

Telegram: EXTERIOR, KAMPALA
Telephone: 345661 / 257525 / 258252
Fax: 258722 / 232874
Website: www.mofa.go.ug
E-mail: ps@mofa.go.ug



Ministry of Foreign Affairs
P. O. Box 7048,
KAMPALA,
UGANDA.

THE REPUBLIC OF UGANDA

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**STATEMENT OF THE GOVERNMENT OF UGANDA REGARDING THE
JUDGMENT OF THE INTERNATIONAL COURT IN THE CASE CONCERNING
ARMED ACTIVITIES ON THE TERRITORY OF THE CONGO (DRC V. UGANDA)**

On 9th February 2022, the International Court of Justice (ICJ) delivered its Judgment on the question of reparation in the case concerning *Armed Activities on the Territory of the Congo (DRC v. Uganda)*. In brief, the ICJ declared that Uganda should pay the DRC the facially excessive sum of US\$325 million as compensation for damage that Uganda allegedly caused to the DRC in the context of the 1998-2003 international armed conflict, in which the armies of not less than eight different countries were involved.

While the amount awarded is far less than that sought by the DRC (US \$11.5 billion), Uganda nevertheless considers the Judgment unfair and wrong, just as the previous 2005 Judgment on liability was unfair and wrong.

In its 2005 Judgment, the Court ordered that at the compensation phase the DRC would be required to “demonstrate and prove the exact injury that was suffered as a result of specific actions of Uganda constituting internationally wrongful acts for which it is responsible.” The DRC did not meet the burden the Court placed on it. Indeed, during the compensation phase, it did not come forward with evidence of even a *single* specific injury suffered as a result of *any* actions of Uganda. It is, therefore, deeply unclear why the ICJ decided to depart from the requirement it previously imposed on the DRC, let alone how it arrived at the figure of US\$325 million.

For the record, Uganda disputes and rejects the findings of wrongdoing by the Uganda Peoples Defence Forces (UPDF), widely known as one of the most disciplined forces in the world.

Uganda respects the principles on which the ICJ was founded. The central mission of the Court is to facilitate the peaceful settlement of international disputes. In Uganda’s view, the Court’s Judgment on reparation does not

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contribute to peace and security, or the spirit of cooperation between the two countries and in the wider Great Lakes Region. Nor does it inspire confidence in the Court as the fair and credible arbiter of international disputes that the framers of the UN Charter intended it to be. This is all the more true given that the Court awarded compensation for alleged injuries that were not even mentioned in the 2005 Judgment on liability (including, for example, rapes).

Uganda regrets that this decision comes at a time when the two countries are continuing to strengthen their relations, and when Uganda is doing all in its means to assist, and work with, the Government of the DRC in different areas, including security, infrastructure, regional economic integration, etc. The problems that led to Uganda's presence in the DRC between 1998 and 2003 were not solved then and they are still not solved even now.

In any event, Uganda continues to discuss the matter with DRC Government for purposes of securing a lasting and mutually acceptable solution. Uganda considers the Judgment an undue interference in this process and in African affairs generally, a fact towards which the Court appears insufficiently sensitive. It is precisely because of such interference by external actors that there is so much chaos on the African continent.

As already stated, Uganda was not alone in the DRC during the relevant period. The Court itself acknowledged the presence of numerous other belligerents. Let it not be forgotten that the conflict was resolved through a peace accord signed, the Lusaka Agreement, which confirms the existence of other players during the material period. It is, therefore, regrettable that Uganda has been singled out in this fashion.

Many will understandably ask: Why is Uganda alone that is being asked to pay for whatever supposedly went wrong during the conflict? The answer is that it is because Uganda has always believed in the international system, and hence agreed to subject itself to the jurisdiction of the ICJ in 1963 shortly after independence. Her stance contrasts with much of the international community; many countries, big and small, either refuse to subject themselves to the ICJ or have withdrawn their consent to be subject to its jurisdiction.

Uganda will continue to constructively engage with the brother country of the DRC on this, and other matters of mutual interest.

