11, 2010.

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Studies Programme, RLP, Jamii Ya Kupatinisha (JYAK) Care-Uganda and Civil Society Organizations for Peace in Northern Uganda (CSOPNU). CORU had no need to seek funding to conduct its activities.

CORU members used their peacebuilding and other related funding to push for a national reconciliation agenda as a central pillar in any sustainable peacebuilding. A National Conference on Reconciliation in Uganda was organized under the CORU umbrella in December 2006. During the conference, participants were tasked with sketching their ideas of what a national reconciliation framework for Uganda should look like. The outcome became the first draft of a proposed National Reconciliation Bill for Uganda. Individuals were tasked with researching previous transitional justice initiatives within the country and other processes elsewhere with a view to identifying their strengths, weaknesses and lessons learnt. The coalition held several discussions on the draft bill and revisions were made to resonate with ongoing developments in Juba, especially with the signing of Agenda Item 3. In December 2007, the bill was presented and copies given to members of the LRA and the government peace delegation consulting on the Juba talks at Hotel Africana. Subsequent discussions on the bill were held with the chairman of the Amnesty Commission, Justice P.K. Onega, and some development partners, including the Swedish and Norwegian embassies.

By mid-2008, RLP as the CORU secretariat was charged with the responsibility of further consulting and developing the bill and moving it forward. RLP used its funding for the Beyond Juba Transitional Justice Project to push the adoption of this bill in CORU’s name. Following the national consultation on Agenda Item 3 of the Juba peace process and successful negotiations on its Implementation Protocol, also known as the Annexure, there was a clear mandate agreed upon by the government of Uganda to establish a truth-telling process. The draft bill was further developed and discussed with members of parliament (MPs) under the Great Lakes Parliamentary Forum for Peace (AMANI forum) at Imperial Botanical Beach Hotel in Entebbe. The MPs were trained on the content of the bill and transitional justice imperatives during this workshop co-sponsored by the South African Institute for Justice and Reconciliation (IJR). The proposed draft bill drew valuable additions from reviews and comments from different national and international organizations working on justice and reconciliation issues, like the United Nations Office of the High Commissioner on Human Rights (UNOHCHR) and the International Center for Transitional Justice (ICTJ).

The bill was subsequently discussed with members of the government-appointed Justice Law and Order Sector (JLOS) Technical Committee on Transitional Justice in two separate workshops co-organized by RLP and its international partners, including the Centre for Study of Violence and Reconciliation (CSVR), at Kabira Country Inn in January 2009. This was followed by an RLP-sponsored study tour for judges appointed to the proposed Uganda war crimes division and JLOS members to South Africa for a comparative study on the bill and to learn from the South African experience.

The bill was presented to members of civil society working on reconciliation within northern Uganda, including the Teso and West Nile sub-regions, in Gulu during a two-day workshop at Gusco Peace Centre. In February 2009, a joint discussion on the International Criminal Court Bill and the National Reconciliation Bill was held at the Imperial Royale Hotel with JLOS members, co-hosted by RLP and the Public Internal Law and Policy Group (PILPG). This was followed by yet another discussion on the bill with the chairman of the JLOS working group, Hon. Justice James Ogoola, and a delegation from RLP in which arrangements were made for a final discussion with JLOS members and a formal handover to the JLOS Technical Committee. In March 2008, the bill was reviewed, discussed and amended

together with members of the JLOS committee for two days at the Grand Imperial Hotel, Kampala, and handed over to the Committee on Truth Telling to be forwarded to the First Parliamentary Counsel for a final drafting. The final draft has since been approved by the Law Reform Commission of Uganda, and JLOS is looking for funding to conduct a nationwide consultation with victims of the conflict before it can be tabled before parliament.

Advocating Transitional Justice in Uganda

CSOs under the CORU umbrella therefore had a tremendous impact on Uganda’s transitional justice discourse, given their joint call for a comprehensive and inclusive process for truth telling, national reconciliation and accountability. The prevailing context in Uganda required concerted lobbying for accountability and reconciliation to make transitional justice an issue today considered by the regime in power.

Museveni takes pride in his military successes and believes that all of Uganda’s problems require a military solution. To Museveni, the LRA conflict was a tribal affair or a bunch of bandits that did not merit national attention. Because the rebellion was led by Joseph Kony, an Acholi by tribe, and fought mainly on Acholi land with Acholi largely as its victims, Museveni adopted largely a containment strategy just to avoid the conflict from spreading to other parts of Uganda. He used the LRA conflict in the north to consolidate his power base in the south. Northern Uganda was deliberately isolated and many Ugandans did not know what was going on there. Many of them still cannot appreciate the untold suffering borne during this conflict. Criticism of Museveni’s military policies and his failure to promote peace, ensure accountability and democratize governance was branded unpatriotic and a return to the past—a past clouded in mystery and characterized by falsification of Uganda’s history.

The CSOs under CORU agree that the LRA conflict in northern Uganda is not an isolated incident but part of an ongoing legacy of violence and impunity. Its causes and reason for continuing are indistinguishable from those of the other 22 or more armed conflicts that were suppressed. It is also clear to CSOs operating in northern Uganda that both LRA and government forces committed war crimes and possible crimes against humanity in the region. To deny the LRA sanctuary and weaken its resistance, the government implemented a policy of forcing all civilians in LRA-affected districts from their villages into “protected villages” and what became IDP camps. Over 2 million civilians were displaced and evidence overwhelmingly suggests that more civilian deaths and victimization occurred as a result of government’s strategy to remove civilians from their villages into IDP camps than from war-related casualties.

The International Criminal Court and Transitional Justice in Uganda

When, in 2003, the government referred the situation in northern Uganda to the ICC for investigation, CSOs woke up to the danger of the government manipulating yet again the much-needed transitional justice process for the country. The controversial ICC referral was not helped by the court’s subsequent investigations and conclusions. In what is largely considered a biased finding, the ICC indicted five top LRA commanders and none from the government side. To CSOs this would not simply constitute a miscarriage of justice; there was an added risk of the indictment frustrating their

of impunity.

Furthermore, following the ICC intervention, punitive justice took center-stage in Uganda’s transitional justice dilemma like never before. This triggered the whole peace versus justice debate. CORU and other actors had to operate in a context where justice was increasingly being defined narrowly as trials and punishment. Other imperatives like truth telling, reparations, cessation of hostility, return and resettlement of IDPs, disarmament, repatriation and reintegration of abducted child combatants and reconciliation, which resonated more with local people’s sense of justice, were relegated to the realm of impunity. It was clear to many CSOs at this stage that formal trials would not address the full extent of impunity in Uganda. They called for both sides to listen to voices of victims and emphasized the need to address not just the LRA conflict but also the root causes of all conflicts bedevilling Uganda. CORU made strong calls for both parties to be held accountable and stressed the need to end the violence and engage the whole country in a process of national reconciliation to heal historical divisions and tensions that continue to vex the nation.

CORU Advocacy Strategies

As a coalition, CSOs under CORU set out to map the transitional justice issues in Uganda to demonstrate how past injustices and impunity accounted for the cycle of violence occurring in different parts of the country. Regular meetings were hosted by different member organizations to share emerging issues. Information was shared across various organizations working on peace- and conflict-related issues, including human rights and development in Uganda. RLP, for example, plotted the various atrocities and abuses on a psycho-judicial matrix, identifying gaps in cultural practices, psycho-social therapy or legal redresses. RLP’s Beyond Juba project set out to demonstrate the linkages between Uganda’s conflicts and governance questions that have haunted the country across space and time. Its proactive engagements with key stakeholders across all levels and groundbreaking work on the connection between issues of forced migration, human rights, gender, sexuality, decentralization and transitional justice in Uganda have made RLP a reference point for the government as well as other transitional justice actors.

The National Reconciliation Conference

Although CORU was formally adopted during this conference, the conference itself was organized in CORU’s name. The conference was a big success and inspired even reluctant participants to identify with CORU. While several organizations collaborated to organize the conference, doing so under the CORU umbrella gave the new coalition a big name and platform to launch its manifesto. The media

32 The Juba talks had all the Agenda Items (Cessations of Hostilities / CoH, Comprehensive Solutions to the Conflict /CSC, Accountability and Reconciliation / AAR, Permanent Cease Fire / PCF and Disarmament, Demobilisation and Reintegration / DDR) signed and ushered in over three years of relative peace, but a Final Peace Agreement (FPA) has not been reached.
perceived and portrayed CORU from the beginning as a big coalition of several CSOs determined to move Uganda towards a path of national reconciliation. The stated purpose of the conference was to provide space for local peacebuilders, human rights activists, academics and government actors to discuss what a national reconciliation process in Uganda might look like. Participants at this conference included all key stakeholders and representatives of victims’ groups.

The two-day conference raised several important issues for good governance, accountability and national reconciliation in Uganda. Opinions were divergent on many issues, including the ICC and other justice approaches. However all participants agreed on the need for a national reconciliation process and encouraged the coalition to push for a comprehensive transitional justice process for the whole country. At this conference, the first draft framework of the National Reconciliation Bill was presented for consideration, and participants encouraged CORU to develop this further before its adoption at a later conference to be organized. Although the second conference did not take place, work on the proposed bill continued.

**Drafting the National Reconciliation Bill**

Instead of lobbying the government to enact a National Reconciliation Bill, civil society and CORU members decided it was important to outline to the government what such a process should be. Because of the nature of the state in Uganda, advocating for such a bill, which is clearly not in the interest of the regime in power, would be next to impossible. The alternative was for civil society members to draft a bill themselves and sell it to the government. Aware of all the political and financial implications involved in the passage of a bill, CORU members concluded it was important to draft a bill that not only facilitates a comprehensive transitional justice initiative and kick-starts a process of national truth seeking but also one that could be adopted by the government. Therefore, from the early stages of drafting, CORU started engaging key government officials deemed responsive to the need for national reconciliation and transitional justice initiatives. Individual organizations used their existing contacts within government and in parliament to drum up support for the bill. Increasingly, MPs and some cabinet members began talking the language of transitional justice and calling for the initiation of a process of national reconciliation.

The Juba peace process accelerated the demand for this bill, and when the draft bill was presented to the government delegation and the LRA delegation, both agreed that truth seeking and reconciliation should be a central part of any accountability and reconciliation mechanism. Norbert Mao, current Democratic Party (DP) president and a presidential candidate in Uganda’s 2011 presidential election, has declared that his “Candidature is for National Healing.” Mao was among the first political leaders to be engaged by CORU in its pursuit of a national reconciliation agenda.

**Broad Consultation and Inclusive Participation**

By late 2007, when the government and LRA peace delegations embarked on a nationwide consultation on how to implement the principal agreement under Agenda Item 3, a more polished draft of the bill was presented to both delegations. CORU organized a meeting with the delegations at Hotel Africana during which presentations were made on the bill and the importance of a national reconciliation process in Uganda. When the delegates resumed negotiations, the text and language of the Annexure or Implementation Protocol to Agenda Item 3 on accountability and reconciliation largely reflected the language of the draft CORU bill.

The Annexure demonstrated that the parties had become conscious of the serious crimes, human rights violations and adverse socio-economic and political impact of the conflict. Both sides committed themselves to preventing impunity and to promoting redress in accordance with the constitution as
well as international obligations. They also recognized the need for adopting appropriate justice mechanisms, including customary processes of accountability. In particular, Clause 5.1 in Agenda Item 3 enjoined the parties to the conflict to “promote national legal arrangements, consisting of formal and non-formal institutions and measures for ensuring justice and reconciliation with respect to the conflict... [and recognize] the need for the parties to make modifications in the national legal system to ensure more effective and integrated justice and accountability responses.” On truth telling specifically, the Annexure stipulated that “the government of Uganda also recognized that a comprehensive, independent and impartial analysis of the history and manifestations of the conflict, including the human rights violations, abuses, and crimes committed during its course, is an essential ingredient for attaining reconciliation at all levels.”

**Funding Transitional Justice in Uganda**

The peace talks in Juba attracted international recognition and funding. Many funders chose to prioritize particular aspects of the peace agreements, with many opting to fund prosecutorial initiatives. From the beginning, the success of the talks and the highly wrought contents of the agreements prompted pro-ICC funders to pour money into Uganda, seeing a potential case study for positive complementarity between the ICC and domestic peace processes. This was the case until the talks reached a stalemate and collapsed when it became clear to the indicted LRA leaders that the ICC arrest warrants would not be removed. By December 2008, the LRA was attacked by a joint military offensive of Congolese and Sudanese forces led by the UPDF, effectively bringing the Juba peace talks to an end. This operation, dubbed “thunder lightening,” dented hopes of ending the LRA war peacefully and cast doubt over Uganda’s transitional justice process. However, in preparation for the implementation of the peace agreements, the government of Uganda had already established the JLOS working group to examine different ways of operationalizing the agreements. Funding for JLOS activities came largely from international donors. Even though the talks collapsed without a final peace deal, JLOS came under constant pressure to implement parts of the agreement irrespective of the final outcome of the peace talks.

Because funds were available, the judiciary rushed to set up a special division within the High Court of Uganda, purportedly to try those accused of having committed the most serious crimes. The principal judge, Justice James Ogoola, appointed three judges to staff this court, even though there was no corresponding legislation to govern the court. Also there was a long line of funders willing to fund JLOS to conduct a nationwide consultation over the War Crimes Division to fast-track its establishment. It was evident at this stage that all transitional justice initiatives were geared at satisfying the complementarity test. Legal experts were flown in from New York to guide JLOS through the content of the ICC domestication bill and to set up the special division. With Uganda slated to host the ICC review conference, the ICC Bill was quickly enacted into law. Today the War Crimes Division is all set, with three judges and a registrar but with no suspect to prosecute because state actors are potentially excluded from its jurisdiction.

**Funding Truth-Seeking Initiatives**

The capacity of CSOs in Uganda to promote a comprehensive transitional justice approach was adversely affected by funders’ preference for particular transitional justice mechanisms, especially the prioritization of prosecutions over truth seeking and other accountability measures. While JLOS was persuaded by donors and had to choose whose money to accept to conduct consultations on the ICC Bill, today it is still struggling to find a funder for consultations on the proposed National Reconciliation Bill. According to JLOS, the NR Bill was scheduled to be tabled alongside the ICC Bill before parliament but funders were more interested in the court than in a truth commission. Some donors made it clear to JLOS that they would not give money for a joint consultation on the NR Bill alongside
the ICC Bill. As a result, the NR Bill was shelved while discussion and consultation progressed on the ICC Bill. And yet, it is the NR Bill that seeks to harmonize the different mechanisms, including traditional justice systems. Subsequently, when the ICC Bill was enacted and the review conference had ended, donor interest faded away from Uganda because some international funders’ look at the War Crimes Division and conclude that justice shall be done.

**Conclusion and Lessons Learnt**

The advantage of a loose coalition lies in the very fact that no one owns it and yet everyone works under it. Everyone takes credit for its successes but no one takes blame for its failures. It gives credibility to smaller organizations while allowing bigger ones to shape emerging discourses. In the case of CORU, even though the Beyond Juba project of Refugee Law Project did all later work on the bill, the organization could not claim ownership but had to attribute its outcomes to the aspirations of CORU members. Most organizations agitating for reconciliation in Uganda still introduce themselves as part of a bigger movement, CORU. Loose coalitions are open to a diverse range of membership with different backgrounds, capacity, knowledge, audiences and networks, and together their potential for transformation is enhanced. Transitional justice understanding was integrated into each organization’s activities and shared broadly. The coalition had overarching goals for national reconciliation, which meant that local actors at the grassroots equally took credit for contributing to this goal.

CORU maintained its status as a loose coalition. Today it is still possible to organize an event under the CORU umbrella. Even though it is largely inactive, CORU can be easily activated if there is need for joint advocacy. Being a loose coalition, any CSO working for reconciliation can call upon others who share the vision for national reconciliation to engage with it as CORU. The first time CORU tried to go formal by proposing a draft memorandum of understanding, some members stopped attending meetings. It was only after the Beyond Juba project was formed that Refugee Law Project revived CORU. A loose coalition works best if it maintains its informal status. CSOs operating in post-conflict or repressive regimes are wary of coalitions, which might endanger their own survival. Many are part of international organizations or funders with long lines of bureaucrats.

This is not to suggest that structured coalitions are inherently ineffective. To the contrary, the nature of a coalition, loose or structured, must be determined by the tasks at hand, why they might be better accomplished by a coalition, the anticipated membership, the desired extent and duration of engagement, as well as the need for and sources of funding. Advocating transitional justice is political and not many actors agree on what measures are most appropriate when and where; therefore a structured coalition might leave out credible actors that would pursue the same goals. For CORU, every organization retained its autonomy and continued its activities, but during lobbying, advocacy or briefings, each would enhance its credibility with the claim of belonging to a broader, nationwide CSO movement aimed at achieving a national reconciliation process in Uganda.