



## Security Council

Distr.: General  
12 August 2004

Original: English

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### **Letter dated 11 August 2004 from the Permanent Representative of Uganda to the United Nations addressed to the President of the Security Council**

On instructions from my Government, I have this to say.

The Government of Uganda has read the special report of the United Nations Organization Mission in the Democratic Republic of the Congo on the events in Ituri from January 2002 to December 2003, and has noted the numerous references to the alleged role of the Uganda People's Defence Forces (UPDF) and/or officers serving under it. Pending a detailed response, we would wish to make the following comments:

(a) Uganda has consistently stated that its objective in sending units of UPDF into the Democratic Republic of the Congo was to safeguard its legitimate security concerns in the face of a near-total absence of governmental control in large areas of the eastern Democratic Republic of the Congo bordering on Uganda and the active presence there of Ugandan rebel movements, such as ADF, intent on destabilizing Uganda and terrorizing the Ugandan districts bordering the Democratic Republic of the Congo. It was not for picnic or so-called illegal exploitation of the natural resources of the Democratic Republic of the Congo that our forces went there. Uganda has a duty under international law and the Charter of the United Nations to defend itself and protect its citizens. UPDF stayed in the Democratic Republic of the Congo only as long as this objective was being pursued. They were withdrawn as soon as there were reasonable arrangements to ensure that those threats would be addressed. Uganda has no proxies on the soil of the Democratic Republic of the Congo as alleged.

(b) The absence of governmental control and institutions in the eastern Democratic Republic of the Congo led to the intensification of age-old tribal rivalries and the multiplication of fighting groups, particularly in Ituri. The presence of UPDF, far from contributing to the inter-ethnic fighting, in fact often played a stabilizing role and in many cases prevented the occurrence of massacres among warring tribes. Given the size of the territory and the paucity of the UPDF troops deployed, it was not always possible for the atrocities committed by those warring factions against each other to be completely prevented. UPDF at no time participated in or encouraged the commission of atrocities or inter-ethnic fighting.

(c) The report acknowledges the presence of some hostile forces such as the so-called UPC faction led by Lubanga. Some of these have embraced Uganda

dissidents such as Colonel Muzoora, and are a threat to Uganda. There is no recommendation on how to deal with such hostile forces.

(d) Neither Uganda nor its armed forces condone impunity. That is why for instance Uganda has asked the International Criminal Court to prosecute Kony and his gang for heinous crimes committed in northern Uganda. We do not, therefore, believe in the culture of impunity, and those found to have committed crimes, including members of our armed forces, would be punished, but such a course of action would be based on credible evidence arrived at by an independent judicial process. Uganda subscribes to the well-known legal doctrine of presumed innocent until proved guilty. The report purports to condemn people unheard.

(e) The problems of the Congo will not be solved by over-zealous human rights groups bent on finger-pointing or bashing and ignoring the real problems on the ground. The main thrust of any inquiry or report should be towards solving those problems. Problems like lack of effective governmental control over the eastern Democratic Republic of the Congo from the capital, land wrangles between various ethnic groups like Lendu and Hema, which have given rise to violent confrontations, the presence of armed groups in the area who are a threat to neighbouring countries, etc. The cooperation of neighbouring States is crucial to any meaningful inquiry. There is no indication in the report that the authors of the report cross-checked with Uganda authorities on any of the allegations made against UPDF.

(f) It is unfortunate that the authors of the report, in paragraph 27, doubt Uganda's legitimate security concerns in Ituri. Our legitimate security concerns have been acknowledged in previous reports on the Democratic Republic of the Congo, such as the Kassem report. It is not an invention. This calls into doubt the motives behind those who wrote the report.

(g) The Government of Uganda fully shares and supports the recommendations set out in paragraph 161 of the report. We believe that if they are implemented they will go a long way to ameliorating the security and humanitarian situation in Ituri, in particular, and in the eastern Democratic Republic of the Congo, in general, and in ensuring the security of the neighbours of the Democratic Republic of the Congo.

I should be grateful if the text of this letter could be circulated as a document of the Security Council.

*(Signed)* Francis K. Butagira  
Ambassador  
Permanent Representative