

ANNEX E

Public

Statement of Sheikh Musa Khalil

My name is Sheikh Musa Khalil, and I am the Regional Assistant to the Mufti of Northern Uganda. I help provide religious leadership for approximately 14,000 Muslims in the Acholi subregion. This covers 19 government districts, as well as the cities of Gulu and Lira. I am also the Vice-Chairman of the Acholi Religious Leaders Peace Initiative (ARLPI), a body that worked hard for the pacification of northern Uganda.

In terms of cooperation between different faiths, Uganda is a unique country. The different denominations are able to work together for the common good. In 2001, the Interreligious Council of Uganda (IRCU) was established, which is comprised of religious leaders of the Uganda Episcopal Conference, Church of the Province of Uganda, Uganda Muslim Supreme Council, Uganda Orthodox Church, Seventh Day Adventist Church Uganda Union, Born Again Faith in Uganda, Alliance of Pentecostals and Evangelicals. I am the Vice-Chairman of the "Peace and Stability Forum" within the IRCU.

In fact, the ARLPI predates the IRCU by two years. We were the first initiative in Uganda to bring religious leaders together. Many other districts have since emulated the ARLPI, forming inter-faith bodies. For us, we came together to push for peace in our region. Although in the past there had been divisions between religions, we came to realise that the people dying in the war were Muslims, Anglicans, Born Again Christians, Catholics, and Orthodox. We realised the importance of coming together with a common voice. We joined together with the support of the Ugandan Government and the UNDP. By 1999, we were official.

From there, the ARLPI met with various stakeholders. We extended our arms to work with the Cultural Institutions, the elders, and the community. We advocated for peace and dialogue as the only way to bring peace in northern Uganda. We started to appeal to the Government to engage in a dialogue with the LRA, and the parties eventually agreed.

The ARLPI played a large role in this process of dialogue. On 22 occasions, we brought messages from the Government to the LRA, and back from the LRA to the Government. Eventually we found ourselves in difficulties, as both sides were accusing us of being collaborators. So, we proposed arbitrators to play this role, for example, Washington Aggrey Jalang'o Okumu, a Kenyan diplomat, and Joaquim Chissano, the former President of Mozambique. They agreed to work with us.

We started making requests for a ceasefire, and for the assignment of Assembly Points for demobilisation. These Assembly Points were chosen, and the Government accepted for us to go and take some items to the LRA rebels who assembled there, under the Government's eyes.

After this, there were repeated failed attempts at a ceasefire, and in 2004 we went to the State House to meet the President of Uganda, and convinced him to keep the ceasefire, and the Peace Talks in Juba were able to begin.

On the opening day of the Peace Talks, the Archbishop John Baptist Odama and I blessed the opening with a prayer. We then acted as observers during the talks. I myself went into the bush five times to meet with Joseph Kony. In fact, I was part of the last team who met with Joseph Kony in 2008.

This delegation was made up of myself, Counsel Nyekorach Matsanga, Jimmy Akena Obote (the son of the former President), Okello Okello (an elder), Emor Emor (the cultural leader for Teso), Rwot David Onen Acana II (Paramount Chief of the Acholi), Won Nyaci Yosam Odur (cultural leader for Lango), Owek Emmanuel Kiiza Aliba Amooti, the Prime Minister of Bunyoro Kitara Kingdom, and some members of Joseph Kony's family.

Joseph Kony made a lengthy speech, blaming the government and the SPLA for violations of the cessation of hostilities. Then, he turned to the ICC. He said that, if the ICC had not been there, he would have come to Juba to sign the final peace agreement. He said that the arrest could have been stayed for 12 months, and it would have given him time to come to Uganda, and spend three months with the people in Acholi, three months with people of Lango and Teso, and three months discussing with the Government about security and demobilization of the LRA, and what the former LRA members would get if they came out of the bush. He said for him, this would have been enough for him to come out to the Assembly Point.

I remember him saying "no man can walk alone to the prison", and that the attachment of the ICC to him, meant that he could not participate in peace. He said that we should go and tell the President to remove the ICC attachment from him, and he would come and sign. Things could have gone very differently. The ICC caused the war to drag on, meaning many more people were abducted, and caused much more suffering.

In 2023, the ICC decided to start again against Joseph Kony, even though he has not been arrested. But you cannot put a cart in front of a horse. The horse needs to pull the cart. As far as justice is concerned, the normal process is for a culprit to be arrested and prosecuted. If a court tries to prosecute or sentence someone without him being present, this will appear like the court is trying to bend the law. The outcome will be that many more criminals will commit crimes against humanity, because they know they can be tried without being arrested. They know that the case will go on without them. This will put the lives of people in danger. And it will also mean that culprits won't be arrested, because States know that the ICC can simply proceed without arrests. So States won't take the responsibility to arrest people. Which again will lead to more killing and more crimes, and more bloodshed.

This shortcut will cause harm to people, but also to the law itself. The law is very important and must be followed. The traditions in the Rome Statute have existed since the very beginning. In Islam, justice and law are very important, and should not be bent to a particular case.

When we think about how the community is feeling now that the war has come to an end, there is still fear. People know that anything can happen in Uganda, there is no permanent condition here. People fear that the war could start again, and there could be more atrocities. We need a permanent solution, for long lasting peace.

During the Juba Peace Talks, one of the agenda items was accountability. The chief negotiator asked the leaders to discuss the question of an amnesty, and to go and have these discussions with the community. The leaders moved from district to district, and discussed this question. People said, "forgive him, let him be granted an amnesty". And this was the view that was taken back to the Juba Peace Talks, and this is what the Government accepted.

I remember that Jan Egeland, who was the UN Coordinator for Humanitarian Affairs, went to the IDP camps in northern Uganda and talked to the people there. They told him, "we want to go home". They said that Joseph Kony had committed a lot of atrocities, but that an amnesty would be best, to allow him to come out of the bush, and come back to Uganda. That was the view of the people at the time, and Jan Egeland reported this during the Juba Peace Talks.

Now, in 2025, we are in a process of repatriation of LRA fighters to Uganda. I am one of the leaders who visited the reception centres in the army barracks in Luwero, and met with the people who are coming home from the LRA camps. They are then transferred to Gulu, where over 100 people have been repatriated in the last two years. I can confirm that the community has opened up, and is ready to forgive and accept them, and receive them back home. As religious leaders, we have been holding meetings to change the hearts of people, to accept these returnees. We explain that "these are our children, and we failed to protect them, and they were taken against their will, and they ended up in captivity, and we should all receive and accept them."

My view reflects the view of the community, which is that an amnesty is the best way to bring Joseph Kony out of the bush. The path of arrest and the ICC did not work, and still, more bloodshed, more abductions, and more punitive acts have occurred. Joseph Kony has committed crimes, but if he shows remorse, he has to be forgiven, for our community to find peace.

We have a story in Islam. A man killed 97 people, and he was wondering if God would ever forgive him. He met three more people, who were all scholars. He told the first that "I have killed 97 people, will God forgive me?" The first scholar said no, and the man killed him. The second scholar said no, and the man killed him. He then asked the third scholar, who said "Go back to where you have killed, and ask the people where you killed for forgiveness. If the people forgive you, then God will also forgive you". The man walked back to the place where he had killed people, and on his way, he fell down dead. And the angels of heaven and hell were fighting over him. And God said that he had moved enough towards forgiveness, and that he had been seeking forgiveness. And so he went with the angel of heaven.

For people who have suffered in the war, even if you give Joseph Kony a death sentence, it can never change what happened to them. The only thing that can change things, is forgiveness. I believe that all the religious leaders in the ARLPI are aligned on this point. We see that the transitional justice mechanisms are the best hope for peace, because they are holistic and everlasting. Transitional justice is also restorative, and so it means that if someone prays for forgiveness, and is forgiven, then he is welcomed back to the community. His faith is restored, and his relationship with the community is restored. This is the position of the religious leaders. The ideal for me, would be that the ICC withdraw from this process, and we can proceed with the process of forgiveness.



Sheikh Musa Khalil
Regional Assistant to the Mufti of Northern Uganda.
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