


Procedure file

Basic information		
RSP - Resolutions on topical subjects	2008/2637(RSP)	Procedure completed
Resolution on the indictment and bringing to trial of Joseph Kony at the International Criminal Court		
Subject		
6.10.08 Fundamental freedoms, human rights, democracy in general		
6.10.09 Human rights situation in the world		

Key players	
European Parliament	

Key events			
21/10/2008	Results of vote in Parliament		
21/10/2008	Decision by Parliament	T6-0496/2008	Summary
21/10/2008	End of procedure in Parliament		

Technical information	
Procedure reference	2008/2637(RSP)
Procedure type	RSP - Resolutions on topical subjects
Procedure subtype	Urgent debate or resolution
Legal basis	Rules of Procedure EP 120
Stage reached in procedure	Procedure completed

Documentation gateway					
Motion for a resolution		B6-0536/2008	14/10/2008	EP	
Text adopted by Parliament, single reading		T6-0496/2008	21/10/2008	EP	Summary
Commission response to text adopted in plenary		SP(2008)7292	12/02/2009	EC	

Resolution on the indictment and bringing to trial of Joseph Kony at the International Criminal Court

Following the debate which took place during the sitting of 12 February 2007, the European Parliament adopted a resolution tabled by the Committee on Development on the indictment and bringing to trial of Joseph Kony at the International Criminal Court. It recalled that in July 2005 the ICC issued a warrant of arrest for Joseph Kony, the Chairman and Commander-in-Chief of the Lords Resistance Army (LRA), which is ostensibly fighting against the Ugandan government, under 33 counts of alleged crimes against humanity and war crimes. These include murder, rape, enslavement, sexual enslavement, and inhumane acts of inflicting serious bodily injuries and suffering, and forced enlistment of

children. Warrants of arrest have also been issued for the other top LRA commanders, including Vincent Otti, Okot Odhiambo and Dominic Ongwen. Kony has until now refused to sign the Final Peace Agreement until the ICC warrants of arrest and some other issues within the Agreement are resolved. Members note that he used the respite during the peace process to regroup and reorganise his LRA forces in the DRC, and, owing to the inability of the States Parties to arrest Kony and the other LRA commanders, the LRA is currently expanding its forces through abductions.

Parliament calls on the Government of Uganda and the governments of the neighbouring countries, in particular the Democratic Republic of Congo (DRC), to cooperate fully with the ICC in its investigations and prosecutions, and cooperate particularly in arresting and surrendering Joseph Kony and other persons charged by the ICC. It deeply deplores the halting of efforts to promote the arrest of Joseph Kony and other persons charged by the ICC. It reminds the Government of Uganda that as a party to the Rome Statute of the ICC it is under a duty to cooperate fully with the ICC. The Ugandan Government is urged to refrain from concluding any agreements with the LRA that would circumvent international law.

The resolution demands the unconditional and immediate release of all persons abducted by the LRA, particularly children, who risk ending up as sex slaves or being forced to fight for the LRA. The international community is asked to carry out investigations into recent alleged LRA abuses in the Central African Republic (CAR), the DRC and Southern Sudan, and reported unpublicised UN inquiries into abuses in the CAR.

Parliament calls on the governments in the region, the UN Mission in the Democratic Republic of Congo (MONUC) and other international observer governments to the peace talks to track and make public the LRA's movements through intensified monitoring of regional borders and to monitor and interdict the flow of weapons and other supplies to the LRA. There must be effective plans to execute the ICC warrants of arrest while minimising the risk to civilian life and without the use of excessive force, including by using MONUC. The Government of Sudan must stop providing financial and military support to the LRA.

The EU Member States, especially those which have been involved in Uganda and the Juba peace process, are called upon to coordinate with regional governments and the UN secretariat and peacekeeping forces with a view to the execution of the ICC warrants of arrest for LRA leaders. Parliament is worried about the absence of clear efforts to avoid diversion of international aid to the LRA, thus allowing Joseph Kony to rearm. It urges the cutting of LRA supply networks. EU and international donors must support the disarmament, demobilisation and reintegration of former LRA combatants, the return of IDPs and reparation for victims.

Parliament welcomes the close and regular contacts between ICC senior officials and the EU, noting the strong EU support for participation in and implementation of the Rome Statute. It stresses that EU leadership is essential for the enforcement of the ICC mandate. Parliament strongly believes that, in the long term, the ICC contributes to the prevention of new atrocities. It points out that the failure to arrest Joseph Kony has resulted in the continuation of atrocities and human rights abuses. It stresses that peace and reconciliation cannot be achieved without justice for victims.

Lastly, Members recommend that the ACP-EU Joint Parliamentary Assembly follow closely the situation in northern Uganda and human rights violations by the LRA.