



REPUBLIC OF UGANDA

THE NATIONAL TRANSITIONAL JUSTICE POLICY 2019

A POPULAR VERSION



MINISTRY OF INTERNAL AFFAIRS

MINISTRY OF JUSTICE
AND CONSTITUTIONAL AFFAIRS

JANUARY 2024



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LIST OF ACRONYMS

CBO	Community Based Organisation
COACT	Coalition for Action on 1325
CSO	Civil Society Organisation
JLOS	Justice Law and Order Sector
LRA	Lord's Resistance Army
MDAs	Ministries Departments and Agencies
MIA	Ministry of Internal Affairs
MOES	Ministry of Education and Sports
MOH	Ministry of Health
MoJCA	Ministry of Justice and Constitutional Affairs
NTJP	National Transitional Justice Policy
OPM	Office of the Prime Minister
TJM	Traditional Justice Mechanisms

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FOREWORD

The National Transitional Justice Policy is a framework of the Government of Uganda, designed to address peace, justice, accountability, and reconciliation needs of post conflict Uganda. The Policy provides a holistic intervention to achieving lasting peace in a country whose history has until recently been marred by political and constitutional instability.

The development of a National Policy on Transitional Justice affirms the Government of Uganda's commitment to national reconciliation, reintegration, recovery, peace, and justice. The Policy puts in place a framework to guide the implementation of Transitional Justice.

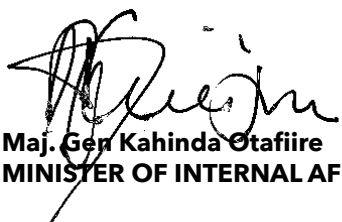
The Policy adopts a victim-centered approach that depends on the fact that victims need to access and participate in the process of justice and reconciliation to heal, reconcile, and reconstruct their lives. The Policy also creates avenues for the mainstreaming of gender and takes interest in children's concerns in all transitional justice processes.

The Policy is a result of in-depth and large scale consultations undertaken by the Transitional Justice working group of the Justice Law and Order Sector (JLOS) across the country. Consultations including public dialogues, national studies, conferences, roundtable meetings and individual consultations were held to inform this Policy.

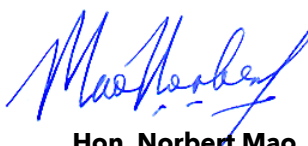
We are therefore pleased to introduce the Popular Version of the National Transitional Justice Policy for use by all stakeholders to achieve the aims of the Policy.

We acknowledge the technical support offered by the Advisors at the JLOS Secretariat, the Transitional Justice Working Group, Technical Officers, UN Women, and the Coalition for Action on 1325 and other various JLOS institutions that developed the Popular Version of the National Transitional Justice Policy.

Finally, we thank His Excellency the President of the Republic of Uganda for supporting and guiding Cabinet while discussing and approving the policy.



Maj. Gen. Kahinda Otafiire
MINISTER OF INTERNAL AFFAIRS



Hon. Norbert Mao
MINISTER OF JUSTICE AND
CONSTITUTIONAL AFFAIRS

INTRODUCTION

What is Transitional Justice?

Transitional Justice refers to processes and mechanisms aimed at confronting legacies of the past human rights abuses and violations in order to repair harm suffered by victims, ensure accountability, serve justice, promote reconciliation, guarantee non-recurrence of violations and abuses, and build peaceful and democratic systems that contribute to the rule of law and respect of human rights.

Why the Popular Version of the National Transitional Justice Policy?

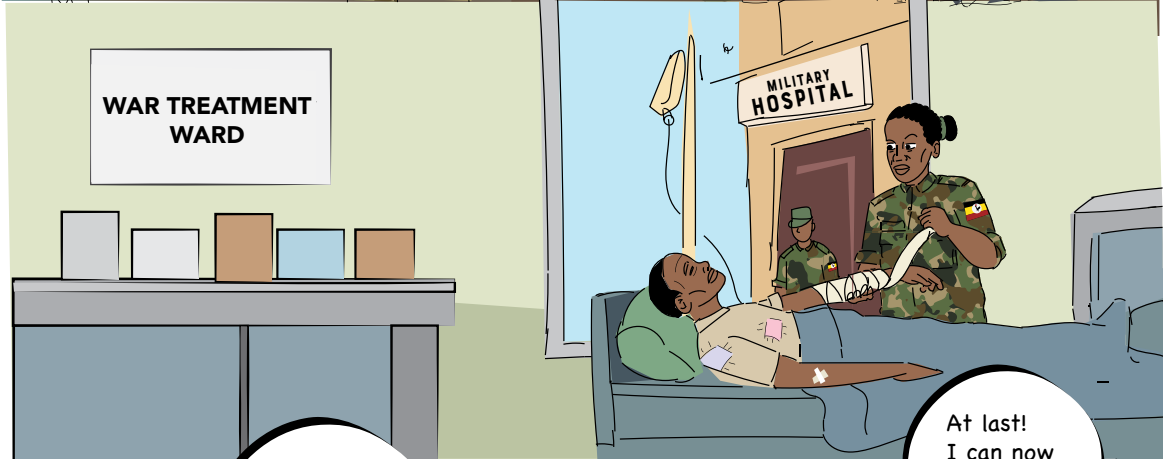
The Popular Version is a simplified version of the National Transitional Justice policy for the local person. The Popular Version will enable many Ugandans to read and understand the intentions of the National Transitional Justice Policy and how to use it to achieve reconciliation, accountability, healing, peace, and justice.

This Popular Version has been developed by the Coalition for Action on 1325 (COACT) in partnership with UN Women, with financial support from the Government of Norway. The process was supported by Ministry of Internal Affairs, Access to Justice Sub Program of the Governance and security program of the Government of Uganda (formally Justice, Law and Order Sector (JLOS)), Ministry of Justice and Constitutional Affairs, Uganda Law Reform commission, Amnesty Commission and Ministry of Gender, Labour and Social Development.

The Popular Version is meant for use by all stakeholders to implement interventions that promote reconciliation, social integration, peace, and justice. The popular Version was written for local level stakeholders including local government leaders, civil society organisations and groups, religious and cultural institutions, women and men, and youth groups including Transitional Justice practitioners all over the country.

When was the National Transitional Justice Policy adopted?

The National Transitional Justice Policy was adopted in June 2019 for all stakeholders to use to promote justice, accountability and reconciliation.



SECTION ONE: WHAT IS TRANSITIONAL JUSTICE ABOUT?

1.1 What is Transitional Justice?

Transitional Justice refers to processes and mechanisms aimed at confronting legacies of the past human rights abuses and violations in order to repair harm suffered by victims, ensure accountability, serve justice, promote reconciliation, guarantee non-recurrence of violations and abuses, and build peaceful and democratic systems that contribute to the rule of law and respect of human rights.



1.2 What is accountability?

Accountability is the willingness of an individual or an institution to accept or take responsibility for their actions.



1.3 What is Reconciliation?

Reconciliation means restoring a broken relationship. This can be done through acknowledgement, repentance, and forgiveness by all parties to a conflict.



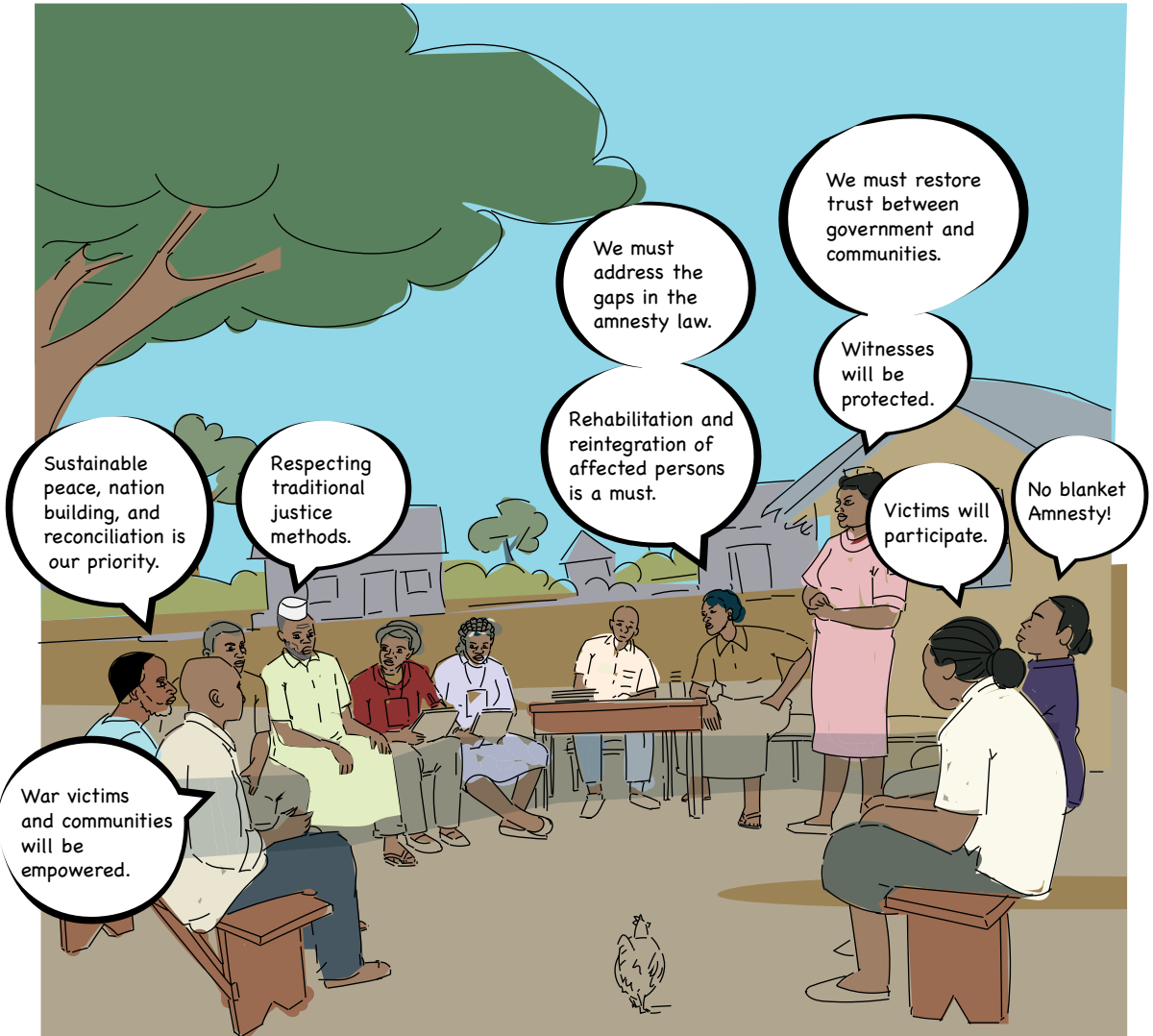
1.4 What are reparations?

Reparations is the restoration given to victims of gross or serious human rights violations/abuses. Reparations show an acknowledgement of responsibility and accountability.



1.5 Why is the Transitional Justice Policy Important?

The National Transitional Justice Policy is important because it aims at achieving sustainable peace, stability, and unity in our communities. As a country, we needed guidance to achieve National Reconciliation, justice, and accountability so we could get all past grievances addressed. Uganda has faced armed conflicts and rebellions, which caused loss of lives and destruction of property. Civilians suffered many human rights abuses.



SECTION TWO: WHAT THE TRANSITIONAL JUSTICE POLICY IS ABOUT

Now let us look at the National Transitional Justice Policy in detail.

2.1 What does the National Transitional Justice Policy aim at?



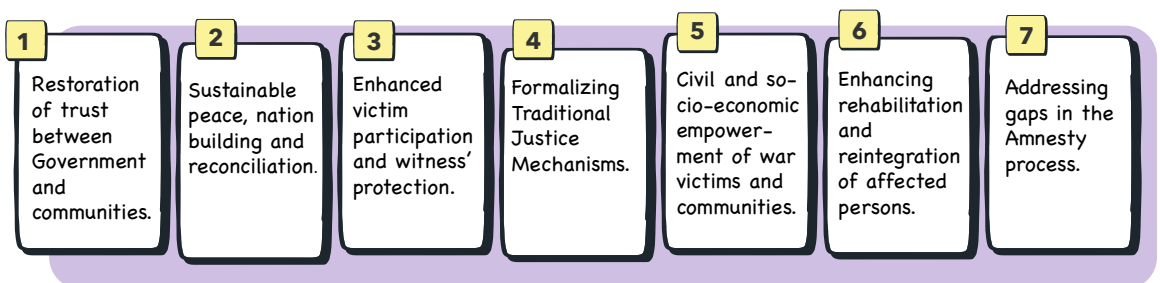
2.1.1. Policy Objectives

The policy is intended to:

- Address the gaps in the formal justice system for post conflict situations.
- Formalise the use of traditional justice mechanisms in post conflict situations.
- Facilitate reconciliation and nation building.
- Address gaps in the current amnesty process.
- Provide reparations for post-conflict situations.

2.1.2. Expected Policy Results

This Policy serves as a main framework to address justice, accountability and reconciliation needs of post conflict situations. It creates a holistic intervention to achieving lasting peace and stability. Here below are the expected results from the implementation of the Policy.



2.2. What Principles Guide the National Transitional Justice Policy?

<p>I Victim Participation</p> <p>Those affected by conflict will participate.</p>	<p>II Vulnerability</p> <p>Formally abducted persons are involved in the implementation of the policy.</p>	<p>III Best interests of children</p> <p>Children are involved in the implementation of the Policy.</p>	<p>IV Gender Equality</p> <p>The Policy is responsive to issues of women, children and persons with disability.</p>
<p>V Transparency</p> <p>Ensures openness and honesty of all actors.</p>	<p>VI Accountability</p> <p>Stakeholders take responsibility for their actions.</p>	<p>VII Public Participation</p> <p>The public is involved in the design and implementation of programmes.</p>	<p>VIII Inclusiveness</p> <p>All actors participate in Transitional Justice processes.</p>
<p>IX Complementarity</p> <p>All actors coordinate efforts to implement the Transitional Justice methods.</p>	<p>X Confidentiality</p> <p>Sensitivity and privacy of victims.</p>	<p>XI Neutrality</p> <p>A process free of bias.</p>	<p>XII Integrity</p> <p>Value for honesty and good work conduct.</p>

SECTION THREE: WHAT ARE THE PRIORITIES, STRATEGIC INTERVENTIONS OF THE NATIONAL TRANSITIONAL JUSTICE POLICY?

3.1: Formal Systems

Government shall ensure witnesses and victims are protected and victims participate in proceedings and to the extent possible, remove barriers for access to justice by victims, especially the vulnerable.



3.2: Traditional Justice

The Government shall recognize Traditional Justice mechanisms as a tool for conflict resolution, and put in place safety measures that will recognize and protect the rights of parties that seek reparations.



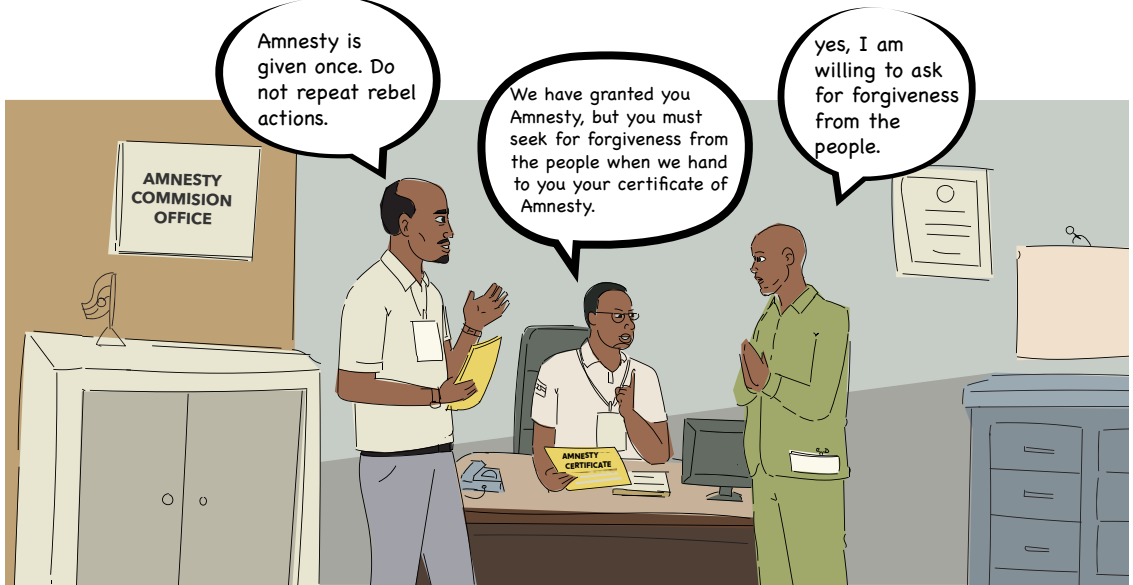
3.3: Nation Building and Reconciliation

Government shall establish a nation building and reconciliation process through a Transitional Justice Act.



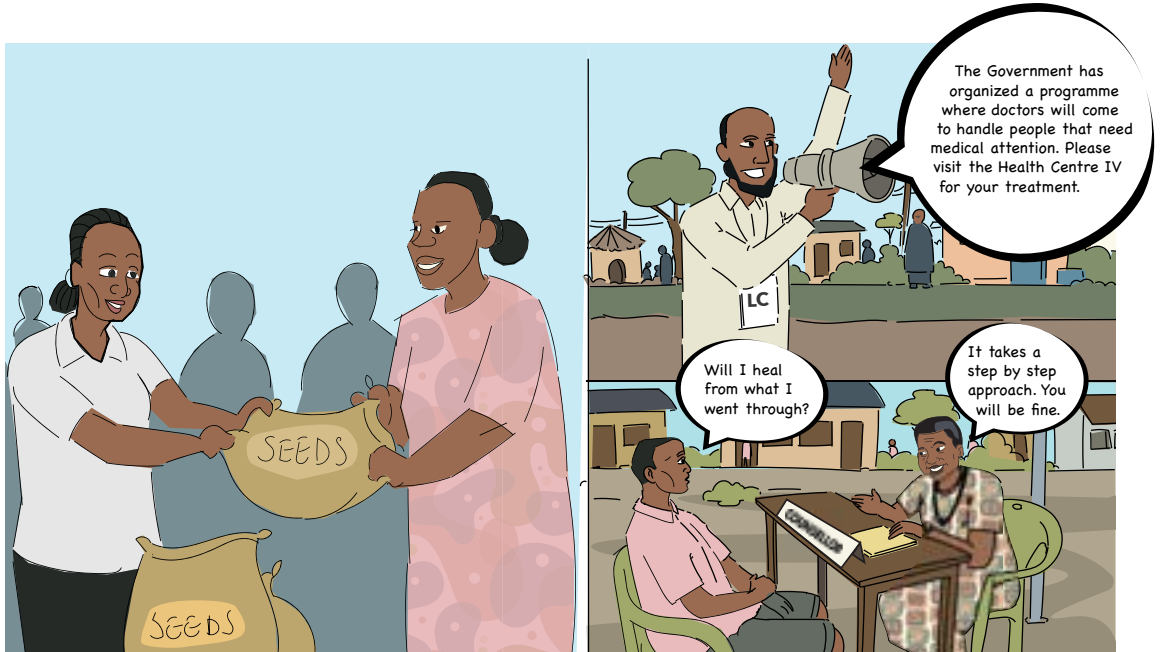
3.4: Amnesty

There shall be no blanket amnesty and the Government shall encourage those who are granted amnesty to participate in truth seeking and traditional justice processes.



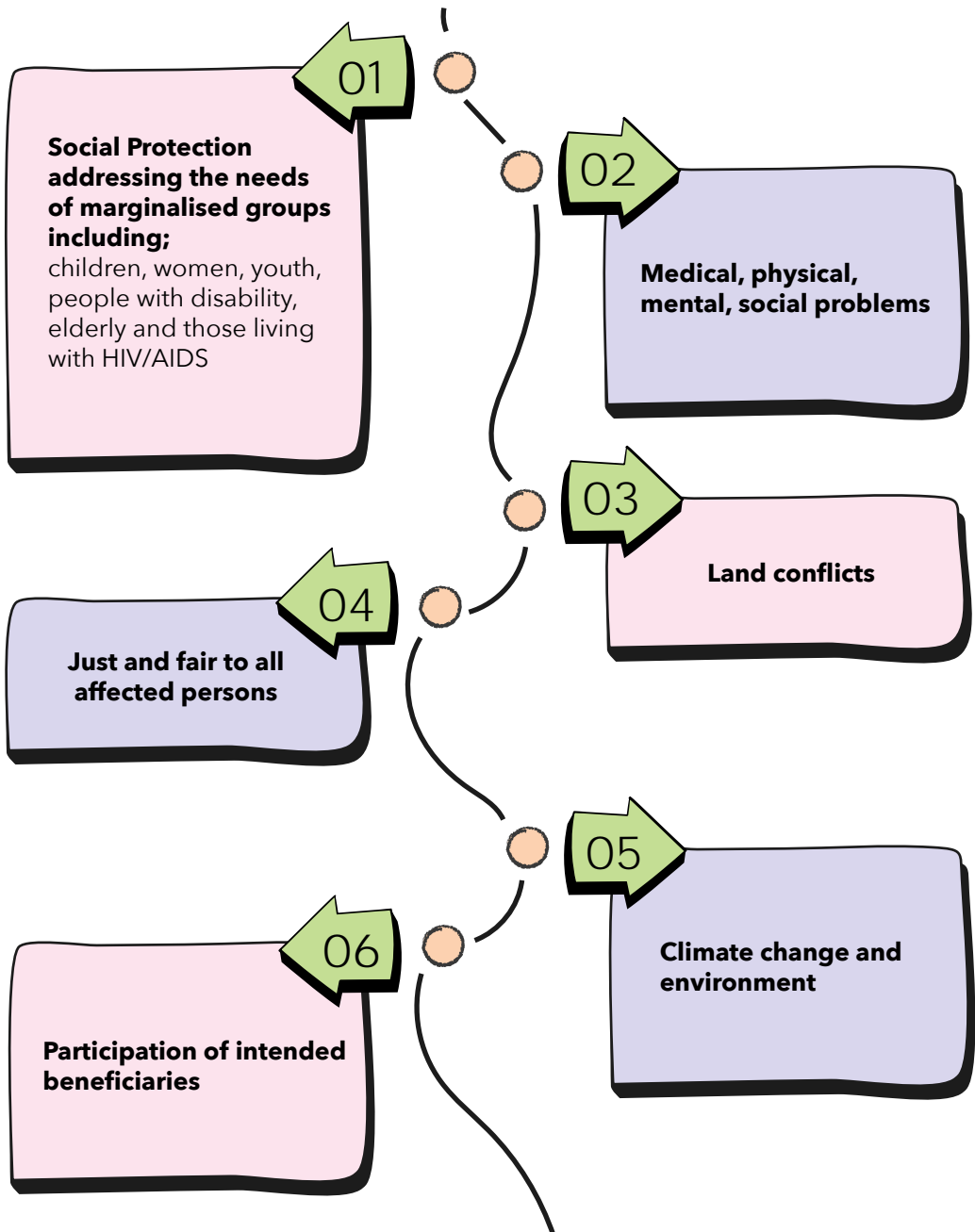
3.5: Reparations

Government shall establish and implement a reparations programme for victims affected by conflict. In doing this, Government shall consider interim and short-term reparations.



SECTION FOUR: CONCERNS THAT STATE AND NON-STATE ACTORS SHOULD HAVE IN MIND WHILE IMPLEMENTING THE TRANSITIONAL JUSTICE POLICY

In the implementation of this Policy, all stakeholders should be aware of the following:

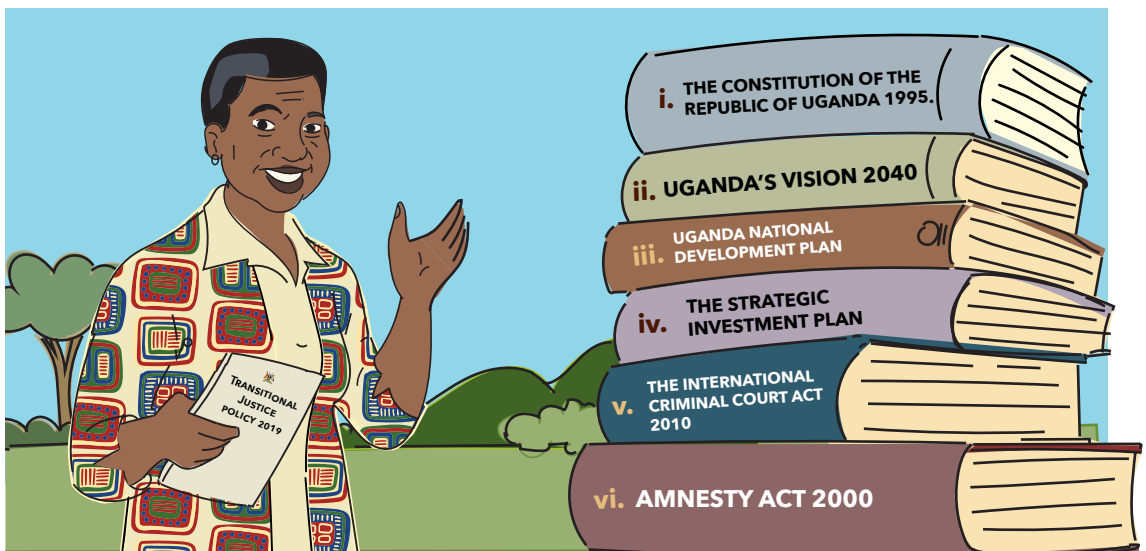


SECTION FIVE: HOW THE TRANSITIONAL JUSTICE POLICY IS LINKED TO OTHER LAWS AND POLICIES



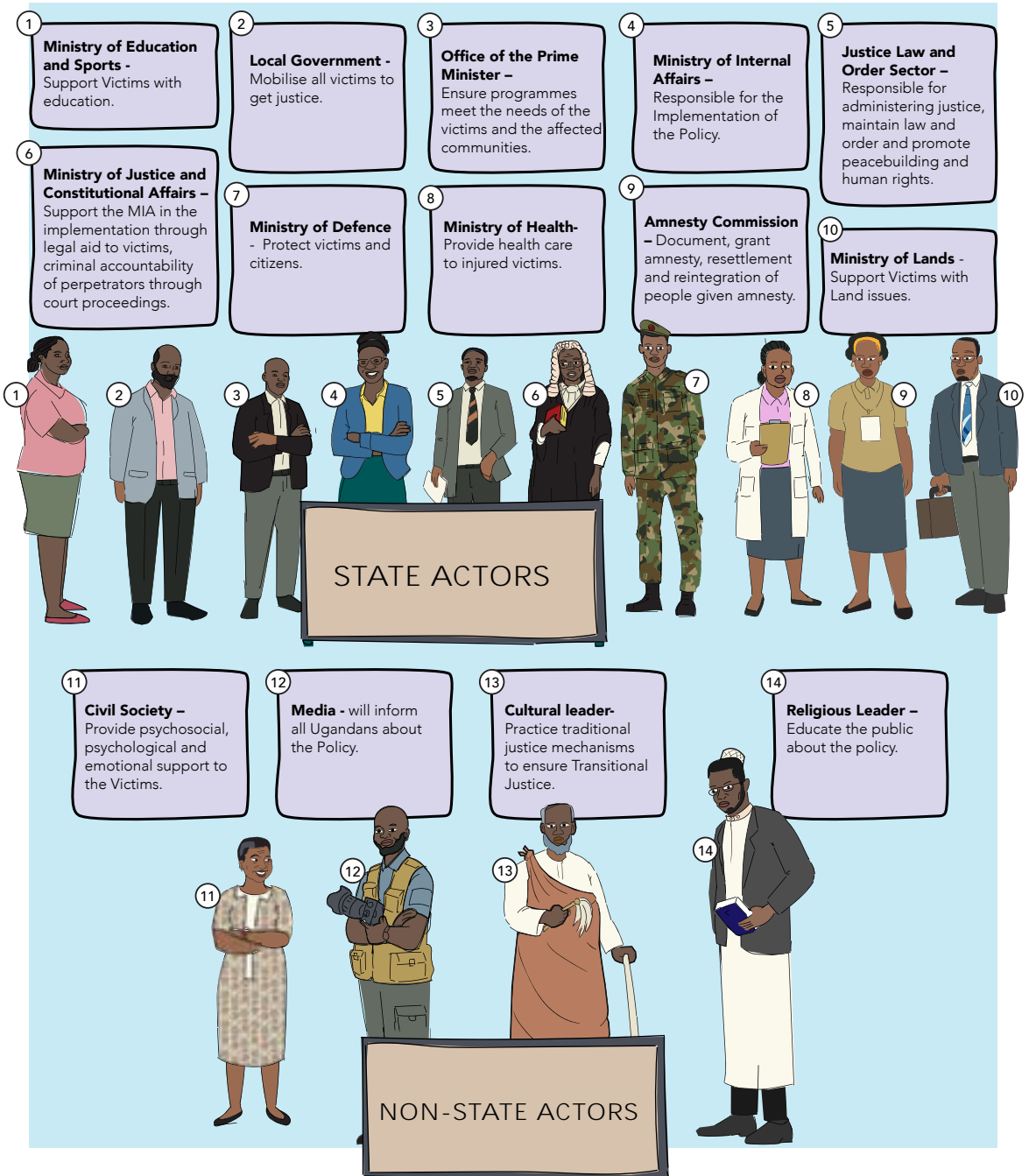
5. What national laws and Policies are specific to Uganda?

The Transitional Justice Policy is part of a range of commitments of Government of Uganda to achieve peace and security.



SECTION SIX: WHO IS RESPONSIBLE FOR IMPLEMENTING THE NATIONAL TRANSITIONAL JUSTICE POLICY?

The Government of Uganda will oversee the implementation of the policy through government institutions, agencies, departments and non-state actors.

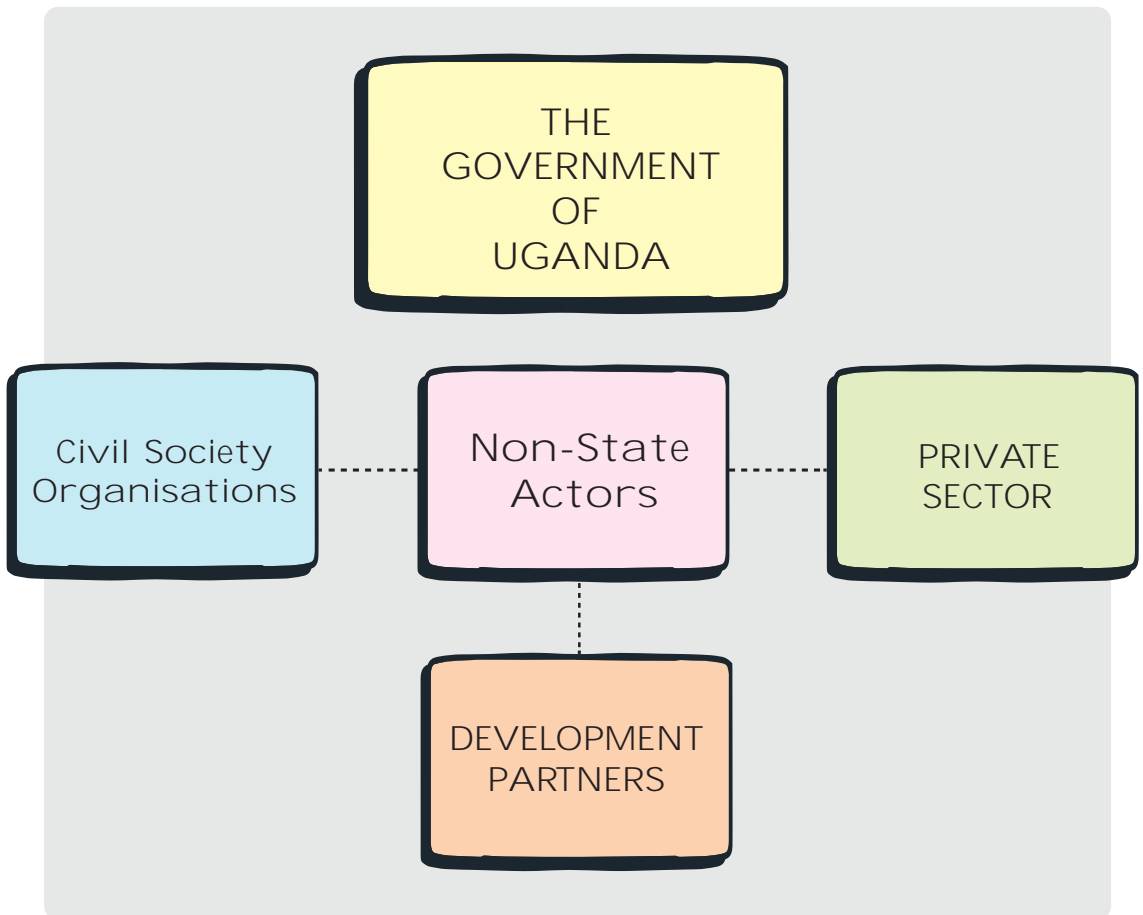


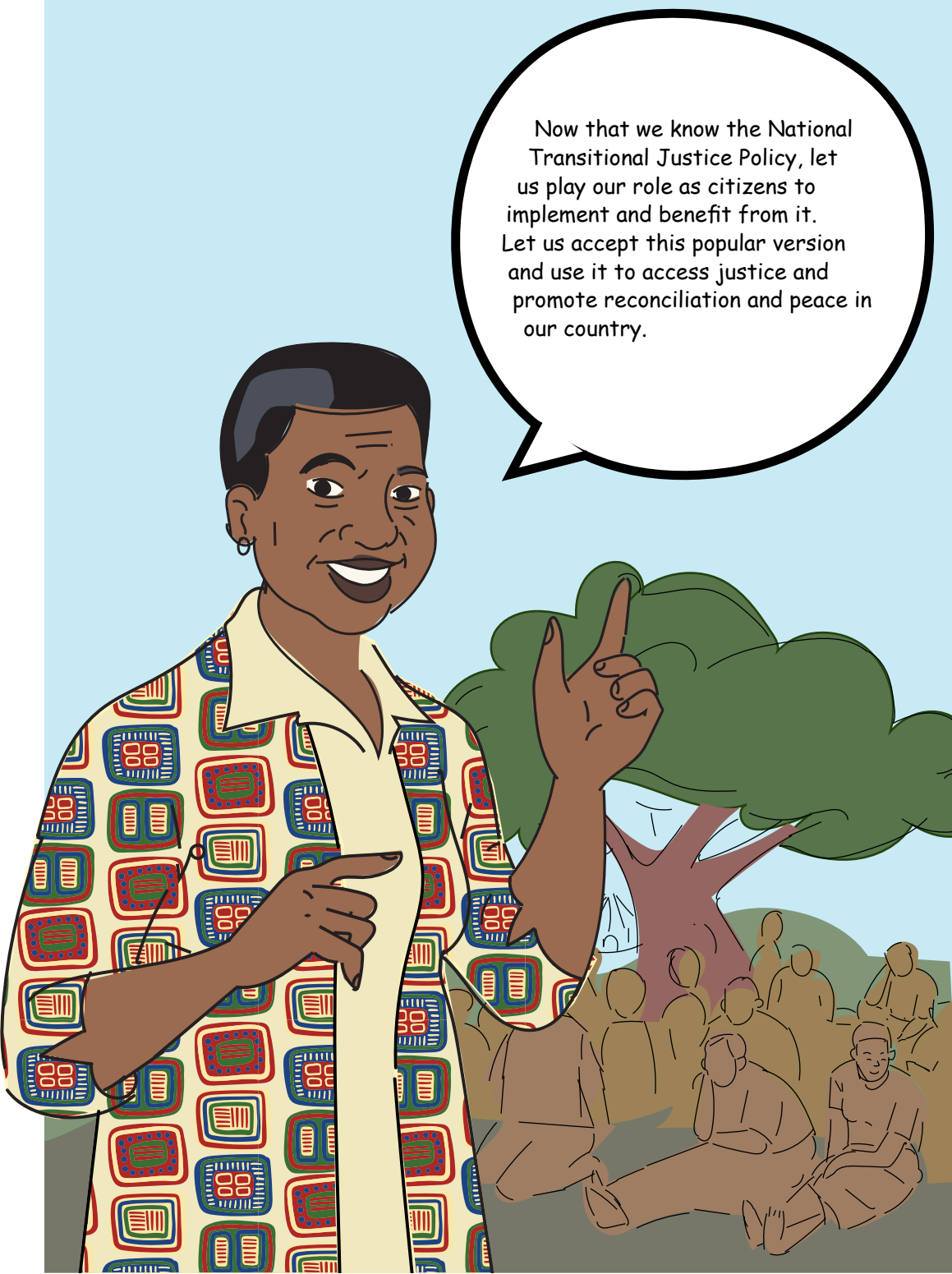
SECTION SEVEN: HOW WILL THE PEOPLE KNOW ABOUT THE NATIONAL TRANSITIONAL JUSTICE POLICY?



SECTION EIGHT: HOW WILL THE TRANSITIONAL JUSTICE POLICY BE FUNDED?

The Policy will be funded by the Government of Uganda and non state actors including development partners, private sector and civil society organisations among others.



An illustration of a man with dark skin and short hair, wearing a yellow shirt with a colorful geometric pattern. He is smiling and gesturing with his hands as if speaking. In the background, a group of people is sitting on the ground under a large green tree. A large speech bubble is positioned above the man, containing text.

Now that we know the National Transitional Justice Policy, let us play our role as citizens to implement and benefit from it. Let us accept this popular version and use it to access justice and promote reconciliation and peace in our country.



Norwegian Embassy
Kampala

