

PRESS RELEASE

"DOMINIC ONGWEN'S SENTENCE: A STEP FORWARD IN UGANDA'S TRANSITIONAL JUSTICE PROCESS"

11 May 2021

6 May 2021 will remain a memorable date in the history of victims of international crimes in Uganda, especially for those who suffered attacks from the Lord's Resistance Army (LRA). Four years since the trial began and nearly two decades after some of the crimes for which he was convicted were committed, Dominic Ongwen has been sentenced to 25 years imprisonment. This sentence comes at a time when the victims of the LRA are still grappling with the after-effects of the conflict.

The 25-year sentence is more than the 20 that were recommended by the prosecutors but falls short of the life sentence demanded by the victims' lawyers. The presiding judge, Bertram Schmitt, explained that the panel of judges had considered sentencing Dominic Ongwen to life imprisonment, the court's harshest punishment, but had decided against it due to the defendant's own personal mitigating factors, the fact that he was abducted and recruited into the rebel group as a child. Through the different media houses, [the victims expressed mixed reactions to the sentence](#). To many, Dominic Ongwen's childhood and past were determining factors of influence while others expressed discontent with the sentence for being lenient and the impracticalities regarding reparations to victims.

More significantly, the Trial Chamber issued an [order for submissions on reparations](#). It emphasized that the right of victims to reparations is an essential part of the system of justice, and stated that it will push forward the reparation stage of the proceedings with vigour and the utmost care.

The Chamber took into consideration the interests of the victims and specifically noted that the crimes for which Mr Ongwen was convicted took place more than 15 years ago and thus reflected that the reparations phase of the proceedings should advance as efficiently and expeditiously as possible, avoiding unnecessary delays. To fast track the process, [the chamber instructed that the parties should make submissions as specific as possible by Monday 6 September 2021](#).

The reparations proceedings will offer the International Criminal Court (ICC) an opportunity to set benchmarks for other justice processes by listening to victims and delivering reparations that properly address their needs and expectations. It should however be noted that reparations ordered by the ICC will leave out a number of victims, including those in Uganda who were subjected to LRA crimes outside of the geographic areas covered by the trial.

Other Victims fall outside the scope of this judgment, such as those who suffered [atrocities committed by government soldiers](#). Hence for the benefit of many other victims (who fall outside of the jurisdiction of the Ongwen case), to whom the Ongwen judgement might be merely symbolic, it is important that the Government of Uganda takes into account the development of a comprehensive reparations program.

This is even more important considering that [the current policy addresses the question of reparations very vaguely](#). Uganda, who is still in the process of drafting its Transitional Justice Act, should use the reparations proceedings before the ICC as a benchmark for its future legislation.

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