

An Examination of the Effectiveness of the Procedures of Accessing Amnesty in Uganda

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Abstract

The development of any country largely depends on the peace, tranquillity and security pertaining in that country and the neighbouring countries. It is therefore incumbent on national governments to ensure that there is stable peace to ensure stable and equitable development. Therefore, in the event that a conflict has occurred, every effort must be put in place to ensure that peaceful means of resolving conflicts including amnesty are employed to end conflicts and ensure sustainable peace and development.

This paper aimed at examining the effectiveness of the procedures of accessing amnesty in Uganda. Uganda as well as in other countries where amnesty has been used to amicably end conflicts and ensure sustainable peace, the whole amnesty process has always been inhibited by the procedures that an amnesty applicant passes through to access amnesty. Therefore, an examination of the effectiveness of the procedures of accessing amnesty in Uganda was a timely publication. The paper is an excerpt from a larger PhD study by the author entitled *Amnesty as a panacea to conflict: An assessment of the Contribution of Amnesty to conflict resolution and sustainable peace in Uganda*. The study was guided by the desire to end conflicts and wars through the use peaceful conflict resolution mechanisms like amnesty. The study adopted mixed research methods as both quantitative and qualitative study designs were used. A questionnaire was used to collect data from one thousand respondents spread throughout the five districts in Uganda that were studied and each district representing one region out of Uganda's five regions. In addition, one-on-one interviews were held with several key informants like reporters, Resident District Commissioners of the sampled districts, staff of NGOs that were involved in the receiving of reporters, some sections of the security apparatus, lawyers and religious leaders.

The results of the study showed that knowledge of the procedures of accessing amnesty by an amnesty applicant is paramount in the effectiveness of the entire amnesty process. The findings of the study are beneficial to the academia, public policy makers, the NGO world, peace negotiators and politicians because they depict how the procedures of accessing amnesty are a cornerstone in the entire amnesty process and what should always be done to ensure that such procedures are well disseminated to all the would-be amnesty beneficiaries as well as the general public for the benefit of all stakeholders in the amnesty process. This rationale behind this study was to highlight the challenges amnesty seekers face as a result of the stringent procedures in their pursuit of freedom after conflict.

KEYWORDS: Amnesty, Sustainable Development, Sustainable peace, Good governance, Conflict Management, Conflict resolution

Introduction

It is a widely held view that when amnesty is granted at the end of a conflict, peace must return to the war-torn community (Amnesty Act 2000)¹. However, owing to the several stringent procedures that amnesty seekers have to pass through to access amnesty; this is not usually the case as the much needed peace does not easily return to the community so easily. And; some of the hindrances to this anomaly are the strict procedures that an amnesty applicant has to pass through to access amnesty. Some of those hindrances include ignorance of the amnesty law, applying for amnesty in person and in writing at designated amnesty centres, declaration of abandonment of rebellion and swearing

never to return to such subversive activities and many others. It is such stringent procedures that are partly to blame for the delay of the return of peace to communities torn by conflict as well as ineffectual amnesty processes.

The traditional held view that war mongers should account for their criminality is slowly being watered down by the ubiquitous the desire to peaceful end conflicts by use of peaceful means. However, this peaceful process is thwarted by several limitations as a result of the demands of the strict procedures that limit the effectiveness of amnesty.

Findings

Below is a discussion of the findings on the examination of the effectiveness of the procedures of accessing Amnesty in Uganda.

Knowledge of the procedure of applying for amnesty in Uganda

When the respondents were asked of their knowledge of the procedure for applying for amnesty, their responses were as shown in the table below.

Table 1: Knowledge of the procedure of applying for amnesty in Uganda

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No	279	76.2	76.2	76.2
	Yes	82	22.4	23.1	100
	Total	361	98.6	100.0	
Missing	System	5	1.36		
Total		366	100.0		

The information obtained from the respondents as shown in the table above shows that 76.2% of the respondents didn't know of the procedure for applying for amnesty. This meant that this big section of the respondents represented a majority of the Ugandan population who don't know the procedure for applying for amnesty. It can be argued that if a population does not know of the law they are supposed to benefit from, the chances of such a law achieving its objective are usually minimal. It was only 22.4% of the respondents that said they knew the procedure for applying for amnesty. This means that some members of the population may have not applied for amnesty because of their ignorance of the procedures for applying for amnesty (Fay 1993²; Remenyi, Swan & Van Den Assem 2011³).

In an interview with a reporter in Bundibugyo district, he said that "I know the procedure for applying for amnesty because I applied for it" (RP 1, Name withheld, Interview held with the respondent on January 06, 2015). However, in another interview with a returnee in Katakwi district, he said that "I don't know the procedure for applying for amnesty because I heard that it's very long so I didn't apply for amnesty" (RP 2, Name withheld, Interview held with the respondent on January 14, 2015). From the two responses above, it can be deduced that if many returnees as well as their relatives knew of the procedure for applying for amnesty, many returnees would have applied for amnesty.

In any of the above arguments, it is of paramount importance that reporters and the general public know of the procedures for applying for amnesty because on the side of reporters, it's important to know the procedure for applying for amnesty because they need to apply for it and let their colleagues still in the bush know of it and apply for it too. Similarly, the general public need to know of the procedure for applying for amnesty so that they could encourage their returnee-relatives to apply for it for the rebuilding of their communities using peaceful and sustainable means after a conflict. This therefore calls for massive and sustained ways to sensitise the masses and the reporters to ensure that they are knowledgeable of the procedures of applying for amnesty.

Knowledge of the procedure for applying for amnesty in Uganda necessarily means that a person knows the amnesty Act (2000) because it is therein that the procedure for applying for amnesty is written. And since many Ugandans don't know or have never read of the amnesty Act (2000), then not knowing the procedure for applying for amnesty cannot surprise many. Just as (Wilson & Kenny (2007⁴) state, knowledge of a law is key to its success, therefore, knowledge of the amnesty Act and consequently the procedure for applying for amnesty was key to its success or lack of it. It is believed that if people supposed to benefit from a law know that law, its chances of success

increase by a great margin (Marson 2013⁵). If the amnesty Act (2000) was well known by many Ugandan citizens, it would have greatly achieved its intended objective.

As Combe (1803⁶) states, the ignorant resistance to any law greatly hinders its success. Many people naturally hate law and order. Therefore, any law is usually met with stiff resistance from many citizens and this situation worsens when those opposing such a law are ignorant of that law. Ignorant resistance to a law is the biggest hindrance to the success of any law as a lot of hate is pushed over it even when the law is to the benefit of those ignorantly resisting it. In such an environment, even the best law cannot achieve its intended objective. In the Ugandan case, many people did not know of the amnesty Act (2000) and therefore, the law was ignorantly resisted which made it lack the legitimacy to be well understood, implemented and appreciated. As Husak (2016⁷) contends, even though a person ignorant of a law is as culpable as a person who knows the law when both of them break that law, this is not the case when it comes to the implementation of that law. This is because the one who knows the law will knowingly implement it or refuse to implement it while the one who is ignorant of it will ignorantly resist its implementation.

Procedure of Applying for Amnesty in Uganda

When the respondents were further asked if they knew the procedure for applying for amnesty in Uganda and the following were their responses as shown in the table below.

Table 2: Procedure for applying for Amnesty in Uganda

Procedure for applying for Amnesty in Uganda		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Reporting, Registration, Application, Grant of amnesty, resettlement	101	27.59	27.59	27.59
	Application, Registration, Grant of amnesty, resettlement	199	54.37	54.37	81.96
	Application, Grant of amnesty, registration, resettlement	56	9.57	9.57	91.53
	Application, Resettlement, grant of amnesty, reporting	05	1.36	1.36	92.89
		361	94.26	100	94.26
	Total Missing	05	1.36	1.36	100.0
Total		366	100		

The respondents were asked if they knew of the procedure for applying for amnesty in Uganda and the above responses were given. A majority of the respondents (54.37%) reported that the procedure for applying for amnesty in Uganda is application, registration, grant of amnesty and resettlement. Another 27.59% said that the procedure for applying for amnesty in Uganda is reporting, registration, application, grant of amnesty and resettlement (9.57%). Lastly, only 1.36% of the respondents said that the procedure for applying for amnesty in Uganda is application, grant of amnesty, registration and resettlement. It is argued that knowledge is power. Therefore, the knowledge of the procedure of applying for amnesty in Uganda was an important aspect in the entire amnesty process because if a member of the public or a would-be beneficiary of amnesty didn't know of the procedure of applying for amnesty in Uganda, the chances for applying for amnesty let alone; the chances for an amnesty process achieving its intended objective would surely be limited. Harris (2013⁸) contends that the knowledge of the procedure for applying for amnesty is not only good at promoting knowledge but also creating experiential understanding where individuals apply the information to one's own situation and advantage. Admittedly, the limited knowledge of the procedure for applying for amnesty in Uganda may have had serious repercussions on the success of amnesty in Uganda as many people were not aware of the procedure for applying for amnesty.

Additionally, there was confusion on the forms of amnesty that were being implemented in Uganda. The formal amnesty process allowable under the amnesty Act (2000) got mixed up with the traditional amnesty processes like "Mato Oput" in Northern Uganda where citizens understood and preferred the traditional method of amnesty as per the Acholi culture as opposed to the formal amnesty process as enunciated by the government under the amnesty Act

(2000). It can be argued therefore that the knowledge of the Ugandan legislation on amnesty and the local rituals on forgives were necessary for the harmonisation of amnesty processes in Uganda (Clarke 2009⁹; Nouwen 2013¹⁰). Unfortunately, this harmonisation did not take root as the culturalists and formalists disagreed on which method of forgiveness was better and on how both of them could be used to end conflict in Uganda and achieve peace.

This lack of harmonisation of these two views on how amnesty could be implemented in Uganda was a big factor in limiting the success of amnesty in Uganda. It can be stated that if the cultural forgiveness practices were formally incorporated in the amnesty Act (2000), it is believed that amnesty in Uganda would have achieved its intended objective. Parallel amnesty processes and mechanisms can both be used to achieve the same objective but need to be well streamlined in terms of law and implementation (Clarke 2009¹¹; Nouwen 2013¹²). If this is not done in the formative stages of an amnesty process, one of them is likely to overshadow the other to the total detriment of the entire amnesty process. This seemed to have been the case of amnesty in Uganda because the traditional amnesty mechanisms were never incorporated in the Amnesty Act (2000) which led to the total relegation of those traditional amnesty practices in the mainstream implementation of amnesty.

Knowledge of anyone who has ever applied for Amnesty in Uganda

This question required the respondents to show their knowledge of anyone who has ever applied for amnesty in Uganda and their views are shown in the table below.

Table 3: Knowledge of anyone who has ever applied for Amnesty in Uganda

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No	301	83.3	83.3	83.3
	Yes	60	16.6	16.6	99.9
	Total	361	98.6	100.0	100
Missing	System	5	1.36		
Total		366	100.0		

An analysis of the respondents' views showed that a majority of them did not know anyone that has ever applied for amnesty. This is so because of many reasons mainly; former rebels don't want to be publicly identified, they live secretive lives, they have a lot of fear and always apply for amnesty secretly. For these and other reasons, former rebels and even reporters are not comfortable being identified as so hence the high number of respondents (83.3%) that responded that they did not know anyone that has ever applied for amnesty. In an interview with a reporter in Bundibugyo district, he said that "I know many reporters who applied and got amnesty because I was going through that process with them". (RP 1, Name withheld, Interview held with the respondent on January 06, 2015). Only a paltry 16.6% of all respondents reported that they knew someone who has ever applied for amnesty. And this could possibly be relatives of reporters, reporters themselves or public officials directly involved in amnesty implementation (Parekh 2009¹³).

If yes to the question above, did that person succeed in getting Amnesty?

The respondents were further asked if the person they knew that applied for amnesty had actually received amnesty or not.

Table 4: Whether an applicant for amnesty received amnesty or not

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No	69	18.8	18.8	18.8
	Yes	12	3.2	3.2	22
	Not sure	280	76.5	76.5	76.5
	Total	361	98.5	100.0	100
Missing	System	5	1.36		
Total		366	100.0		

From the table above, a majority of the respondents were not sure of whether the people they knew to have applied for amnesty got amnesty or not (76.5%). Another big number of respondents (18.8%) said that they did not know at all whether those who applied for amnesty got it or not. It was only 3.2% that said that the people they knew who

applied for amnesty actually got amnesty. From this analysis, it can be deduced that many people in the communities didn't know whether the people who applied for amnesty got it or not. This could be because of the secretive lives that reporters live in communities for fear of retribution (Parekh 2009¹⁴).

Whether the procedures of accessing amnesty in Uganda were effective or not

The respondents were further asked whether the procedures for accessing amnesty in Uganda were effective or not and their responses were as follows.

Table 5: Whether the procedures of accessing amnesty in Uganda were effective or not

Whether the procedures of accessing amnesty in Uganda were effective or not		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No	283	77.32	77.32	77.32
	Yes	78	21.31	21.31	98.63
	Total	361	98.6	100.0	100
Missing	System	5	1.36		
Total		366	100.0		

The table above shows the respondents views on whether the procedures for applying for amnesty were effective or not. Accordingly, 77.32% a majority of the respondents reported that they did not know whether the procedures for applying for amnesty were effective or not. It was only 21.31% of the respondents that reported that the procedures for applying for amnesty were effective. The knowledge of whether the procedures of accessing amnesty were effective or not depended on several factors including knowledge of the amnesty Act (2000), knowledge of anyone who has ever applied for amnesty and got it or didn't get it and knowing those procedures of applying for amnesty themselves or not, knowledge of number of reporters that got amnesty and many other factors. That's when a respondent would be able to say whether the procedures for applying for amnesty were effective or not (Human Rights Watch 2003¹⁵; Parekh 2009¹⁶).

Effectiveness of the Procedures of accessing amnesty in Uganda

When the respondents were also asked of how effective the procedures of accessing amnesty in Uganda were, the following were their responses as shown in the table below.

Table 6: Effectiveness of the Procedures of applying for Amnesty in Uganda

Effectiveness of the Procedures of applying for Amnesty in Uganda		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Many rebels reported	101	27.59	27.59	27.59
	Many reporters applied for amnesty	199	54.37	54.37	81.96
	Many reporters were resettled	10	2.77	2.77	92.89
	Total	361	94.26	94.26	97.03
	Missing	5	1.36	1.36	
Total		366	100		100.0

The table above shows the number of respondents that knew of how the procedures of applying for amnesty were effective. It was revealed by a majority of the respondents (54.37%) that the procedures of accessing amnesty in Uganda were effective because many reporters applied for amnesty. It can be seen that given the number of rebels that reported, one can argue that the procedures for applying for amnesty in Uganda were effective. For example, the Amnesty Commission report (2013) reports 26,390 rebels reported after going through the procedures of applying for amnesty. This view is re-echoed by Cheney (2007¹⁷) as well as Darehshori (2009¹⁸) who report that many rebels reported with the promulgation of the amnesty Act (2000).

Another 27.59% of the respondents further said that the procedures of applying for amnesty in Uganda were effective because many rebels reported. The amnesty commission reports that many rebels reported, applied for amnesty (Dolan 2009¹⁹; Steidl 2017²⁰; Amnesty Commission Report 2013²¹). Whereas the Amnesty Commission report (2013) reports 26,390 rebels having reported, one is not very sure whether this number represents many rebels having reported because the exact number of rebels that did not report is unknown. It is good that a big number of rebels reported but not all of them applied for amnesty as some stealthily rejoined the local communities incognito.

The effectiveness of the procedures of accessing amnesty in Uganda was also seen in having many reporters getting amnesty (9.57%). The amnesty commission report (2013) reports that by 2013, 26,390 rebels had reported; applied for amnesty and granted amnesty. Definitely, if there wasn't the amnesty Act (2000), all these rebels wouldn't have reported and applied for amnesty (Doran 2009²²; Steidl 2017²³). It is worth noting that if there had been more vigorous efforts by the Amnesty Commission like intensive sensitisation and information dissemination within and outside Uganda, many rebels would have given up rebellion, reported and applied for amnesty. For several reasons like limited finances and human resources however, the Amnesty Commission was unable to fully realise its mandate hence limiting the effectiveness of the procedures for accessing amnesty in Uganda.

The smallest percentage of the respondents revealed that the procedures of applying for amnesty in Uganda were effective in a way that many reporters were resettled. Many reporters were resettled (20,715) as Rodriguez (2003²⁴); Muggah (2009²⁵); Steidl (2017²⁶) as well as Amnesty commission (2013) report. There were many other reporters that were not yet resettled because of limited logistics (Amnesty commission report 2013). With more resources, all the reporters would have been resettled and with a bigger resettlement package. This would have attracted even more reporters that hadn't formally reported or even attracted more rebels from the bush to report.

The determination of the effectiveness of the procedures of accessing amnesty in Uganda depended largely on whether those procedures for applying for amnesty were well known to the public and particularly to reporters or not. Additionally, as a result of the knowledge of those procedures, how many former rebels applied for amnesty after following those procedures? The effectiveness of those procedures could also be determined by seeing the number of applicants that actually got amnesty (Quénivet & Shah-Davis 2010²⁷; Dolnik & Butime 2017²⁸). This means that if the procedures for applying for amnesty were not effective, such a number of rebels wouldn't have reported. And since the number of rebels still in the bush is not known, then one can say that the procedures for applying for amnesty were effective.

Ineffectiveness of the Procedures of applying for Amnesty in Uganda

When the respondents were asked to give their views on the ineffectiveness of the procedures of applying for amnesty in Uganda, their views are as shown in the table below.

Table 6: Ineffectiveness of the Procedures of applying for Amnesty in Uganda

Ineffectiveness of the Procedures of applying for Amnesty Uganda		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Requirement to first abandon rebellion	111	30.74	30.74	30.74
	Identification of reporters	180	49.86	49.86	80.6
	Knowledge of reasons for rebellion	60	16.62	16.62	97.22
	Little resettlement package to reporters	05	1.36	1.36	98.58
	Total	361	94.26	100.0	100.0
	Missing	05	1.36	1.36	
Total		366	100		

When the respondents were asked of the ineffectiveness of the procedures for applying for amnesty in Uganda, nearly half of the respondents (49.86%) said that the procedure for applying for amnesty in Uganda was ineffective in as far as it required the identification of reporters. Human Rights Watch (2003²⁹) reports that former armed

combatants are scary to identify themselves because they fear retribution from the local community members who may wage revenge against them for the wrongs their group committed on the civilians while still in the bush. This necessitated for example having the amnesty commission headquartered in conflict areas where access by reporters would be easier and cheaper than in Kampala (Parliamentary Debates 2010³⁰).

The other way how the procedure for applying for amnesty in Uganda was ineffective was in the way that it required the amnesty applicants to formally first abandon rebellion. This view gathered 30.74%. This means that one had to leave the bush, report to the authorities, and apply for amnesty and sign a statement that they had abandoned war or rebellion. This was a hard requirement for the rebels to make and implement as it meant being publicly identified as they applied for amnesty (Clarke 2009³¹; Danver 2011³²; Fisher 2013³³). Abandoning rebellion is one thing and publically declaring that one was a rebel is completely another thing altogether. The former can easily be decided upon and implemented but the later may be hard a decision to take and may limit the effectiveness of amnesty in achieving its intended objective.

The other way how the procedure for applying for amnesty in Uganda was ineffective was the fear to disclose the reporters' knowledge of reasons for rebellion during registration. This view raised 16.62% of all respondents' views. As De Vos, Kendall & Stahn (2015³⁴) as well as Sitze (2016³⁵) report, dissemination of all the facts about rebellion as a condition for amnesty may lead to a procedure for applying for amnesty to become ineffective. Needless to note is the fact that a majority of the reporters had joined the armed rebellion against their wish as they had been kidnapped and forced to wage war against their fellow citizens and therefore bore a lot of shame because of the harm they had inflicted on the local communities. This too limited the effectiveness of the procedure for applying for amnesty in Uganda.

Lastly, the other way how the procedure for applying for amnesty in Uganda was ineffective was in the way that after all the rigorous procedure to apply for amnesty, the resettlement package given to reporters was a paltry 263,000UGX. This may have made the procedure for applying for amnesty in Uganda ineffective because the resettlement package was very little that it couldn't encourage more rebels to abandon rebellion and apply for amnesty. As Uganda Poverty Status report (2005³⁶) as well as Parliamentary Debates (2010³⁷) as well as Lessa & Payne (2012³⁸) report, limited finances is a key hindrance to the effectiveness of the procedure of an amnesty process. This may limit the effectiveness of the procedure of an amnesty process in form of limited staff, limited coverage of the areas in need of the services of an amnesty commission as well as in giving little resettlement packages to the reporters.

Challenges faced by Amnesty Seekers in Uganda

Despite the fact that the Amnesty Act (2000) has been in existence since the year 2000, it does not necessarily mean that all is well for amnesty seekers in Uganda as several challenges were cited by the respondents as shown in the figure below.

What do you think are the challenges faced by Amnesty Seekers in Uganda?

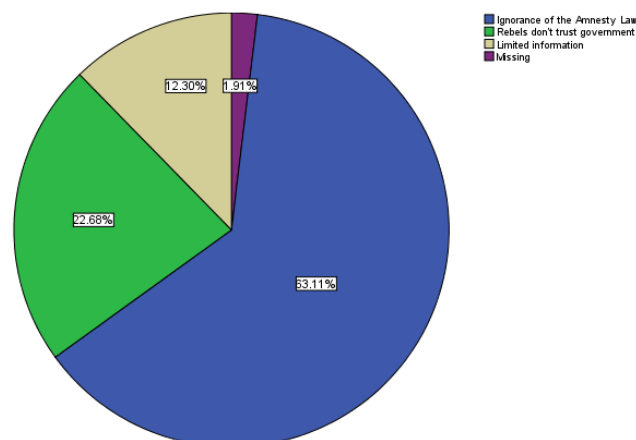


Figure 1: Challenges Faced by Amnesty Seekers in Uganda

It was reported by a majority of the respondents that the biggest challenge to amnesty seekers in Uganda was the ignorance of the amnesty law. This view had the support of 63.11% of all respondents' views. More than half of all respondents of the study were of the view that this was the greatest challenge to amnesty seekers in Uganda. Therefore, if the majority of the respondents themselves were ignorant of the amnesty law while they are free within the country, one really wonders how the rebels in the deep jungles of DRC and CAR would really get the information about the amnesty law given the geographical and limited information impediments involved therein. Hayner (2001³⁹), Bois-Pedain (2007⁴⁰) as well as Freeman (2009⁴¹) state that ignorance of the amnesty law is a great challenge to both victims as well as claimants of amnesty as amnesty opportunities are missed because of ignorance. In one way or the other, victims may never get justice because the amnesty giving authority may be ignorant and unable to identify the real wrong doers while on the side of the claimants of amnesty, they may never benefit from the amnesty law because they are unaware of it. Such situations completely exacerbate the amnesty process altogether.

Therefore, if such a challenge is well addressed by availing more information especially to the rebels still remaining in the bush as well as to victims of their surviving members of their families, amnesty would go a long way in encouraging more rebels to abandon rebellion; hence making it possible to achieve its intended objective to end armed rebellion in Uganda using peaceful means. In an interview with Silver Emoruoit; the Executive Director of Katakwi Children's Voice; a Non-governmental Organisation involved in receiving and rehabilitating former child soldiers and reporters he said that, "All of the child soldiers and almost all of the reporters had no knowledge of the Amnesty Act" (Interview held with Respondent on January 14, 2015). For Freeman (2009⁴²), there exist great opportunities for both victims or their family members and the reporters may be lost because of the ignorance of the amnesty law. This surely may have been a great challenge to the amnesty seekers in Uganda.

The other challenge faced by amnesty seekers in Uganda as identified by the respondents was that the rebels didn't trust government. This view raised 22.68% of all respondents' views. And; when added with ignorance of the amnesty law, the two greatly contributed to the reasons why there are still some rebels who have not yet exploited the use of the amnesty Act (2000) to their own advantage. This rebel mistrust of government was rooted in the fact that whereas the government of Uganda was pursuing peaceful means to achieve peace and end armed rebellion in the country; it was still showing support to its international obligations under the 1998 Rome Statute to surrender senior rebel commanders to face justice at the ICC. Abidi (2002⁴³) as well as the International Institute for Democracy and Electoral Assistance (2003⁴⁴) state that the lack of trust between the government of Uganda and the rebel leaders may largely be blamed for the failure of amnesty in Uganda. This is because neither the rebels nor the government of Uganda trusted the other; a situation that may have greatly limited the success of the amnesty process to date. A view echoed by Shelton (1999⁴⁵) who reinforces the importance of trust in any peaceful conflict settlement as a condition *sine quo non* if success is to be realised.

In such a quandary, one should not expect total commitment by the rebels and their senior commanders towards the amnesty process. This was evidenced when the rebel leaders did not turn up to sign the Juba peace agreement which they greatly participated in and which it was hoped would mark the end of LRA armed rebellion against Uganda but in vain (Abidi 2002⁴⁶). In South Africa, Lincoln (2011⁴⁷), states that the TRC was also faced with challenges of mistrust; a factor that nearly led to the total failure of the entire amnesty process. Just as International Institute for Democracy and Electoral Assistance (2003⁴⁸) states, reconciliation and justice are twin notions but cannot usually be achieved when there is mistrust. In an interview with a respondent in Katakwi Town Council, he reported that "many of the reporters told them that they could not believe and trust government efforts of ending the conflict using peaceful means through amnesty until they received it" (Name withheld, Interview held with the Respondent on January 14, 2015). This means that there could be some rebels still in the bush with the desire to abandon rebellion but are not convinced that amnesty in Uganda is for real.

Another challenge faced by amnesty seekers in Uganda as raised by the respondents was that there wasn't enough information to rebels about the authenticity of the amnesty process in Uganda. This was because of the very nature of where rebels lived and the very way they received information. There was little information received by the rebels from their rebel commanders who usually fed them only on that information that was to the rebel leaders' advantage. As Hamber (2009⁴⁹) as well as Doxtader & Villa-Vicencio (2003⁵⁰) report, absence of relevant and timely information in any amnesty process is the foundation of the failure of the entire amnesty process. This was further

corroborated by a reporter in Gulu town who said in an interview that “I heard about amnesty law upon my escape from the bush and never before” (Name withheld, Interview held with the Respondent on January 15, 2015). The view that limited information to rebels was another challenge to amnesty seekers in Uganda got 12.30% of all respondents’ views. It should be noted however that the option of geographical limitation was not considered at all by any respondent as a challenge to amnesty seekers in Uganda.

How to solve the challenges faced by Amnesty seekers in Uganda

On the question of how to solve the challenges faced by amnesty seekers in Uganda so that they could easily access amnesty, the respondents’ views are shown in the figure below.

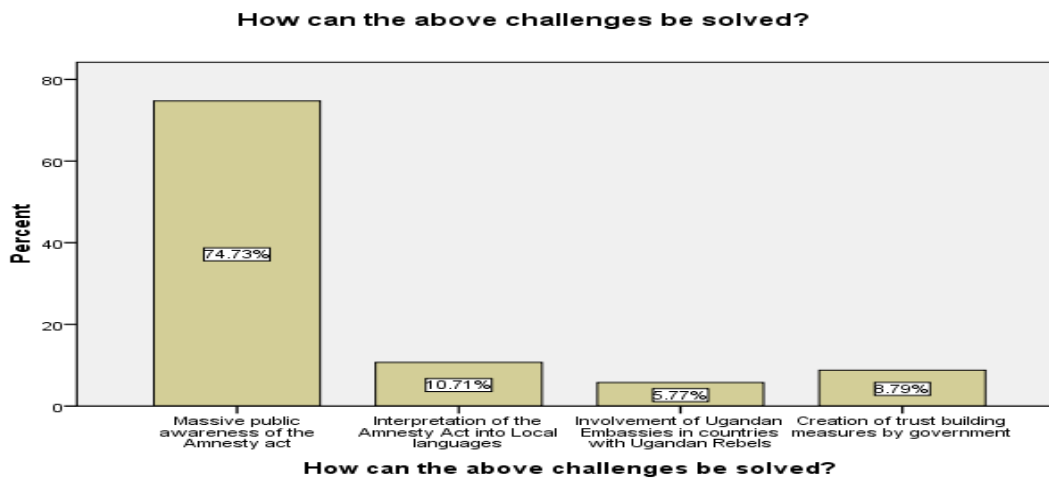


Figure 2: How to Solve the Challenges Faced by Amnesty Seekers in Uganda

It is believed that information is power. Therefore, if the majority of the citizens have enough information about a national law, it is highly likely that that law is going to be well implemented. But this was not the case with the amnesty Act (2000). As reported with the case of the South African Truth and Reconciliation commission, availability of accurate information both to the victims as well as the claimants of amnesty is a foundation for a successful amnesty process (TRC 2003⁵¹). For this case, it was largely agreed by a majority of the respondents that massive public awareness needs to be created about the amnesty commission and its activities and particularly the Amnesty Act (2000) since it had earlier been reported that a majority of the respondents were ignorant about the amnesty Act (2000). This view raised the support of all respondents’ views of up to 74.73%. It is hoped that if massive public awareness campaigns were put in place, a majority of the Ugandans would support the amnesty activities from an informed point of view.

This may even encourage the remaining rebels in the bush who would get a chance of knowing about the amnesty process and would eventually abandon rebellion. These massive public awareness campaigns need to be revived to exploit this chance if armed rebellion is to end especially by encouraging rebels still in the bush to come and report. To justify the need for increased mass sensitisation campaigns about the amnesty law (2000) was seen when an internal security organisation officer of one of the sampled districts who was greatly involved in the implementation of the amnesty process but did not really know what amnesty is (Name withheld). It is reported that it is the duty of amnesty commissions to avail relevant and necessary information about the amnesty process to both victims or their families and claimants of amnesty for the amnesty process to achieve its purpose (Llewellyn & Philpott 2014⁵²).

The other solution to solve the challenges faced by amnesty seekers in Uganda was the interpretation of the Amnesty Act (2000) into major local languages. Juta and Company (1996⁵³) underscore the importance of an amnesty Act into languages understandable by all stakeholders; let it be the victims or the would-be beneficiaries to ensure a smooth implementation of amnesty. The Ugandan constitution guarantees interpretation of national laws into major local languages to enable citizens to be informed about the laws that govern them but this is largely not the case. Accordingly, the Amnesty Act (2000) has been translated into seven local Ugandan languages, namely;

Luganda, Runyoro-Rutoro- Runyankore-Rukiga, Lusoga, Lugbara (Ministry of Finance, Planning and Economic Development 2005⁵⁴). However, this is a tiny fraction of the languages spoken in Uganda. The printing of the amnesty Act (2000) in major local languages was greatly hindered by limited finances available to the Amnesty Commission (Ministry of Finance, Planning and Economic Development 2005⁵⁵; Amnesty Commission Report 2013) despite its being translated into the above local languages. This view got 10.71% support of all respondents' views.

In an interview with Moses Draku the spokesperson of the Amnesty Commission, he said that "Their greatest challenge in printing of the amnesty Act (2000) into local languages was financial limitations since they have the manuscript already interpreted in major local languages (Interview held with the Respondent on January 10, 2015). But this hasn't been done because of insufficient financial resources at the disposal of the amnesty commission (Amnesty Commission Report 2013). This view was repeatedly echoed by many respondents. Among them were the staffs of the amnesty commission or those familiar with its activities like government workers, reporters and workers of non-governmental organisations. In an interview, the chairman of the Amnesty Commission Justice P.K.K. Onega said that "Limited financing was the only hindrance to have the amnesty Act (2000) to be printed into major local languages for the benefit of the majority of Ugandans that are not comfortable with the English language because it is already translated" (Interview held with the Respondent on January 12, 2015).

The other solution proposed by respondents to solve the challenges faced by amnesty seekers in Uganda was the creation of trust building measures by government. This means that apart from enacting the Amnesty Act, government still needs to do more by creating an environment and doing actions that will create more trust and confidence in the public and the rebels to believe that the amnesty process in Uganda was in good faith and not a ploy to arrest the senior rebel leaders and hand them over to the ICC to face trial (Pensky 2008⁵⁶). This situation has been compounded by the recent handing over of Dominic Ongwen to the ICC in Hague where he is currently facing trial over war crimes and crimes against humanity; a situation that must also apply to other senior rebel commanders including Joseph Kony in case they surrendered. This view raised 8.79% of all respondents' views and largely holds water in explaining why senior rebel leaders are still reluctant to embrace the amnesty process in Uganda. In an interview with Walter Okiring Elakas; the Resident District Commissioner of Katakwi district, he said that "more confidence building measures like blanket amnesty to all rebels inclusive of the rebel leaders may greatly make a difference" (Interview held with the Respondent on January 14, 2015).

The other solution raised by the respondents that could be of help in averting the challenges faced by amnesty seekers in Uganda was the involvement of Ugandan embassies in countries with Ugandan rebels. This is in addition to the involvement of international agencies like the UN. This would bring more trust to the rebels to surrender (Cobban 2007⁵⁷; Cobban 2016⁵⁸). This was so because these rebels operate in several countries like South Sudan, DRC, CAR and possibly other countries and therefore accessing amnesty offices in Uganda is impossible. But if there is an amnesty liaison desk in Ugandan embassies in countries where these rebels operate, it may be geographically feasible to access information and apply for amnesty in those Ugandan embassies. This view got 5.77% of all respondents' views but can be a contributory factor in solving the problem faced by amnesty seekers trying to access amnesty in Uganda.

What advice do you give to Amnesty seekers in Uganda?

The respondents were further asked what advice they may give to amnesty seekers in Uganda and their views were summarised in the figure below.

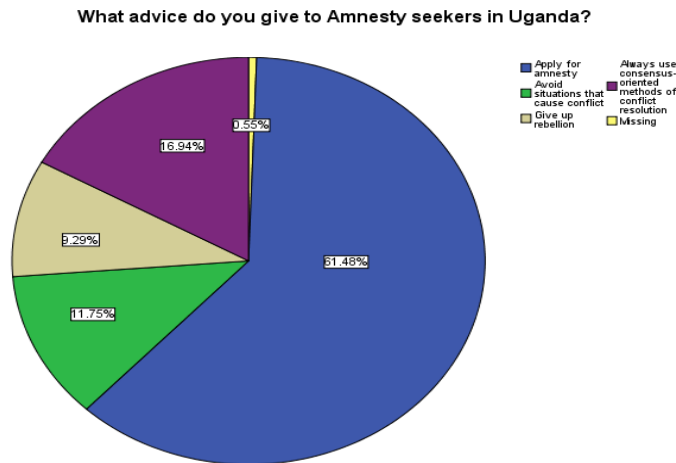


Figure 16: Respondent’s Advice to Amnesty Seekers in Uganda
Source: Field Data, 2014/2015

When the respondents were further asked what advice they could give to amnesty seekers in Uganda, a majority of the respondents said that they could advise them to apply for amnesty. This view raised 61.48% of total respondents’ views meaning that it is a practicable piece of advice. Salborn (2010⁵⁹) reports that applying for amnesty in the case of the Northern Uganda conflict was a requirement for a successful return, resettlement and reintegration of former rebels. For Leonard (2008⁶⁰) as well as Davis & Tremmel (2014⁶¹), a written application for the grant of an amnesty signifies the willingness and acceptance to abandon armed rebellion. It meant that all other pieces of advice would not work if the rebels still in the bush do not give up rebellion. When they give up rebellion, then all other pieces of advice may consequently follow. In addition, applying for amnesty means giving up armed rebellion; which means ushering in peace; a situation desired by everyone.

The other piece of advice given by the respondents to the challenges faced by amnesty seekers in Uganda was to always use consensus-oriented methods of conflict resolution. For Leonard (2008⁶²) as well as Palacios (2006⁶³), consensus is a useful tool in conflict situations including even after enacting an amnesty law. This means that in future, whenever conflicts arise since conflicts are part of human life, one should always opt for peaceful conflict resolution methods like negotiation to avoid situations that may induce an individual to think of opting for war as solution to every conflict. This view raised 16.94% of all respondents’ views. Quite often than not, there are conflicts that do not really necessitate violence and war. But unfortunately, human nature is difficult to predict because small conflicts have ended up becoming intractable conflicts because human beings are hard to predict as some prefer war hoping they will achieve something during the war while others are simply bellicose.

The other view suggested by the respondents that can help in solving the challenges that seekers of amnesty in Uganda was to always avoid situations that cause conflict. A culture of making peace should be everyone’s business. It should be inculcated among citizens so that it becomes incumbent on every national both the leaders and the led to promote peace. As Ray (2012⁶⁴) emphasizes, dialogue should always be built around the counterinsurgency doctrine, arguing that the main strategy towards this aim should be preventing people from feeling alienated. Whereas Cortright (1997⁶⁵) detests the use of conflict preventive measures which he calls appeasers, bribes and concessions, which really are what he calls them; but compared with the effects of deadly conflict, let those bribes, appeasements and concessions be what they are because they are cheap, peaceful and undestructive to the state and community fabric. Even if Bredel (2003⁶⁶) compares asking politicians to prevent conflict with asking teenagers to save for pension, conflict prevention was, is and still remains the only feasible and cheaper option to maintain peace than to later on grant amnesty. If trouble causers could be appeased and they don’t make trouble at all, then what else would citizens want? Even though this appeasement policy to conflict causers may be addictive and repetitive, it is cheaper in all aspects and ensures sustainable peace as it prevents the outbreak of conflicts.

Avoiding situations that bring about conflict by both the leaders and the led is a preventive measure to conflict because if all of us tried to avoid situations that bring about conflict and war, then we shall have invested a great deal

in preventing conflict and war. This is an investment that requires limited resources like commitment but have bulky and immeasurable returns like ensuring stable peace, spending less or no money at all and ensuring sustainability of peace and political stability and development. This view got 11.75% of all respondents' views meaning that if only endeavours that lead to conflict prevention were pursued, the world would be a better place to dwell in for everyone. As the Council of Europe (1982⁶⁷) states, prevention is better than cure. It is better, cheaper and effortless to prevent a conflict than to grant amnesty after a conflict. This view is also held by International Peace Update (1999⁶⁸) which stresses that conflict prevention is cheaper than amnesty. If we are to attain sustainable peace and development the world over, an effort to prevent conflict is the way to go.

Lastly, the other piece of advice that can be given to solve the challenges faced amnesty seekers in Uganda, the respondents further proposed that giving up rebellion totally was another good option in addition to the options already given above. This view is more or less like the first option of applying for amnesty because you cannot apply for amnesty without giving up rebellion and you cannot give up rebellion and fail to apply for amnesty. This view got 9.29% of all respondents' views and if well followed, armed rebellion in Uganda would swiftly come to an end. This view is corroborated by Jeffery (2014⁶⁹) who contends that abandoning rebellion was a condition for applying for amnesty in Uganda. Admittedly, a feeling of being tired of armed rebellion is a precursor that a rebel is in for a peaceful resolution of conflict and; amnesty comes in handy in the circumstances.

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