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HOLDING ARMED OPPOSITION GROUPS ACCOUNTABLE

PEACE AT ANY PRICE?

A DISCUSSION OF EFFORTS TO INFLUENCE THE LORD'S RESISTANCE ARMY  
OF NORTHERN UGANDA

Andrew Mawson

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*"In a war situation you have to look at the character of both sides,  
both the government and the rebels."*

Yousif Adek, Acholi elder and intermediary with the LRA,  
on barriers to effective intervention by civil society.  
Interviewed in Gulu, 12 May 1999.

INTRODUCTION

1. The Lord's Resistance Army (LRA), a Sudanese Government-backed armed opposition group led by a young spirit medium called Joseph Kony, has acquired an infamous reputation for gross human rights abuses that include the mutilation of civilians, the massacre of villagers and large-scale child abduction. Although the LRA activity is almost exclusively restricted to two small districts in northern Uganda inhabited by the Acholi people, since 1997 its reputation has spread widely.
2. Fighting in northern Uganda began in August 1986, seven months after the National Resistance Movement (NRM) government of President Yoweri Museveni came to power following five years of guerrilla struggle against two regimes dominated by Ugandans from the north. The war started in the context of a nation institutionally shattered, ethnically divided and economically bankrupted by 15 years of repression and civil conflict. At least initially the fighting represented the continuation in a new form of the war between the NRM and the previous government. Despite the war (and other conflicts in other parts of the country), over the years since 1986 the NRM has consolidated itself nationally. Southern and central parts of Uganda are once again economically prosperous. Uganda has assumed an important political and military role in the

region and is regarded as a key African ally of the United States.

3. The war in the north has remained, until relatively recently, largely ignored. The districts of Gulu and Kitgum have been left behind by the rest of Uganda. Yet the conflict has not been hidden. The Ugandan media has reported extensively from the war zone throughout. The relationship of the rest of Uganda with the war has been complex. Initially the conflict seemed a threat to the new order but at a national level by 1989 it was by and large seen as peripheral. To an extent this continues. For example, despite the existence of active and high profile civil society institutions in Uganda, there has been until recently relatively little engagement with the war by Ugandan human rights and humanitarian actors, with the exception of those from northern Uganda itself. These actors have felt isolated and ignored. There has been even less engagement orientated towards influencing the LRA.
4. This study looks at what different actors have tried to do to influence the LRA in relation to its human rights behaviour and why they have followed the paths that they have. At one level it appears that little has been achieved. However, there are grounds for believing that work by human rights and humanitarian actors has begun to transform attitudes to the war within Uganda and internationally. This may be having an impact on both the Ugandan Government and the LRA.
5. The report is also a study of the reasons for an absence of action. Fundamental political and social factors have helped form opportunities and obstacles. These are therefore an important part of the study.
6. The report concentrates on Ugandan institutions and actors. The Church of Uganda and the Roman Catholic Church, both deeply rooted in northern Uganda, have maintained the most consistent and active engagement. Other institutions discussed include community groups, Acholi elders, human rights and humanitarian NGOs from northern Uganda and Kampala, women's organizations and a forum known as the *Kacoke Madit* created by Acholi outside Uganda to facilitate dialogue on peace. This community is small and historically less than cohesive. However, over the past five years a number of bodies have begun to see strength in co-operation with each other and with international actors.
7. The study also considers the impact of work by international bodies such as UNICEF, international humanitarian organizations such as World Vision Uganda (WVU) and ACORD, and human rights NGOs such as Amnesty International (AI) and Human Rights Watch (HRW).<sup>1</sup>
8. The main focus of the study is activity in the period 1994 until the present. This represents an identifiable phase of the war in military terms and coincides with developments in the wider Ugandan political and constitutional context that stimulated and allowed NGO creation. However, the activity of civil society actors in this period has been in part moulded by events and experience in previous years.
9. Ugandan human rights and humanitarian actors live and work in political and social space partly structured by dynamics deriving from Uganda's long and traumatic experience of ethnic division and militarized government, from the dynamics of the war that brought the NRM to power and from the strategies of the NRM government to legitimate and consolidate its rule throughout the country. There is a recognisable culture and style of NGO work (especially among those based in Kampala). This includes a degree of self-limitation with respect to activities that might lead to confrontation with the authorities. Although this is increasingly internally questioned, it remains

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<sup>1</sup> The work of the International Committee of the Red Cross is not discussed in this paper, despite a long and interesting engagement with northern Uganda. The insights of staff in Uganda, who spoke to the researcher on condition of confidentiality, were nevertheless valuable.

dominant.

10. Ethnic background remains an important factor in influencing perceptions of what work is possible or appropriate. Until recently actors from Kampala and southern Uganda have not identified the war and human rights abuses in the north as an issue for them. For example, even within the churches bishops and priests from northern Uganda believe they have been ignored by their colleagues and leaders from other parts of Uganda. Southern actors do not know how to relate to the LRA.
11. The barriers to seeking to influence the LRA directly are immense. At an immediate level there is the fearsome practice and reputation of the armed group. Access to the group in Uganda or in bases in Sudan is extremely difficult. There is uncertainty about the relevance of persons who claim to be its external political wing.
12. The political and military dynamics of the war itself, which in the early years were closely bound up with the NRM's struggle to establish itself and northern Ugandan resistance to this, also influence what is possible for human rights and humanitarian actors. The Ugandan authorities give confused messages about what is allowed and what is not. Different elements within local government, central government, the military and the various intelligence agencies seem to operate according to different agendas. Persons suspected of being in contact with the LRA are treated with suspicion. The authorities, who at a public level appear committed to a military approach to ending the war, periodically react with overt hostility towards persons or institutions who call for different approaches.
13. Indeed, a key finding is that it is not just the nature of the LRA and its behaviour that has influenced how (and whether) Ugandan human rights and humanitarian actors seek to work in relationship to it. Equally important, possibly even more important, is the nature of the government, its strategic approach to the war (and to resolving it), the space that it allows for human rights and humanitarian activity, and the behaviour of its forces in the war zone over time. The historically complex and deeply troubled relationship of the NRM government with northern Uganda has been a critical factor in defining the degree to which it has been possible to work in relation to the LRA and the form that this work has taken.
14. Few active Ugandan actors have attempted to engage with the LRA on what might be called "traditional" human rights terms. In the course of research for this study, questions asked about human rights work were routinely answered with replies about peace work. A widely-shared interpretation of the human rights project among Ugandan human rights and humanitarian actors is that it involves ending the war. Most consider this to be the only effective way of protecting people from human rights abuse. Most actors believe that peace with total legal impunity (for the LRA) is the only peace that is possible. The notion that LRA leaders in particular should be made to account for human rights abuses through prosecution appears to most Ugandan actors not only irrelevant to the practicalities of the situation but positively dangerous to the ultimate goal of ending conflict.
15. Perhaps because of this, few actors make any reference to international human rights or humanitarian law. What international human rights bodies term "human rights violations" are more commonly referred as "atrocities". There is a degree of confusion about the role of documentation or human rights reporting. Many organizations appear to feel reluctant to "point the finger" at either government or LRA. They prefer to orientate public reporting towards pointing up the impact of war in general terms. Yet, arguably, the absence of documentation has proved a tremendous constraint on the success of other initiatives.

16. The report addresses the issue of success (in terms of reducing abusive practices). The general representation of the LRA as mindlessly violent obscures the fact that while its abuses are excessive they are also deliberate and to an extent based on strategic thought. There were significant changes in some aspects of LRA behaviour towards civilians in 1998 and 1999. Interpreting why these changes took place is not straightforward and different actors give different explanations. These range from the LRA's response to government counter-insurgency tactics to response to the armed group's increasingly negative international image. This study attempts to identify the circumstances in which the LRA has found it appropriate to reduce the level of its abuses against civilians and the role of human rights and humanitarian action in helping create these circumstances.
17. **Chapter 2** describes the key phases of the war, the relationship between the LRA and its political wing and the Sudanese factor. It also discusses an important historical moment -- the collapse of peace talks in 1994 – and the importance of child abduction as an issue. **Chapter 3** introduces the Ugandan human rights and humanitarian communities through a discussion of the national context in which they operate. Particular emphasis is placed on the limitations to the space for human rights activity (which are partly self-imposed by Ugandan actors), the importance of ethnicity in Ugandan political life and the way in which the human rights project has been defined to equate with putting an end to the war. **Chapter 4** takes a closer look at the humanitarian and human rights actors that have sought to influence the LRA. It identifies three categories of actors – actors rooted in the Acholi community, northern Ugandan actors working within international humanitarian organizations and international child rights and human rights organizations.
18. **Chapter 5** looks at attitudes to both the LRA and the government. It describes how the LRA has been demonized and argues that this has played a role in preventing human rights and humanitarian actors from engaging with it.
19. The next four chapters describe strategies and action to influence the LRA. **Chapter 6** looks at the work of community-based groups of parents seeking the return of their children. **Chapter 7** discusses the approach to documentation followed by Ugandan actors. This has been limited and has concentrated on exposing the impact of war. An important series of initiatives that appear to have had some impact has involved Ugandan actors exposing Acholi in exile to information about the situation in the north. **Chapter 8** describes different areas of work that add up to creating the conditions in which LRA soldiers are able to give up and return home. Work with former child soldiers by humanitarian organizations is an important part of this. Another important area is building community reconciliation and lobbying the state to grant unconditional amnesty to LRA leaders.
20. **Chapter 9** looks at the work of international actors. It argues that documentation and reporting in 1997 by international human rights actors on human rights abuses against children by the LRA was important and effective in building up pressure on both the armed group and the Uganda government. The success of these reports and subsequent campaigning was a result of extensive co-operation between Ugandan and international bodies. International actors have been able to address the Sudanese Government, something that Ugandan actors have felt to be off-limits to them. Finally, **chapter 10** is a concluding discussion.

## Methodology

21. This study is based on a combination of fieldwork in Uganda and London and library research. One period of fieldwork in Uganda (3-21 May 1999) was dedicated to the project. Nine days were spent in Kampala interviewing Ugandan human rights organizations and activists, staff of

UNICEF, the head of delegation of the ICRC, members of the Uganda Human Rights Commission, members of parliament and women's organizations.

22. Nine days were spent in the northern districts of Gulu and Kitgum meeting the district authorities (Gulu), humanitarian and human rights organizations, Acholi elders, church leaders, community associations and ICRC and WFP field personnel. While in Gulu I attended a meeting between President Yoweri Museveni and district opinion leaders which directly addressed the issue of government strategies to end the war. In Kitgum I was hosted by the Bishop of Kitgum (Church of Uganda), a leading advocate of peace. On return to Kampala I took part in a meeting of 11 human rights, women's and peace organizations called to exchange information on recent initiatives in relation to the north and to discuss ways forward. In all 64 persons were interviewed for this study.
23. In addition I was able to draw on material gathered in another 200 interviews and meetings carried out on behalf of Amnesty International during previous field visits to northern Uganda and Kampala in May 1997, July 1997, May 1998 and March 1999 and on material collected attending the 1998 *Kacoke Madit* (a forum for dialogue between Acholi from Uganda and the diaspora) in London in July 1998.
24. I would like to acknowledge with gratitude the considerable co-operation and support received from many individuals and organizations. In particular, in Kampala, Patrice Vahard and staff members of Amnesty International's Africa Regional Office, Okumu Ronald Reagan MP and Norah Matovu Winyi of HURINET; in Gulu, James Otto of HURIFO; in Kitgum, the Right Reverend Macleod Baker Ochola of the Church of Uganda and Father Carlos Rodriguez of the Justice and Peace Committee; and, in London, Patrick Otto of the *Kacoke Madit* and Dan Silvey of Amnesty International.

## WAR IN NORTHERN UGANDA

25. The war in northern Uganda is centred on the two districts of Gulu and Kitgum, inhabited by the Acholi people, who number approximately 800,000 people. These districts border Sudan to the north, itself wracked by civil war, in which a smaller Acholi population also lives. The area over the border in Sudan is a zone contested by the Sudanese Government and the Sudan People's Liberation Army (SPLA). Within Uganda, the conflict spills over into the fringes of neighbouring districts, most notably Apac and Lira immediately to the south. It does not, however, have direct impact on the capital and richer south and centre of the country.
26. The dynamic of the war and the motivations of those fighting are closely bound up in local circumstances and forces. However, it is not possible to understand the conflict and action in relation to human rights abuse within it divorced from the wider context of the Ugandan nation. People from northern Uganda, an area distant from the capital and economically marginal, have played an active role in Uganda's political history as members of Uganda's armed forces and as political leaders.
27. As the war has continued it has acquired an international dynamic of increasing importance. Since at least 1994 the armed opposition Lord's Resistance Army (LRA) has received support from the Sudanese armed forces. This has included base camps and armaments. Without this support it seems unlikely that the war would have been as intense as it has been over the past five years.
28. This chapter starts with a brief outline of the wide variety of factors that commentators have identified as contributing to the origins of the war. This points up the complex ethnic, social and political dynamics that run through it and which influence the decisions and strategies of human rights and humanitarian actors in the present. The chapter then sets out a schematic history of

the conflict which it divides into four phases. It next briefly outlines the relationship between the LRA and its political wing. The following sub-section discusses a particular historical moment of great importance, failed peace talks in early 1994, which appear to have established the parameters of subsequent action by most Ugandan human rights actors. The chapter then describes the Sudanese factor before concluding with a discussion of child abduction and its significance.

## Origins of war

29. The origins of war are deeply embedded in Uganda's long history of political violence. The war is partly a product of long-running social and economic divisions in Ugandan society that have informed political action and organization. In the politics of Ugandan ethnicity, the division between southern Bantu peoples living in economically prosperous, politically centralized societies and northern Nilotic peoples living in economically marginal, politically non-centralized societies is a basic theme that runs throughout Ugandan history.
30. The war is partly a consequence of the militarization of Ugandan politics that began in the first post independence government (commonly known in Uganda as Obote One).<sup>2</sup> In particular, the two governments and the army (known as the Uganda National Liberation Army - UNLA) against which Yoweri Museveni's NRM waged armed struggle between 1981 and 1985 were dominated by northerners. The military government of Tito Okello (July 1985 to January 1986) was led and dominated by Acholi.
31. In January 1986 the NRM victory was widely perceived in Uganda as the victory of southerners over northerners. For the previous 15 years successive military governments had sought to eliminate opposition through violence. Over that time accountability for human rights abuse had taken the form of collective ethnic ascriptions of guilt, retribution and retaliation. People from northern Uganda expected retaliation for massacres in other parts of Uganda in the period 1981-1986. Many fled into exile.
32. A wide-ranging parliamentary inquiry into the war in 1996 received evidence that argued that the diverse causes of the war included the desire of ousted politicians to regain power and fear of the NRM.<sup>3</sup> A study by Robert Gersony identifies four issues that contributed to the start of conflict. These were, first, the military humiliation of the northern dominated UNLA through defeat by a guerrilla army. Secondly, the loss of government power by Acholi. Thirdly, the economic consequences to northern Uganda of the UNLA defeat through loss of income from soldiers and vulnerability to cattle-raiding. Fourthly, fear in northern Uganda of southern Ugandan/NRM retaliation.<sup>4</sup>
33. As time has gone on other factors have come in to the picture and the war has taken on its own dynamic. For example, early fear of retribution appeared to be legitimated in late 1986 when National Resistance Army (NRA) troops deployed to northern Uganda began to use violence against the civilian population, especially once military resistance by regrouped former government soldiers started.

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<sup>2</sup> E.A. Brett, *Neutralising the role of force in Uganda: the role of the military in politics* in *The Journal of Modern African Studies*, 33 (1), 1995, pp 129-152.

<sup>3</sup> Sessional Committee on Defence and Internal Affairs of the Uganda Parliament, *Inquiry into all aspects of the war currently taking place in northern Uganda with a view to bringing it to a speedy end*, Uganda Parliament, February 1997, pp 6-21.

<sup>4</sup> Robert Gersony, *The anguish of northern Uganda: results of a field based assessment of the civil conflicts in northern Uganda*, USAID Kampala, August 1997, pp 14-17.

34. These fears were not restricted to the Acholi parts of northern Uganda and similar events were taking place elsewhere. By 1987 there were also major rebellions underway in north-west and north-east Uganda. For example, in north-east Uganda in the area known as Teso the authorities disarmed local militia established to protect herds from reiving Karamojong pastoralists. Raiders swept the area clean of cattle. Meanwhile, NRA soldiers were reportedly responsible for killings and other human rights violations. By early 1987 former government officials, soldiers and police had capitalized on this to form the Uganda People's Army/Front (UPA/F).

### Phases of war

35. The war can be crudely and schematically divided into four "phases". The first three overlap with the government's project of national consolidation:

#### *Phase one: 1986-1988 - the collapse of armed struggle by conventional armed opposition*

36. The war started with the invasion in August 1996 of northern Uganda by the Uganda People's Democratic Army (UPDA), largely made up of former government soldiers and politicians. Internal disunity, lack of credibility and government peace overtures meant that the UPDA rebellion was largely over by mid-1988.
37. Meanwhile, Alice Auma, also known as Lakwena (Luo for "messenger"), an Acholi spirit medium, raised a group known as the Holy Spirit Mobile Force (HSMF). She mobilized thousands of people, including former government soldiers, villagers and deserting UPDA commanders and their units in a crusade against the new National Resistance Movement (NRM) government, against witches and sorcerers, vengeful spirits and impure soldiers.<sup>5</sup> She was eventually defeated in November 1997, a mere 90 miles from Kampala.
38. This sets out what might be termed a double-theme in the dynamic of war in the north. The first part is relatively conventional military resistance to the NRM government in the form of the UPDA. The second is a more grass-roots mixture of political resistance and both personal and communal redemption through the mobilization of spiritual forces taking their form from Acholi interpretations of both personal and shared experience. In 1986 such experience included the collapse of Acholi political power, the loss of leadership within Acholi society, alienation from the rest of Uganda caused by the past behaviour of UNLA troops and spiritual contamination resulting from killings in the Luwero triangle, West Nile and elsewhere. Far from being a dominant force within government and the army, Acholi were now isolated and vulnerable to violent retaliation for past misdeeds, some real, others ascribed.
39. Government forces committed serious human rights abuses in northern Uganda in 1986 and 1987. There were hundreds of killings and thousands of young men were detained.<sup>6</sup> The majority of detainees were from the north. Acholi blame government soldiers for the loss of the entire cattle stock of the two districts, a huge economic and social blow. They stand accused of taking stock themselves and of standing by while pastoralists from further east looted cattle.
40. Both the UPDA and the HSMF were responsible for killings and other forms of human rights abuse. For example, many suspected government informers were killed. As time passed some units who claimed to be UPDA became increasingly difficult to distinguish from bandits and

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<sup>5</sup> Heike Behrend, *Violence dans le nord de l'Ouganda. Le mouvement du Saint-Esprit (1986-1987)* in *Politique Africaine* No 48, Décembre 1992; Jeeds Oceng, *Lakwena's movement in northern and eastern Uganda 1986-1987*, an unpublished manuscript giving an insider's account of the HSMF, Kitgum, 1995.

<sup>6</sup> *Uganda: The human rights record 1986-1989*, Amnesty International (59/01/89), March 1989.

thugs. The rebellion provided ample opportunities to loot. However, in comparison with human rights abuses by the NRA, incidents appear to have been on a relatively small scale.

41. During this first phase of the war the disruption and destruction in northern Uganda was severe. There were thousands of casualties. In August 1987 President Yoweri Museveni claimed that over the previous 12 months the NRA had killed over 5,000 rebels.<sup>7</sup> In March 1988 it was reported that in 1987 over 7,000 rebels and possibly 1,000 NRA soldiers had been killed.<sup>8</sup>

*Phase two: late 1987-1991 - the rise of Joseph Kony*

42. After Alice Lakwena's defeat her father, Severino Lukwoya, used his religious powers to mobilize forces in central Kitgum. Although at one stage Lukwoya's group (known as the Lord's Army) is thought to have numbered approximately 2,000 people, a young man from Gulu called Joseph Kony began to emerge as the more influential spirit medium.<sup>9</sup>
43. Joseph Kony took control of a local UPDA unit in late 1987. After the collapse of the HSMF the group emerged as the most important focus of resistance to the new government, changing its name several times. It was originally known as the HSMF Two. In 1989 it became known as the United Holy Salvation Front and in 1990 United Democratic Christian Army (UDCA). Finally, in early 1993, it became known as the Lord's Resistance Army (LRA).
44. Although Kony initially had a degree of support among rural people, his spiritual powers have always included a violent interpretation of the effects of impurity on individuals and the community and his group has used violence in their dealings with civilians from the start. In part this appears to have been aimed at cleansing the Acholi people of spiritual contamination, in part it appears to have been to establish control through terror. As early as March 1988 there were reports that Kony's forces were responsible for the massacre of civilians.<sup>10</sup> His recruitment techniques included the forcible assimilation of UPDA fighters and the abduction of civilians.<sup>11</sup>
45. By late 1988 the government had secured political agreement with the majority of the UPDA leadership and more and more rebels were coming out of the bush. The authorities appear to have decided that a major military push at this point would end the conflict. Over the last three months of 1988 the NRA forcibly cleared approximately 100,000 people from their homes around Gulu town to deprive Kony's group and the last remaining parts of the UPDA civilian logistical support.
46. The operation was badly misjudged. Soldiers committed hundreds of extrajudicial executions and burnt down homesteads and granaries. People flocked to Gulu and nearby trading centres -- but nothing had been prepared to receive them. For months displaced people had inadequate shelter, sanitation and water, and insufficient supplies of food. The operation was successful in temporarily depriving Kony's forces of support -- but it fuelled further resentment of the government.
47. After complaints by churches, local councillors and international human rights organizations, the army announced that there would be an inquiry into reports of human rights abuses. This was never concluded. The promise to investigate but the failure to conclude the inquiry or make any public report is a particular example of a pervasive theme of lack of accountability for human

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<sup>7</sup> AFP, 19 August 1987.

<sup>8</sup> Catherine Bond in *The Guardian*, 28 March 1988.

<sup>9</sup> Heike Behrend, *The formation of the Holy Spirit Movements in Acholi*, an extract published in *The New Vision* on 16 August 1998 from *African Guerrillas* edited by Christopher Clapham, Fountain Publishers, Kampala 1998

<sup>10</sup> Catherine Bond, "Holy Spirit" stalks Uganda again in *The Guardian*, 28 March 1988.

<sup>11</sup> *The New Vision*, 9 November 1992.

rights abuses by government actors that runs through the history of the past 13 years in northern Uganda.

48. Between March and July 1991 the NRA mounted another major military offensive, Operation North. This was also characterised by the heavy-handed treatment of civilians. Gulu and Kitgum District were sealed from the rest of the country. NRA soldiers were alleged to have extrajudicially executed scores of villagers. Hundreds of others were detained without charge or trial. Northern leaders who questioned government strategy or who protested at human rights violations by the NRA were arrested and charged with treason.<sup>12</sup>
49. Part of the operation involved the mobilization of villagers into self-defence units, known as Arrow Brigades. Kony's UDCA began an intensive campaign of punishment in response.<sup>13</sup> Suspected Arrow Brigade members were killed, sometimes with their relatives and neighbours. Hundreds of others were mutilated. Persons suspected of informing on the UDCA had their lips cut out, their ears severed or were blinded. Others had hands or feet hacked off. The UDCA continued to recruit through abduction.
50. The formation of the Arrow Brigades, short-lived as they were, was an important moment in the war. They made visible the degree to which villagers, particularly in Kitgum, were becoming hostile to the UDCA.<sup>14</sup> The UDCA reaction alienated many more Acholi and accelerated loss of support for Kony.
51. Operation North was successful in reducing UDCA military capacity and UDCA violence was losing the group legitimacy. By the end of the year a degree of stability was returning to Gulu and Kitgum Districts and the war was at its least intense since 1986.

*Phase three: 1992 to early 1994 - movement towards peace*

52. The years 1992 and 1993 were militarily quiet and reconstruction work was able to begin. As the then government-owned newspaper *The New Vision* reported (in a manner which reveals the ubiquity of abuse by government forces), "*with limited encounters with rebels, the trend of human rights violation by NRA soldiers during counter insurgency operations has...been greatly reduced*".<sup>15</sup> There were also few reports of abuses by Kony's forces.
53. Alongside reconstruction there appeared to be an opportunity for peace. In February 1993 Pope John Paul II visited Gulu and used his sermon to call for peace and reconciliation. This was a hugely significant moment for civil society in northern Uganda because it seemed to promise the support of the outside world and the structures of the church for efforts to end the war on terms other than outright military victory for the government. Not long afterwards Kony (who was by now calling his group the Lord's Resistance Army (LRA) in what may have been an effort to mark a symbolic break with the past) sent messages to the authorities expressing willingness to surrender on negotiated terms.<sup>16</sup>
54. Meanwhile, at a national level a Constitutional Commission issued recommendations on Uganda's future constitution. Preparations were started for elections to an assembly to decide the new constitution. Opponents in exile were increasingly marginalized. Several prominent political opponents in exile returned to Uganda, among them Tito Okello, the Acholi former military

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<sup>12</sup> Amnesty International, *Uganda: Human rights violations by the National Resistance Army* (AFR 59/20/91), December 1991.

<sup>13</sup> James Otto and Paulinus Nyeko, HURIFO, Gulu, 11 May 1999.

<sup>14</sup> Robert Gersony, *ibid* p33.

<sup>15</sup> Caroline Lamwaka, *The north catches up on law and order* in *The New Vision*, 13 October 1992.

<sup>16</sup> Okumu Langol, *Kony gives terms for his surrender* in *The New Vision*, 2 March 1993; Sam Obbo, *Owor carries rebel letter to Museveni*, in *The New Vision*, 2 April 1993; Lillian Nsubuga and William Wangtic, *Rebels give Owor letter to Museveni* in *The Monitor*, 2-6 April 1993.

leader and president, who spoke out against continuing rebellion in the north.<sup>17</sup> There was a significant reduction in the level of military opposition to the government in other parts of Uganda. The war in Teso was brought to an end by a combination of aggressive military action, the promise of amnesty for returning rebels, negotiation with individual prominent exiles and the promise of economic investment partly controlled by people from the area in the form of the quasi-independent Teso Commission.

55. The NRM government had successfully established its legitimacy. This was even true in the north where the government may have been actively disliked and resented but was now regarded as a fact of life. There was no other viable alternative.
56. The focus of both the general public and government structures in the north was on how to build peace. In September 1992 the Minister of State for the North (based in Gulu) reported that she had received over 80 letters of complaint about human rights abuses from the public. Significantly, these were out-numbered by 646 written peace proposals.<sup>18</sup> The Minister started a peace process that culminated in a series of face-to-face meetings with Kony in northern Uganda in late 1993 and early 1994.
57. However, in February 1994 the president delivered an ultimatum for the LRA to come out of the bush within seven days. The peace process collapsed.

*Phase four: 1994-1999 - Sudanese support, child abduction and forced displacement*

58. Throughout 1994 and 1995 there was a steady escalation in fighting as government forces sought to finish off the LRA militarily. Meanwhile the LRA, now with relatively secure base camps in Sudan and arms supplied by the Sudanese Government, built up its fighting forces through a massive increase in child abduction.
59. Since 1994, the conventional method of LRA operation has involved groups several hundred strong infiltrating from Sudan. Once in Uganda the groups split into highly mobile smaller units that fan out, merging and dividing according to objective. After some weeks the groups re-coalesce, possibly leaving some units behind, and cross back into Sudan with new captives and loot.
60. In 1995 and 1996 the war became a clear struggle for control of the civilian population between the LRA and the Uganda People's Defence Forces (UPDF) (the new name of the government army under the 1995 constitution). LRA aims were to acquire food, recruits or abducted children to replenish losses in their ranks and labour to carry supplies and stolen property. In 1996 part of this involved forcing people away from roads in order to give villagers less opportunity to contact the UPDF or civilian authorities and to facilitate ambushes and mine laying. Meanwhile UPDF aims have included cutting off the LRA from food by separating the civilian population from the rebels and preventing cultivation from taking place in the countryside at times or in places where it might fall into the hands of the armed group.<sup>19</sup>
61. Many attacks on civilians by the LRA have involved large-scale loss of life. For example, in April 1995 the LRA raided Atiak trading centre in northern Gulu District and killed over 200 people. In July 1996 a Sudanese refugee camp in Kitgum was attacked and more than 115 refugees shot or hacked to death. In January 1997 over 400 villagers were killed over a four day period at various

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<sup>17</sup> Robert Gersony, *ibid* p33.

<sup>18</sup> *The New Vision*, 28 September 1992.

<sup>19</sup> Amnesty International, *Uganda: Breaking the circle: protecting human rights in the northern war zone* (AFR 59/01/99), 17 March 1999.

locations in Lamwo County, a strategically important area along the Sudanese border crossed by the LRA on their way in and out of Uganda.

62. 1996 was perhaps the most violent year of the entire war. In June and July 1996 the LRA established itself as a dominant force in the countryside. While it did not control territory with any security it managed to create an environment in which the UPDF was largely reacting to it rather than determining military events. Tens of thousands of people fled from their farms and villages to the relative safety of Gulu and Kitgum towns. In August, Gulu town itself was attacked on several occasions. In September, President Museveni announced that the authorities were going to create “protected villages”.
63. Over the rest of the year and during the early months of 1997 hundreds of thousands of people moved from the countryside. According to Gulu District Council, by February 1997 approximately 280,000 people in Gulu were living in camps.<sup>20</sup> At the peak of displacement (mid-1998) around 320,000 people were displaced in Gulu (approximately 80% of the population of the district) and another approximately 80,000 people in Kitgum.<sup>21</sup>
64. Many people moved to camps “spontaneously”, fleeing from the LRA. Others feel that the authorities gave them no choice about leaving their farms and livelihoods. Yet others were physically forced by government soldiers. However, the level of direct abuse by soldiers appears to have been significantly lower than when mass displacement was used as a counter-insurgency technique in late 1988. People were aware that the LRA was likely to be more violent than government forces. Nevertheless, few people are happy to be in camps, which appear to have become semi-permanent, regarding them as punitive.
65. While camp conditions vary from place to place and have generally improved through time, for the first year, and in some cases for much longer, many were ill-prepared with inadequate water supplies, poor sanitation and limited or no health services. Access to land around camps is difficult, especially in the larger camps, and food supply by NGOs and the UN have not always been guaranteed, especially at times of intense military activity by the LRA. Local people have consistently complained that the army has failed to protect them from assault by the LRA seeking to abduct children and loot food. Further, UPDF soldiers have themselves been directly responsible for human rights violations against people in camps.<sup>22</sup>
66. Faced by poor conditions and unimpressed by the degree of safety afforded by camps, some villagers have periodically returned to their homes to forage for food. There have been many incidents in which unarmed civilians caught in the countryside by UPDF soldiers have been extrajudicially executed, raped or beaten. In 1997 and again in 1998 villagers tried to take advantage of lulls in military activity while the bulk of the LRA was regrouping in Sudan to return to villages to cultivate. The UPDF reaction varied from place to place but in some areas as soon as the LRA has looked as if it is returning, soldiers have used force to drive people back into camps.
67. The response of the LRA to the concentration of people in camps has been to try and drive them back to their fields to produce food that could be expropriated by the LRA later in the year. In 1998 in Gulu and Kitgum Districts there was a change in the pattern of violence with fewer killings. The pattern of abduction also changed; the majority of children abducted seem to have been taken towards the end of periods of incursion while LRA units were on their way back to Sudan. Fewer adults were abducted.

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<sup>20</sup> UN Department of Humanitarian Affairs, *Uganda Humanitarian Situation Report*, 15 March 1997.

<sup>21</sup> WFP Emergency Report No 25, 19 June 1998, and WFP Emergency Report No 23, 5 June 1998.

<sup>22</sup> Amnesty International, *Breaking the circle: protecting human rights in the northern war zone* (AFR 59/01/99), 17 March 1999.

68. However, in 1997 and especially in 1998 the LRA extended its operations involving looting, killings and child abduction into the neighbouring districts of Apac, Lira, Soroti (May 1998) and Kotido (December 1998). It is plausible to suggest that these operations, like attacks on camps, are a result of the LRA finding it difficult to get food and to capture children in Gulu District.<sup>23</sup>
69. Meanwhile in 1998 the UPDF attempted to prevent LRA crossings from Sudan by constructing a razor-wire, mined fence along the border and a series of improved roads to facilitate troop movements. The scale of LRA activity reduced in the latter part of 1998. The most recent incursion took place in November 1998 and involved a smaller group than northern Uganda had become used to over the period 1995-1997. In February 1999 the group returned to Sudan through eastern Kitgum, abducting 70 children and young men at the village of Omiya-Anyima as one of its last acts.
70. Since then northern Uganda has been militarily quiet. In April and May 1999 villagers throughout Gulu and Kitgum were taking the opportunity to return to their farms in large numbers (while leaving family members and possessions in camps) to cultivate, apparently with the cooperation and support of the authorities.

### **The LRA and the LRM**

71. The LRA claims a political wing called the Lord's Resistance Movement (LRM). Representatives are based in London and, until late 1997, in Nairobi. Since early 1999 the LRA has operated a radio station out of Juba in southern Sudan, broadcasting in Acholi and English for one hour per day. This appears to be a response to the increasingly negative perception of the LRA in northern Uganda.
72. The political wing only appears to exist among the Acholi community in exile. The consensus among most Ugandan human rights and humanitarian actors is that members or office holders of the LRM have only limited influence on the military leadership of the LRA. However, it does appear that some Acholi exiles (not necessarily those who identify themselves as LRM members) do have contact with LRA field commanders in Sudan. Power resides with field commanders close to Joseph Kony.
73. The armed group does not have a clearly formulated political program that can be readily identified. At various stages the LRM has issued statements calling for a return to multi-party politics in Uganda and economic development in northern Uganda.<sup>24</sup> LRA units in northern Uganda are also reported to have called for the government of the country to be carried out on the basis of strict adherence to the Biblical Ten Commandments. Most LRM texts, however, are mainly attacks on the NRM government, President Yoweri Museveni and other institutions and individuals that have criticised the LRA.

### **The Bigombe peace talks**

74. The Bigombe peace talks were the result of a long period of preparation and confidence building by the Minister of State for the North, herself an Acholi. The fact they took place at all is an indication that by 1993 most Acholi were prepared to accept the government as legitimate.
75. The preparation involved careful work with key elders who were authorised to seek meetings with Kony and other LRA commanders.<sup>25</sup> From November 1993 to January 1994 a series of

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<sup>23</sup> *Ibid*, pp39-42.

<sup>24</sup> For example, *Uganda: The other side of the story* by the LRM/A, April 1996.

<sup>25</sup> Interview with Yousif Adek, Gulu, 12 May 1999.

meetings took place involving the minister, Joseph Kony, the army, elders and church leaders. A ceasefire was in effect and LRA soldiers were allowed (and had the confidence) to move freely in and out of Gulu town and other trading centres. LRA units began to assemble close to trading centres in anticipation of the conclusion of talks. Agreement appeared to be close. Kony was reported to be seeking UN observers to guarantee his safety.<sup>26</sup>

76. However, on 12 February 1994 President Museveni announced a seven day deadline for the LRA to come out of the bush, or, reported *Radio Uganda*, be forced out by the NRA.<sup>27</sup> With many issues still unresolved, the LRA were not prepared to comply and the bluntness of the message undermined the fragile process that Minister Bigombe had established. The LRA (and many more Acholi besides) concluded that central government was not serious about peace.<sup>28</sup>
77. The collapse of the talks is identified by many Acholi as a decisive moment in the war. Many are profoundly bitter about the presidential intervention and theories abound about why he acted the way he did. Some blame jealous Acholi politicians who were not part of the process for allegedly poisoning the president against the initiative. A number of persons interviewed for this study claimed that there are many different individuals who want to be able to say that they are the ones responsible for ending the war and who are therefore happy to undermine the initiatives of others. Others suggest that individual NRA commanders were finding the war too much of a money-making opportunity to want to see it end. Gersony has suggested that NRA commanders remained excessively confident that they could crush the rebellion militarily, “*a chronic problem which continues in the present*”.<sup>29</sup> Government officials claim that the president was receiving reliable information that Kony was conducting parallel negotiations with the Sudanese Government to secure arms and supplies.<sup>30</sup>
78. Whatever the reasons behind the collapse, Ugandan non-governmental actors, especially those from the north, have drawn some conclusions from the process. A first is that persons of goodwill can talk to the LRA, whatever its “demonic” or bizarre reputation. A second is that central government is committed to a military solution to the war. Central government therefore has to be persuaded that a peaceful solution is the best option. A third is that the Acholi community has to take a lead in trying to end the war itself.
79. Another important point to note is that the collapse of the talks and the return to the military option by government coincides at a national level with the start of a period which saw a mushrooming in the numbers of new NGOs being created in Uganda (see section 3.2, below). Many of these organizations identify themselves as human rights bodies. Few of these NGOs, however, have any organic relationship with northern Uganda.

### **The Sudanese factor**

80. Although the Sudanese Government and armed forces played a key role in arming the UPDA in 1986, significant support for the LRA appears to have begun in early 1994. Since then it has remained a critical factor in the ability of the armed group to wage war.
81. This support is part of a wider Sudanese program of support for Ugandan armed opposition groups in response to Ugandan Government support for the Sudan People’s Liberation Army (SPLA), a Sudanese armed opposition movement that has been fighting Khartoum since 1983.<sup>31</sup>

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<sup>26</sup> Ofwono Opondo, *Kony wants UN role* in *The New Vision*, 22 February 1994; Rwot Acana, Gulu, 14 May 1999.

<sup>27</sup> Radio Uganda, Kampala, 18.27 GMT, 12 February 1994.

<sup>28</sup> Interview with Acholi elders, including Rwot Acana, Martin Otinga, Okello Alofonsio, Nicholas Okoto Awan, Mzee Ananias Okera and Ola Omeda, Gulu, 14 May 1999.

<sup>29</sup> Robert Gersony, *ibid* p34.

<sup>30</sup> Major General Mugisha Muntu, Army Commander, reported in *The New Vision*, 19 July 1994.

<sup>31</sup> Other groups supported by the Sudanese include the West Nile Bank Front (largely defeated in March 1997), the

In northern Uganda it is widely believed (although convincing evidence is not forthcoming) that the US Government is using the Ugandans as a channel for support to the SPLA.

82. The use of self-formed militia and coopted warlords as proxy forces is a basic strategy of the Sudanese armed forces in the war with the SPLA, with many examples from other parts of Sudan. The LRA is the extension of the strategy over an international border. By 1997 the Sudanese were also directly using the LRA as part of the defence of the south-western approaches to Juba and, according to former LRA soldiers, deploying it on operations against the SPLA within Sudan.<sup>32</sup> Correspondingly, the SPLA and the Ugandan armed forces work closely together to pursue the LRA (and other Ugandan armed opposition groups) inside Sudan.
83. The degree to which the Sudanese military has control over the LRA is unclear. The Sudanese undoubtedly have a very strong measure of indirect control and influence by being the groups main supplier of safe bases and arms. However, in 1997 a Ugandan External Security Organization (ESO) assessment concluded that (at that time, at least) the Sudanese Government was reluctant to antagonize the LRA since the group was integral to the Sudanese army's own counter-insurgency effort.<sup>33</sup> Non-governmental actors are not clear about the extent to which the LRA are able to take operational decisions independent of the Sudanese military.
84. Putting pressure on the Sudanese Government in relation to support for the LRA is an obvious and probably vital course of action for any actor seeking to influence the behaviour of the group. Unfortunately, the Sudan and Uganda are effectively at war with each other, sometimes directly but usually through the LRA and SPLA as proxy forces. The Ugandans are even holding Sudanese soldiers as prisoners of war.
85. A consequence for Ugandan human rights and humanitarian actors is that the notion of approaching the Sudanese appears fraught with intimidating political dangers.

### Child abduction

86. In 1994 and 1995 the scale child abduction by the LRA increased dramatically. It appears that since early 1994 the LRA has had plenty of weapons but not enough troops to use them -- and therefore abducting children fulfils an essential military need.
87. Basing an armed force on abducted children has proved unstable and has required high levels of abduction to maintain fighting strength. Organizations working with former child soldiers estimate that in 1998 approximately 50% of each LRA unit entering Uganda deserted. Hundreds possibly thousands of other child soldiers have been killed in military action or by other LRA soldiers imposing punishment or "discipline". Assessing actual numbers of children abducted is difficult. Church sources have estimated that over 2000 children were taken from four parishes in Kitgum in 1995.<sup>34</sup> In 1997 UNICEF estimated that between 1995 and mid-1997 between 5000 and 8000 children had been taken.<sup>35</sup> In February 1998 UNICEF estimated that the LRA had abducted approximately 10,000 children over the previous decade.<sup>36</sup>

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Uganda National Rescue Front II and, according to the Uganda Government, the Allied Democratic Forces, which operates out of bases in eastern Democratic Republic of the Congo.

<sup>32</sup> Amnesty International, *Uganda: "Breaking God's commands": the destruction of childhood by the Lord's Resistance Army* (AFR 59/01/97), 18 September 1997.

<sup>33</sup> External Security Organization (Uganda), *A report by the Uganda delegation to the Republic of Sudan on the issue of the Aboke girls in LRA captivity*, June 1997.

<sup>34</sup> Interview with Father Joseph Okumu, Director of Gulu Catechist Training Centre, 20 May 1997.

<sup>35</sup> Statement by Carol Bellamy, Executive Director of the United Nations Children's Fund (UNICEF), CF/DOC/PR/1997/27, 3 July 1997.

<sup>36</sup> AFP, 12 February 1998.

88. The abduction of children and the violence to which they are subjected is a sign of the LRA's loss of legitimacy among Acholi in northern Uganda and has contributed further to it. Child abduction, like the mutilation of persons in Arrow Brigades or those acting as government informers in 1990 and 1991, has added grist to the mill of those seeking to portray the LRA as an irrational force led by a psychotic. It contributes to the image of the group as being beyond reason. This is a serious barrier to actors considering how or whether to deal with the group (see chapter 5).
89. However, another key point for human rights and humanitarian action is that child abduction provides a powerful emotional focal point for work on the situation in the north. It has proved an entry point for Ugandan actors who might otherwise feel that work on the war in the north is "too political" given Uganda's history. It has also proved a decisive factor in mobilizing international concern about the human rights situation in Gulu and Kitgum.

## **HUMAN RIGHTS AND HUMANITARIAN ACTORS IN UGANDA**

90. At first sight Uganda has a large and active community of non-governmental organizations operating in a context of considerable freedom. There is a vibrant media boasting a wide variety of newspapers in both English and indigenous languages. There are independent FM radio and TV stations broadcasting to the capital and central Uganda. Churches are active and highly visible. Political debate is lively and often heated.
91. It therefore comes as something of a surprise that few Ugandan human rights and humanitarian actors, however broadly defined, have sustained programs of action in relation to the war in northern Uganda (let alone in relation to the LRA). Further, in the course of carrying out research for this report I was struck by the number of organizations that only referred to initiatives taking place in the past two or three years. At first I was concerned that initiatives from the more distant past were not being mentioned because they were not relevant to current action and that their invisibility represented a failure of research methodology. However, it soon became clear that while there is an inevitable tendency to focus on the present and recent past, the apparent low-level of earlier work, especially among Kampala-based organizations, is a real phenomenon.
92. This chapter introduces the Ugandan human rights and humanitarian community. It starts with two sections that briefly discuss the national historical context of human rights and humanitarian action. These sections identify some of the basic reasons why engagement has been low. The reasons can be considered a first tier of obstacles to work in relation to the LRA. The third section spells out the way perceived isolation has impacted on the identification of work priorities.

### **The national context of action: the consolidation of the NRM**

93. In 1986 and for several years afterwards the NRM's priority was to make the transition from being a guerilla movement to being a government. This involved consolidating itself.

#### *The NRM's drive for legitimacy*

94. As an armed group seizing power, the NRM had no inherent legitimacy. While many Ugandans would argue that neither had any previous regime from Amin onwards, establishing legitimacy was of paramount importance to successful consolidation. Individuals from influential political parties and key ethnic groups were invited to join the NRM in a broad-based government of national reconciliation. However, activity by political parties, regarded by the NRM as dangerously

sectarian, was prohibited. What this has meant in practice is that political freedom is allowed in Uganda but that constraints on organization (including, for example, renewal within political parties) limit the ability of opposition to organize. In other words, the government created effective (and largely non-coercive) limits to political freedom.

95. The building of relationships between the NRM/A and the civilian population was perhaps the most important part of the process of consolidation and legitimization. On the political level, the NRM had learned the lesson of Ugandan history that sectarian repression was not an effective long-term strategy. Criticism and dialogue was encouraged -- but only when it could be readily identified as coming from a position of partnership in the business of rebuilding a shattered society. In areas where the government was facing armed opposition there was much less tolerance of independent activity by civil society.
96. In a very practical way human rights issues have played a major political role in the making and breaking of Ugandan governments. The NRA's reputation for being disciplined and respectful in its dealings with civilians was in marked contrast to the gross human rights abuses of the UNLA and the armies of previous governments. This was an extremely important part of establishing the legitimacy of the NRM. It allowed the government to represent itself as a genuine break with Uganda's bloody past. Not only was the reputation of respecting human rights important within Uganda but it also enabled the new government, facing a collapsed economy, to secure considerable international support.
97. However, the language of human rights abuse was heavily politicised. Reports of human rights violations had been used by the NRM as part of its propaganda war against previous administrations. Counter-allegations were soon used by political opponents to try and discredit the NRM. Reports of human rights violations, especially in the early years when the government still felt politically insecure, were often received with hostility unless the person or organization making them did so without undue publicity.
98. In the early 1990s the economic rebuilding process involved aggressive structural adjustment. Tens of thousands of government employees were laid off as economic policy switched to encouraging and supporting the private sector. The economy (and private sector) in southern and central Uganda has grown but the continuing war in the north has meant that it has been shut out of Uganda's gradually increasing prosperity.
99. As the previous chapter has described, military opposition appeared to have been largely overcome by 1993 and the majority of politically significant exiles had been coaxed home.

#### *Parliament and the 1995 constitution*

100. Meanwhile, the government set in motion a major national consultation on a new constitution for Uganda. In 1994 elections were held to a Constitutional Assembly. In September 1995 a new constitution (enshrining the controversial "no-party" system) was introduced. The constitution-making process was significant in the development and evolution of Ugandan human rights NGOs in that it became a focus around which many were created.
101. In 1996 presidential and parliamentary elections were held. Although delegates to the Constitutional Assembly had acted as the political representatives of constituencies, for the first time since 1986 representatives elected to a body with defined constitutional powers were in a position to debate government policy.
102. Within weeks of the new parliament assembling northern MPs tabled a resolution, which was carried, to mount an inquiry into "*all aspects of the war currently taking place in Northern Uganda with a*

*view to bringing it to a speedy end*". The inquiry team toured Uganda and visited other parts of the world where there were significant northern Ugandan populations to solicit evidence. It even sought evidence from the LRA (although how vigorously remains a subject of disagreement). Many northern Ugandans found the report, published in February 1997, controversial because it ruled out peace talks with the LRA. Some members of the inquiry team felt this to be counter the weight of testimony received and issued a minority report calling for peace negotiations.

103. Three points about the 1996/1997 parliamentary inquiry have significance for this study. The first is that the inquiry put the war on the national political agenda as an issue of priority.
104. Secondly, coverage of the inquiry meant that there was significant media attention to debate around causes and solutions.
105. Thirdly, the conclusion ruling out peace talks is believed by some northern Ugandans to have resulted from pressure by the president in order to demonstrate that an independent inquiry supported the government's military approach to ending the war.

### **The national context of action: civil society**

106. In 1986 there were few NGOs, especially in the human rights sector. Those that existed were mainly Kampala-based. In the situation of disintegrated services that held throughout the late 1980s, new NGOs that came into being were primarily orientated towards service delivery. For example, the Ugandan branch of the Association of Women Lawyers (FIDA) began legal aid work for women in 1987. Other organizations were working on education or promoting income generation. Without necessarily being government supporters, many Kampala-based NGOs were acutely aware that their existence and their project had been made possible by the NRM victory.<sup>37</sup>

#### *A cautious NGO sector*

107. The profile of many NGOs in the period 1986 to 1993 was largely supportive of the new government. They were cautious about being outspoken about human rights abuse. Some that did speak out ended up in trouble. For example, in 1986 the Uganda Human Rights Activists (UHRA), a Kampala-based body originally formed by Ugandans in exile in 1982 to monitor abuses by the then government, did seek to research and report on the situation in northern Uganda. In February 1987 the London-based *African Concord* magazine published an interview with Lance Seera Muwanga, UHRA Secretary General, criticizing NRA killings in northern Uganda. Two days later he was arrested on a presidential detention order and not released until March 1988. President Yoweri Museveni was clear that Muwanga was in detention because he had criticized the army.<sup>38</sup> This gave a clear message to the nascent Ugandan human rights community about the limits of what was possible and had a lasting damaging effect on the UHRA.
108. A Ugandan NGO culture (especially in Kampala) has developed that is essentially cautious and which places stress on cooperation rather than confrontation with the authorities.<sup>39</sup> Even now there is a reluctance to document and systematically publish information on human rights violations.

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<sup>37</sup> Norah Matovu Winyi, National Coordinator HURINET, 7 July 1999.

<sup>38</sup> *Uganda: The human rights record 1986-1989*, Amnesty International (59/01/89), March 1989.

<sup>39</sup> Taaka Awori, Associates for Change, Kampala, 5 May 1999.

### *The divided churches*

109. In 1986 the churches were the most established non-governmental institutions that took a role in relation to human rights and humanitarian work. However, like other institutions, historically both the Church of Uganda and the Roman Catholic Church have experienced repression by government. Institutionally they too had been weakened by economic collapse and the political turmoil of the previous 15 years. The churches were also divided internally and between each other. Catholic priests had supported the NRM in its bush war in the south and centre of Uganda while the Church of Uganda had a loose relationship with the UPC, the political party of government between 1981 and 1985.
110. Northern priests and bishops currently active on human rights and humanitarian issues say that for many years after 1986 church leadership was weak both nationally and in the north.<sup>40</sup> As one Roman Catholic priest interviewed in Gulu put it:

[the former bishop] was not out-going. He didn't want to involve the church in what he said were "political issues". Individuals were speaking out but not the church. Voices were getting lost.<sup>41</sup>

111. For years the churches in the north were unable to gain the interest and support of their colleagues in other parts of Uganda about the impact of war on the north. The Bishop of Kitgum reports that in 1995 he tried to persuade the Church of Uganda at a national level to seek audience with the president to raise concern about the impact of intensified fighting in the north. He was told that it was a local issue and that the northern church leaders should raise the matter with the president alone. It was only in 1996 that the Roman Catholic and Anglican churches came together at a national level to express concern about the war.<sup>42</sup>

### *The explosion of NGO creation*

112. Since 1994 the NGO sector has mushroomed. There are now reported to be approximately 2,000 NGOs registered with the Ministry of Internal Affairs.<sup>43</sup> Research suggests there are three reasons for this. The first is an effect of the constitution-building process. National NGOs were formed to influence the constitutional debate. Others came into being because work on constitutional issues demonstrated what was possible and gave experience and confidence to persons seeking to form NGOs. Secondly, this period coincided with a change in donor policy towards supporting the work of NGOs. Thirdly, the impact of economic liberalization in Uganda created a pool of retrenched personnel with skills and education who began to set up NGOs to secure employment.<sup>44</sup>

### *The role of ethnicity*

113. The issues that NGOs have chosen to work have been largely defined by their social and economic base and their relationship to the wider national processes described in the previous section. The socio-political dynamics that underlie the war have had a profound impact on civil society. The political history of ethnic divisions between north and south mean that for many southerners the north is a distant land inhabited by people who are difficult to understand. In the past northern led governments have overseen periods of extreme human rights abuse and repression. This has made the north (especially when combined with the reputation of the LRA)

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<sup>40</sup> The Right Reverend Macleod Baker Ochola, Kitgum, 17 May 1999.

<sup>41</sup> Father Cyprien Ochien, Catholic Justice and Peace Committee Gulu, 15 May 1999.

<sup>42</sup> The Right Reverend Macleod Baker Ochola, Kitgum, 17 May 1999.

<sup>43</sup> Mike Cook, British High Commissioner to Uganda, London, 24 May 1999

<sup>44</sup> Joe Oloka-Onyango, Dean of the Faculty of Law, Makerere University, 6 July 1999.

seem complex, dangerous and far away. Like with the churches, NGOs from southern and central Uganda have been slow to engage with the situation in northern Uganda. Within northern Uganda human rights actors in particular have often felt isolated and ignored.

114. In combination these factors have meant that the main work programs of the Kampala-based human rights community have tended to cluster around issues such as constitution building, human rights education, human rights awareness raising, legal aid and (more recently) community conflict resolution. The authorities have sanctioned work with certain institutions, for example work with the prisons service on conditions. Criticism of the army, however, is not welcomed.
115. NGOs from Kampala have only begun to work on issues to do with northern Uganda in the very recent past. This work has tended to focus on issues of community reconciliation and conflict resolution. Few, if any, have made any serious effort to influence LRA.

#### *The Uganda Human Rights Commission (UHRC)*

116. The 1995 constitution created a constitutionally independent state human rights commission with quasi-judicial powers. This began work in 1996 and, so far, has played an impressive role in monitoring and reporting on human rights violations by state actors, including by actors from some of the most powerful institutions in the country (eg the army and the intelligence services). Empowered by its constitutional status, the UHRC is generally proving more radical and assertive than most Ugandan human rights NGOs. It is hoped that its work will help create space for NGO reporting and documentation.
117. The UHRC does not see itself as having a major role in publicly reporting or monitoring human rights abuses by the LRA. It is however, opening an office in Gulu and will have an important role in working on the issue of the problem of accountability of state actors (see section 3.3, below). Further, the UHRC is also interested in finding a role for itself in supporting a peace process for the north.<sup>45</sup>

#### **Consequences for human rights action**

118. Social and political divisions in Ugandan society, the legacy of Uganda's past, have created a situation in which it has been difficult for human rights and humanitarian actors from northern Uganda to get people outside of the area to take seriously events within it. Between 1986 and 1991 human rights abuses by government forces were a major problem. Over the same period the government was still consolidating itself at national and local levels. The authorities were hostile to activity by independent actors which included monitoring or speaking out about human rights abuses. Within northern Uganda there is a perception that it has proved impossible to hold government forces properly accountable for human rights abuses.
119. Since 1994 and the collapse of the Bigombe peace process, the government has apparently been wedded to a military approach to ending the war. Meanwhile, the LRA's increasingly violent behaviour towards civilians and its reliance on child abduction has lost it legitimacy. There is a widespread belief among Ugandan human rights and humanitarian actors that the LRA is only continuing to fight because its leadership does not know how to stop. LRA commanders, so the argument goes, fear that if they return to Uganda they will be arrested (and later killed) or murdered by the relatives of their victims. Further, the LRA is only able to fight because of the military and logistical support it gets from Sudan and cannot stop abducting children because to do so would mean its demise as an effective fighting force.

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<sup>45</sup> Commissioner Aliro Omara, Kampala, 10 May 1999; Chairperson Margaret Sekkaggya, Kampala, 20 May 1999.

120. The result is that conventional human rights work (for example, the active research and documentation of incidents, the publication of reports and efforts to hold human rights abusers accountable) is not identified as a priority. Such work does not appear to have much impact on the root causes of the problem of abuse and, so far, has not been successful in relation to either side. Further, historically the language of human rights has been the language of political alignment. Reports of abuses have been used by one side or the other to score political points. In the context of the situation in Uganda (where there is little sign of accountability by senior government soldiers or other senior officials) the idea that human rights abusers should be made to account in a court of law sounds less like a neutral statement of human rights principle and more like a politically motivated call for victor's justice. This does not seem appropriate if the basic need is to persuade the LRA leadership that it is safe to lay down their arms.

#### **HUMANITARIAN AND HUMAN RIGHTS ACTORS THAT HAVE SOUGHT TO INFLUENCE THE LRA**

121. The humanitarian and human rights actors that have consciously aimed to influence the LRA can be broadly placed in three categories.

122. The first category is made up of Ugandan humanitarian and human rights actors that have social roots in northern Uganda and who, in a sense, can be regarded as representatives of different parts of the community. This includes priests, bishops and missionaries of the Church of Uganda and the Roman Catholic Church, Acholi clan elders, groups of parents whose children have been abducted, the NGO Human Rights Focus (HURIFO) and the *Kavoke Madit* (a forum for dialogue within the Acholi elite). Elected political representatives from northern Uganda have also made efforts. While characterizing elected politicians as "humanitarian and human rights actors" may be stretching definitions, their work, especially during the 1996/1997 Parliamentary Inquiry, has been important in helping create space for others.

123. A second category is made up of international non-governmental humanitarian organizations whose national and local operations are staffed almost exclusively by Ugandans. Two, World Vision and ACORD, are especially important. Each has maintained a long term presence in northern Uganda. Their staff, including senior staff, in Gulu are almost all Acholi. Their operations in Gulu and Kitgum are therefore socially rooted in the area but are based within an INGO framework.<sup>46</sup> They thus have an institutional profile that gives them local legitimacy and provides them with support, advice, an orientation towards intervention and access to networks both outside and inside Uganda.

124. The third category is made up of international child rights and human rights bodies who have a clear organizational identity and mandate based on fundamental human rights principles and an institutional existence which is not based on their relationship with Uganda. These bodies include UNICEF, Amnesty International and Human Rights Watch. Such organizations do not, by and large, regard themselves as rooted in Ugandan society or part of Uganda's social and political history. These organizations are less aware of (or at least limited by) the complex political and social dynamics surrounding the war in northern Uganda than local actors. By definition they have international reach. Organizations who have significant field operations based inside the country, such as UNICEF, perceive themselves to be in a more circumscribed position than organizations like Amnesty International that do not.

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<sup>46</sup> AVSI have sustained an operation in Kitgum for decades. Regrettably time constraints in Kitgum and Kampala mean that I did not have time to arrange a proper interview.

## Ugandan human rights and humanitarian actors from the north

125. These actors feel “ownership” of the situation in Gulu and Kitgum. Most are directly affected by the war, often personally.
126. Divided and fragmented as they have been until recently, the **churches** are the largest and most powerful non-governmental actors to have tried to influence the LRA. Church personnel feel they have pastoral responsibility. As the Monsignor Matthew Odong, Secretary of the Acholi Religious Leaders’ Peace Initiative (ARLPI), put it (after describing the impact of war on the lives of villagers): “*the church stands with the suffering people*”.<sup>47</sup> The churches have themselves been badly affected by the conflict. The Bishop of Kitgum (whose wife was killed by an LRA landmine in May 1997) has written:
- The Church in Acholiland has suffered along with the people: pastors and church leaders have been slaughtered like sheep; many others have been blown up by landmines; children have been abducted, raped, killed and maimed; homes and food-stores have been burnt and razed to the ground. The people are huddled in so-called protected camps without sanitation; there is death in the camps, starvation in the countryside and degradation and dehumanization in Acholiland. Meanwhile the Church in Northern Uganda continues to struggle to provide hope and comfort against phenomenal odds.<sup>48</sup>
127. Some **clan elders and chiefs** (*rwodi*, sing: *rwot*) also feel that their position in the community gives them responsibilities at a time when the community is in conflict. However, their situation, indeed their position within the community, is ambiguous. While some Acholi regard them as elder statespersons with an important traditional role, others regard them (or have regarded them until fairly recently) as socially and politically irrelevant. Joseph Kony’s religious powers, for example, in part represent a rejection of the Acholi “traditional” order. Kony has on occasion made outspoken criticisms of the elders but at other times he has used key individuals as intermediaries.
128. The nature of pre-colonial Acholi political organization was such that chiefs and elders had influence rather than power. There was no overall leadership structure that embraced the Acholi as a whole. British colonial authorities did not regard them as an appropriate institution through which to provide administration. In 1951 the anthropologist Girling felt he was observing the “crumbling remains” of the institution of chieftainship.<sup>49</sup> The chiefs and elders were ignored and undermined by successive post-colonial governments and systems of administration. However, a role of the *rwot* was to provide mediation between households and communities and over the past few years many Acholi have identified this as an important social need in northern Uganda.
129. Different elements within the Acholi community (notably the churches, politicians and NGOs) have therefore begun to look to elders as part of the solution to the war. At least part of this represents a deeply felt need to reassert positively the value of a certain (male and elite) view of Acholi culture at a time when non-northerners have looked at the behaviour of the LRA and the spirit possession of its leader and described these, without analysis, in terms of Acholi traditional values and beliefs. As described above, this is experienced as demeaning and dehumanizing. While some individual elders with good links to persons who are part of the LRA have tried to act as intermediaries, others appear to have found expectations that they should be playing a role rather thrust upon them. Nevertheless, many elders share the same view as the churches: there is need for dialogue with both the LRA and the government and they may be in a position to create links.

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<sup>47</sup> Interview with Monsignor Matthew Odong, Rector of Lacor Seminary and Secretary of the Acholi Leaders’ Peace Initiative, Gulu, 13 May 1999.

<sup>48</sup> Letter from the Right Reverend Macleod Baker Ochola, Bishop of Kitgum, to the Reverend Canon Andrew Deuchar, Secretary for Anglican Communion Affairs, Lambeth Palace, 16 February 1998.

<sup>49</sup> F.K. Girling, *The Acholi of Uganda*, HMSO, London, pp100-111, 1960.

130. For **parents whose children have been abducted**, their reason for seeking to influence the LRA is, at root, simple: they want the safe return of their children. The first Concerned Parents Association (CPA) was formed after the abduction in October 1996 of 139 schoolgirls from St Mary's College, a convent secondary school run by the Comboni Sisters at Aboke in Apac District. The success of the Aboke CPA in raising the profile of the abduction of their (and other) children has prompted other CPAs to be formed, mainly by middle-class parents, in Gulu and Kitgum towns. The only rural CPA was formed by villagers from Omiya-Anyima in eastern Kitgum in February 1999 with the support of the International Rescue Committee and the Kitgum catholic Justice and Peace Committee after 70 children were abducted in one night. In the words of their chairman *"we want our voices to be heard so that we get our children back"*.<sup>50</sup>
131. The ***Kacoke Madit*** (KM) was formed in 1996 by Acholi in the diaspora as forum for dialogue in response to the escalation in the conflict after the collapse of the Bigombe peace process. According to Patrick Otto, the London-based Coordinator of the KM, a sense of hopelessness seemed to have paralysed northern Uganda and the war appeared to be being ignored internationally. Acholi outside the country (known as the diaspora) began to feel that they had to do something to link with Acholi on the inside both to publicize what was happening and to seek a resolution. As regards influencing the LRA, there are members and supporters of the group in exile. Acholi in the diaspora therefore had a form of access that was not so possible for Acholi within Uganda. Many feel that they have a responsibility to make use of this access to engage with the LRA, (and with government) on how to find solutions to the situation.<sup>51</sup>

### Ugandan humanitarian actors within international organizations

132. World Vision Uganda (WVU) started work in northern Uganda in 1988, mainly focussing on community development. As child abduction increased in 1994 the organization began to become aware of social problems emerging around the reintegration of abducted children who had managed to escape from the LRA. This led to the development of a series of programs aimed at the reintegration of persons returning from the group, the most prominent being a psychosocial counselling program for children. The organization has linked this work to an advocacy and publicity program about the impact of the war on children which aims to draw attention to the situation in order to exert pressure on the Ugandan and Sudanese Governments and, indirectly, on the LRA.<sup>52</sup>
133. ACORD has been operational in Gulu since 1979, mainly focussing on community development. In 1993 key figures within the organization in Gulu felt able to take advantage of the then period of relative peace to begin to address what many Acholi identify as a key problem -- the apparent invisibility of the war to persons outside the area. This work, which lays stress on the impact of war on women's lives, has continued in various guises since.
134. The collapse of the Bigombe peace process in 1994 combined with the amount of Acholi testimony calling for peace given to the Parliamentary Inquiry into the War in the North stimulated interest among some staff in a more pro-active program of peace-building. A woman employee of the organization in late 1996 formed an off-shoot NGO, the People's Voice for Peace (PVP), that retains some links with ACORD. The aim is, working together with others interested in promoting peace, to bring a gender perspective to peace work, partly through

<sup>50</sup> Alex Opee, Chairman of Omiya-Anyima Concerned Parents Association, Omiya Anyima, 18 May 1999.

<sup>51</sup> Patrick Otto, Coordinator of the *Kacoke Madit*, London, 12 June 1999.

<sup>52</sup> Robby Muhumuza, Country Director World Vision, 15 May 1997; Ignatius Oloi, Manager of Gulu Trauma Centre, 19 May 1997; Robby Muhumuza and James Odong, Manager of Gulu Trauma Centre, 7 May 1999.

publicity and education. The program has many targets but influencing the LRA is, indirectly, one of them.<sup>53</sup>

### **International child rights and human rights actors**

135. Insecurity meant that UNICEF did not start work in northern Uganda until October 1996. In 1996 senior staff in the Kampala headquarters, led by the country representative, were increasingly unhappy about the organization's lack of engagement. Violence was increasing, more families were being displaced and information about child abductions, some of it supplied by WVU and the Aboke CPA, was making it clear that there was a serious problem for children in the north.
136. In early 1997 UNICEF's country representative briefed Human Rights Watch (HRW) about the situation while visiting New York and offered support should HRW carry out research. HRW decided that the situation of children appeared to merit further investigation and in May 1997 a small team from the organization's child rights project visited Uganda to carry out research.
137. Amnesty International is the only international human rights organization that sustains a day-to-day monitoring capacity on human rights in Uganda. Since 1987 the organization has published eight reports containing information on the situation in the north. The first report to draw attention to abuses by the northern armed opposition was published in 1991. However, there was no serious effort to focus on abuses by the LRA (or its predecessors) until 1996. In October 1996 growing unease caused by reports from northern Uganda in the Ugandan media were thrown into sharp relief by the Aboke child abduction. An initial strategic plan was drawn up to focus work on northern Uganda. However, this was internally over-ruled on the grounds that the main human rights abuser in the situation was an armed opposition group. In January 1997 the plan was revisited and in May 1997 a research team went to northern Uganda.

### **KNOWLEDGE AND ATTITUDES: THE QUESTION OF LEGITIMACY**

138. Representations help define possibilities. The LRA has been demonized both internationally and within Uganda as a violent and bizarre group led by a psychotic. This representation favours the government's post-1994 public line that peace talks with group have no chance of success and the war can only be resolved by military means. It actively discourages the idea that contact with the LRA is either feasible or legitimate.
139. Meanwhile, in southern Uganda and internationally the government is regarded as, broadly, interested in trying to maintain respect for human rights. While this is not necessarily untrue, human rights and humanitarian actors working in or on northern Uganda point out that one of the major historical difficulties they have faced is holding government soldiers accountable for, at various times, a serious pattern of human rights abuse and of convincing others to take it seriously.<sup>54</sup> Some Acholi (and not just those far away in exile) claim the government is engaged in a genocide.
140. The war itself is viewed quite differently by different actors. In the north of Uganda it is increasingly seen as a proxy war with Sudan in which the Acholi are the expendable victims. President Museveni has a tendency to describe the war in public as banditry.
141. The purpose of this chapter is to identify different perceptions held by different human rights

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<sup>53</sup> Rosalba Oywa, ACORD and PVP, Gulu, 20 May 1997 and 12 May 1999.

<sup>54</sup> For example, Rosalba Oywa, PVP, Gulu, 20 May 1997; James Otto, HURIFO, 20 May 1997.

and humanitarian actors and the implications these have for action to influence the LRA (and the government).

### Attitudes and knowledge of the LRA

142. The key role of spirit possession in this war has been used to belittle and dehumanize both the HSMF and the LRA. Amii Omara-Otunnu has written scathingly about the way Alice Lakwena was represented in the press and the consequence of this for understanding the HSMF as “*a vehicle through which social discontent in northern Uganda found expression*”. His remarks were directed at the writing of western journalists based in Uganda but could equally have been directed at the Ugandan media. The language used to describe the HSMF tended to stress “witchcraft”, tales of beliefs that stones would turn into hand grenades and the like, in other words on the alleged “irrationality” or “backwardness” of the rebels. This reflected official attitudes and also the fact that the media was based in the capital and largely staffed by non-northerners, in other words by people who had no immediate comprehension of the cultural forces that Lakwena was mobilizing. As Omara-Otunnu points out, such representations “*encourage the idea that a western-educated elite may eradicate the people and practices described*”.<sup>55</sup>
143. Kony and the LRA have fared even worse, especially as the LRA have become more and more violent. In some Ugandan (and international) media representations of the LRA there is an elision between Kony and Acholi tradition. It is not therefore just Kony who is being demonized but Acholi cultural identity. This is one of the factors that lead some Acholi to describe the war as a genocide.
144. The fact of LRA child abduction and violence against civilians is widely recognised. However, the representation of it within a framework of “bizarre” behaviour obscures the process of these abuses. LRA violence may be extreme but, as described above, it is not aimless or irrational. The abduction of children is a solution to a military problem.
145. The violence is a genuine and terrifying barrier to direct dealings with the LRA. However, the representation of this violence in a framework of irrationality and “tradition” makes it seem even worse. It is an additional factor explaining why it does not even occur to Ugandans from outside northern Uganda to try and influence the LRA.
146. On the other hand publicity around the issue of child abduction over the past three years has mobilised Ugandan actors from outside the north to begin to develop programs of work (on conflict resolution).
147. Human rights and humanitarian actors from Kampala interviewed for this study expressed strong views about LRA legitimacy. For example, the Director of the Human Rights and Peace Centre (HURIPEC) at Makerere University described the LRA as “*a pariah organization. The way they behave has made them outlaws*”.<sup>56</sup> Although actors from northern Uganda do not express such views directly, in broad terms they agree. In the words of the Secretary of the Catholic Justice and Peace Committee in Kitgum, “*the LRA is totally alienated from the civilian population*”.<sup>57</sup>
148. There is considerable confusion about the internal organization of the LRA. This is another factor inhibiting work in relationship to it. Few of the actors interviewed knew how to contact it. There were varying degrees of uncertainty about the relationship between persons in exile claiming to

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<sup>55</sup> Amii Omara-Otunnu, *The struggle for democracy in Uganda* in *The Journal of Modern African Studies*, 30 (3), pp 443-463, 1992.

<sup>56</sup> Sam Tindifa, HURIPEC, Kampala, 6 May 1999.

<sup>57</sup> Father Carlos Rodriguez, Kitgum Catholic Justice and Peace Committee, 17 May 1999.

be members of the LRA's political wing and the leadership on the ground. The view of those who have tried to work with political exiles, is that they do not have direct decision-making influence (see section 7.2, below).

### **Attitudes to government**

149. The NRM government and President Yoweri Museveni, although now accepted as a fact of life, are extremely unpopular in northern Uganda. In the presidential elections of 1996, 90% of votes cast in Gulu and 89% of votes cast in Kitgum were for a rival presidential candidate, Paul Ssemogerere (who was advocating a negotiated end to the war). In contrast, at a national level 74% of votes were for Yoweri Museveni and 24 % for Paul Ssemogerere. The government's policy of decentralization of power to districts means, however, that day to day visible government is by Acholi officials. Some local leaders have managed to build a little trust between themselves and local human rights and humanitarian actors.
150. Relations between humanitarian and human rights actors and the army are even more complex. As far as the churches in particular are concerned, the army is identified as a major problem. Most human rights and humanitarian actors would acknowledge that there has been improvement in the human rights behaviour of junior soldiers, but all believe that officers and soldiers have on occasion quite literally got away with murder.<sup>58</sup>
151. Indeed, for many actors the historical and continuing difficulty of establishing genuine accountability of soldiers for human rights abuses combines with central government's public stance that the war can only be ended by military means to structure and define the main aim of a advocacy: to persuade the government that peace negotiations are the way forward.

### **STRATEGIES TO INFLUENCE THE LRA: FREEING CHILDREN**

152. Although the LRA has been extremely violent towards civilians in a variety of ways, since 1995 it is the armed group's abduction of children that has provided a key stimulus for intervention on behalf of human rights.
153. There are a number of reasons why this issue has been an effective mobilizer. First, in Uganda child abduction (not, however, the use of child soldiers) is a "new" form of human rights abuse that marks the LRA out as somewhat different.
154. Secondly, the fact of children ("innocents") being abused has allowed Ugandan actors to put their prejudices and concerns about northern Uganda (and the past) on one side.
155. Thirdly, the international community has reacted strongly to information about children.
156. Fourthly, different kinds of organizations (human rights, humanitarian, development and community-based) have been able to identify complementary interests and different institutional strengths that have facilitated cooperation around the issue.
157. One of the aims of some actors has been to try and persuade the LRA to free children. This has not met with much success. Indeed, in narrow terms the goal might be described as naive (because the LRA needs children to remain viable a fighting force and is not, therefore likely to free children or end the practice of abduction). More sophisticated Ugandan actors have

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<sup>58</sup> Amnesty International, *Uganda: The failure to safeguard human rights* (AFR 59/05/92), September 1992, and *Uganda: Breaking the circle -- protecting human rights in the northern war zone* (AFR 59/01/99), 17 March 1999.

therefore aimed directly at what they identify as the root cause of ongoing abuses -- the continuing war.

158. However, active campaigning on behalf of children has contributed to the creation of a moral and emotional atmosphere around the war that has helped persuade a variety of political, human rights and humanitarian actors from diverse parts of the country that action for peace is essential.
159. This chapter describes the main techniques used by Ugandan actors to exert pressure on the LRA to free abducted children. These techniques have included attempts to meet the LRA face to face, attempts to contact them by letter and publicity. The main actors are community-based associations of parents and relatives of abducted children. These groups have been born out of personal experience, are made up of persons previously inexperienced in human rights work or campaigning and have the return of their children as their main goal. Their appeal is immediate and emotional. In a sense, they are single issue organizations.
160. The most established and active group is the Aboke CPA (formed October 1996), which includes Sister Rachele Fassera of the Comboni Sisters missionary order. The group mainly campaigns for the release of 22 girls abducted from one school in October 1996.
161. Other actors include the Omiya-Anyima CPA (formed 1999). This is still a fledgling organization primarily made up of villagers living within the war zone. The parish priest of the area is the leading activist in the Catholic Justice and Peace Committee in Kitgum and the group has forged links with the International Rescue Committee, an American humanitarian NGO working on the community reintegration of abducted children. Despite these links, some members evidently feel concerned about official reaction to their activities and do not yet have a clear idea about how to proceed.
162. Two CPAs have been formed in Gulu and Kitgum towns in 1998. I did not have the chance to meet them and have been unable to discover anything about their activities.
163. International institutions and organizations have also campaigned around the issue of child abduction. The work of UNICEF and Human Rights Watch in particular has involved close relations with the Aboke CPA. International action in relation to the LRA is, however, discussed more fully in chapter 9.

### **Approaches to the LRA in Uganda**

164. The most dramatic example of a direct approach is the pursuit of an LRA unit that abducted 139 girls from St Mary's school, Aboke, on 10 October 1996 by Sister Rachele Fassera, the Italian deputy headmistress of the school. She caught up with the group within hours and secured the release of 109 girls. The LRA commander freed the children after radio communications with Joseph Kony.
165. Sister Rachele's pursuit of the LRA was spontaneous and motivated by her wish to secure the release of children in her care. It was effective but not the product of a strategy. However, since then the Aboke CPA, which was formed because of the incident and of which she is a member, have pursued further efforts to meet with LRA commanders to secure the release of the remaining 22 Aboke girls (as they have become known). In order to achieve this the Aboke CPA have been in touch with elders claiming to be intermediaries. This has led to exchanges of communications with Kony and a meeting with a junior LRA commander in the bush near Gulu town.

## **Approaches to the LRA outside Uganda**

166. Sister Rachele and other members of the Aboke CPA have also sought to meet with LRA commanders and representatives outside Uganda. In October 1996 an attempt (which failed) was made to meet political representatives in Nairobi. This was facilitated by a major international NGO with experience of working with armed opposition groups. Another attempt was facilitated by a priest with contacts in the Acholi exile community in Nairobi.<sup>59</sup>
167. In June 1997 a delegation from the Aboke CPA visited LRA camps in Sudan near Juba. The visit was facilitated by both the Ugandan and Sudanese Governments. Senior members of the Ugandan External Security Organization (ESO) and Department of Military Intelligence (DMI) accompanied the group as far as Khartoum. Sudanese military intelligence escorted the delegation to LRA camps. The delegation met senior LRA commanders (although not Joseph Kony) but did not pursue structured talks.
168. The visit is reported to have led to tragedy. A member of the delegation interviewed children whose safety could not be guaranteed. It is reported that two were subsequently executed. The delegation's inexperience meant that they do not appear to have had a plan for how to negotiate with the LRA. As far as this study has been able to establish, there have been no further attempts to visit LRA camps in Sudan by human rights and humanitarian actors based in Uganda.

## **Letter appeals to the LRA**

169. As described above, the Aboke CPA have sent letters to Joseph Kony through intermediaries calling on him to free children. They have also used e-mail to contact a web-site (run out of Colombia University) which claims to be linked to the LRA. They have had replies from Joseph Kony to physically delivered messages -- but no response from the author of the web-site who does not appear to have any influence (and possibly any contact) with the LRA leadership.

## **Publicity: raising the national and international profile of abductions**

170. The Aboke abduction made many persons outside northern Uganda notice what was happening in the north. The following factors were important.
171. First, Sister Rachele's courageous action captured the media and public imagination within Uganda and (after work in September 1997 by international human rights organizations) elsewhere.
172. Secondly, the majority of the children taken were from middle-class backgrounds with articulate parents living outside the war zone. The parents are therefore accessible to outsiders, are able to access political influence and are not as vulnerable to direct threat as persons living in the war zone. This has combined with Sister Rachele's personal quest to get the children back to create a group of determined people.
173. Thirdly, few of the children were Acholi. Some were from southern Uganda. This brought the war out of the north and into the Ugandan political heartland in a non-political and emotional way.
174. Fourthly, Sister Rachele and the Aboke CPA linked quickly with international organizations.

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<sup>59</sup> Interviews with Sister Rachele Fassera, Kampala, 14 May 1997 and 6 May 1999; interview with Sister Rachele Fassera and other members of Aboke CPA, Aboke, 17 May 1997;

175. Fifthly, they had no preconceived ideas about how to go about securing the release of their children. They were therefore ready to try anything.
176. The Aboke parents have lobbied and spoken to a wide variety of persons and organizations, including the Ugandan Government. This shamed some organizations and stimulated the interest of President Museveni who has since taken an active interest in the Aboke issue. The perception of some members of the Aboke CPA is that he has been personally moved by the abduction and by the work of Sister Rachele. Another view is that government strategists have identified this issue as one that might provide a stepping stone towards talks with the Sudanese Government.
177. Links with international bodies which have enabled the Aboke parents to play an important role in drawing international attention to the fact of child abduction by the LRA. For example, the Aboke parents contacted UNICEF Kampala in late 1996 at a time when UNICEF was itself trying to work out a strategy for work on the situation of children in the north. They gave UNICEF information and provided their opinion on what they felt was the appropriate role for the organization.<sup>60</sup> This involved ensuring that the international community learnt about the situation.
178. In May 1997 members met visiting research teams from Amnesty International and Human Rights Watch in Aboke and Kampala. In September 1997 both HRW and AI published reports on child abduction in northern Uganda (see section 9.1 below).
179. As part of follow-up campaigning, in November 1997 Human Rights Watch invited Angelina Acheng Atyam, Vice-Chairperson of the Aboke CPA and the mother of one of the abducted children, to the United States to speak about the girls. In February 1998 two members of the Aboke CPA visited Washington, facilitated by UNICEF and Human Rights Watch, to attend the Commission on the Status of Women and to give a Congressional briefing. They had the opportunity to brief Hilary Clinton in advance of a US presidential visit to Uganda. This stimulated further media interest in the USA and led to a visit to Gulu by Hilary Clinton.
180. On the way back to Uganda in March/April 1998, Angelina Acheng Atyam addressed fringe meetings at the UN Commission on Human Rights in Geneva (see section 9.1, below).
181. Meanwhile, in 1998 the NGO lobby to create an Optional Protocol to the Convention on the Rights of the Child banning recruitment of under 18-year-olds to armed forces was gathering pace. Action around the Optional Protocol has led to other invitations to the Aboke CPA to address international meetings. Throughout 1998 and into 1999 Angelina Acheng Atyam addressed meetings in several different parts of the world, culminating in the award, in December 1998, of the UN Human Rights Prize in New York (following nomination by HRW).<sup>61</sup>
182. The award of this prize to Angelina Acheng Atyam indicates the great shift in international awareness about the problem of child abduction by the LRA that took place in the period after September 1997.
183. A variety of agendas have therefore coincided. The consequence has been to add to pressure on the LRA about child abduction, onto the Ugandan Government, the LRA and the Acholi diaspora about peace -- and on the Sudanese Government about its support for the LRA.

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<sup>60</sup> Keith Wright, UNICEF, Kampala, 7 May 1999.

<sup>61</sup> Yodon Thonden, Human Rights Watch Child Rights Project, 16 July 1999.

## **Obstacles**

184. Direct obstacles that have been experienced include:
185. First, difficulty in identifying effective intermediaries. Elders contacted have not been able to secure meetings with senior LRA commanders. There is suspicion that elders used may not have the contacts they claim.
186. Secondly, difficulties of access to the LRA outside Uganda. In 1997 representatives of the LRA in Nairobi were recalled to Sudan which closed down a potential route for communication.
187. Thirdly, suspicion on the part of the Ugandan military about contact with the LRA mediated by non-official Ugandans. For example, in May 1997 the priest used to contact Acholi in Nairobi was publicly named by the UPDF as a rebel collaborator. This may have been part of an attempt by the military authorities to put pressure on the Catholic Church because of its increasing challenge to the government's use of "protected villages" and for calls for a peaceful solution to the war (see section 8.5, below).
188. Fourthly, inside Sudan, less than full cooperation by the Sudanese authorities. Although the Aboke CPA delegation to Sudan met with President Omar Ahmad al-Bashir who ordered Sudanese field commanders to cooperate with them, the delegation's plans were leaked in advance to the LRA who hid abducted children.
189. Fifthly, refusal by the LRA to free abducted children (and the murder of children who spoke to the delegation without authorization).

## **STRATEGIES TO INFLUENCE THE LRA: THE IMPACT OF WAR**

190. A small number of organizations have sought to point up the impact of war on society in northern Uganda. Techniques used include documentation and publicity.
191. As previous chapters have explained, this work is taking place in the context of a widespread feeling that the war is ignored both by the rest of the country and the rest of the world, that the government appears to be wedded to a military solution and that in this context the parties may carry on fighting for many years to come. The prime aim of most such work, therefore, is to exert pressure on the government and the LRA to explore peaceful options to resolving the conflict. The government is the most accessible party and so most of the work has been directed at it. Only a few Ugandan organizations have gone on to use such reports to put pressure on the LRA itself

## **Documentation and research by Ugandan actors**

192. There has been little on-going, systematic documentation and research into human rights abuses. The history of (limited) documentation by Ugandan actors in the north, especially in the period 1986-1991, is that it did not seem to effect change (in that few persons paid much attention) while it apparently involved risk of retaliation (especially by the authorities). Further, to many actors there has seemed little point to the systematic documentation of incidents involving the LRA because the armed group does not appear to have the kinds of internal structures that would allow practical action in relation to the incidents. These negative experiences have meant that until very recently documentation has not been seen as a priority activity.
193. Currently two organizations seek to identify specific incidents of wrong-doing with the aim of seeking immediate remedial action. Their main method is to write to the local authorities seeking

action. Both organizations are regarded by the authorities as “unnecessarily” confrontational.

194. In Kitgum the Catholic Justice and Peace Committee has taken the lead in documenting abuses by both government and LRA with the aim of keeping a record of events and, eventually, of seeking remedial action in relation to specific incidents. The committee contacts interested Ugandan journalists to make sure incidents are reported in the media and, sporadically, networks information to international bodies such as AI. However, a serious lack of personnel capacity in the committee, the day-to-day problem of dealing with incidents involving government forces (including official hostility to this) and the sheer isolation of Kitgum have meant systematic work in relation to the LRA has seemed a distant goal.<sup>62</sup>
195. In Gulu the NGO Human Rights Focus (HURIFO) also documents incidents. However, their main target has also been the government rather than the LRA. This is partly because the government is accessible, there are many issues that need addressing and immediate action seems possible. The organization does not believe it has the logistical resources to engage in active research.<sup>63</sup>
196. A number of humanitarian and women’s organizations have followed a less incident based-approach to documentation. The aim has been more to document the impact of war. Such organizations include ACORD, People’s Voice for Peace (PVP), Isis-WICCE (which since 1993 has had its headquarters in Uganda) and the Uganda Women’s Network (UWONET). Some, for example Isis-WICCE and PVP consciously identify the work as taking place within the framework of the Beijing Platform of Action.
197. ACORD (and its off-shoot PVP) have led such research. In 1993 and 1994 ACORD worked with UK-based Panos to document the testimonies of women victims of war. Significantly, ACORD felt such work was too sensitive to do alone or particularly openly. The publication, issued in June 1995, was therefore in the name of Panos. It was serialized in *The Monitor* daily newspaper. The authorities did not react badly and in 1996 ACORD felt confident enough to publish a Luo (Acholi)-language version.<sup>64</sup>
198. PVP has since worked closely with the Kampala-based Isis-WICCE and UWONET. Isis-WICCE and PVP are currently researching the impact of war on women’s lives. One of the aims is to put pressure on the Ugandan Government to recognise the impact of war on women’s lives as a human rights issue. They are also seeking to break down mistrust between different communities in that have experienced war. To this end the NGOs are organizing exchange visits between women from Luwero and Gulu. However, Isis-WICCE does not have consciously formulated goals in relation to the LRA.<sup>65</sup>
199. PVP has also linked with the Uganda Women’s Network (UWONET) to take forward similar issues. In December 1998 the two organizations organized a workshop in Gulu on the theme *Advocacy on the situation of women in conflict areas*. Once again, the issue of attempting to influence the LRA was not discussed.
200. World Vision Uganda (WVU) has carried out important research and documentation with a clear orientation towards the LRA. In December 1995 the organization issued an analytical report on girls abducted by LRA.<sup>66</sup> This was circulated to the media. In 1996 WVU and UNICEF jointly published a more publicity orientated booklet, *Shattered Innocence*, which was based on the testimony of abducted children. With UNICEF’s help the booklet received relatively widespread

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<sup>62</sup> Father Carlos Rodriguez, Kitgum Catholic Justice and Peace Committee, 17 May 1999.

<sup>63</sup> James Otto and Paulinus Nyeko, HURIFO, Gulu, 11 May 1999.

<sup>64</sup> Rosalba Oywa, ACORD and PVP, Gulu, 12 May 1999.

<sup>65</sup> Ruth Ocieng and Jessica Nkuuhe, Isis-WICCE, Kampala, 21 May 1999.

<sup>66</sup> World Vision Uganda, *Girls under guns: the special situation of girl children affected by armed conflict*, by Robby Muhumuza, December 1995.

circulation in Uganda and among humanitarian bodies outside. In both cases the main aim was more to draw attention to the fact of what was going on in northern Uganda, rather than to secure change on the part of the LRA.

201. However, human rights and humanitarian actors believe that such reports contribute in the longer term to pressure on the LRA as well as on government towards peace.

### **Exposing exiles to information about the situation in the north**

202. Church leaders dismiss persons in exile claiming to represent the political wing of the LRA as having no decision-making influence. However, they and other human rights and humanitarian actors do believe that general support for the LRA among Acholi exiles is a factor in the continuing war and that exposing exiles to information is a way of influencing the armed group. According to an Acholi member of parliament:

There are those in exile who want to see multi-party politics in Uganda. They want to hi-jack the fact of the LRA and link it to the multi-party issue. These exiles boost the morale of the LRA by issuing statements over the BBC. This gives confidence to the LRA.<sup>67</sup>

203. Some actors believe that some exiles are supporting the LRA financially. Exiles include persons who fled Uganda in 1986 and were associated with defeated former governments. Others have left Uganda at times when, on balance, the government was the major human rights abuser. Not all have kept up with the increasingly abusive practices of the LRA and have dismissed reports about the armed group as government propaganda. Many Acholi in exile are regarded by kin inside the country as being either wilfully ignorant or ill-informed. According to a bishop:

The gap between those in Europe and those in northern Uganda has been huge. Both in (knowing) facts and in understanding. Some people believed that it was the government abducting children.<sup>68</sup>

204. PVP, WVU and church leaders have all identified informing exiles about the situation in the north as important. The *Kavoke Madit* (KM) has been the forum for some of this work. The organisers of the first KM, which took place in London in April 1997, informally identified “*bridging the knowledge gap*” as an objective. The bringing together of Acholi from around the world and Uganda has provided an opportunity for communication, information-sharing and lobbying. Both LRA and government representatives attended the 1997 *Kavoke Madit*. Church leaders may dismiss the power of the LRA representatives who attended but others closer to the exile community report that robust interventions by church leaders and members of the Acholi community known to be critics of the government were important in making other Acholi believe that reports of extreme abuses by the LRA were true.

205. At KM97 (and in meetings that took place after KM98) many speakers in both public and private *fora* told the LRA and its supporters directly that child abduction and violence against civilians were turning civilians in northern Uganda against it, were undermining serious prospect of the international community or the government being prepared to deal with it and that other political opponents of the government were unprepared to cooperate with it. The KM97 organizers ensured that the LRA received copies of all the papers delivered at the meeting.<sup>69</sup>

206. The humanitarian organizations WVU and Gulu Support for Children Organization (GUSCO), which work with former child soldiers, their families and the wider community on the reintegration and rehabilitation of abducted children, have facilitated children and elders to speak

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<sup>67</sup> Okumu Ronald Reagan, Kampala, 7 May 1999.

<sup>68</sup> Bishop Macleod Baker Ochola, Kitgum, 17 May 1999.

<sup>69</sup> Patrick Otto, Coordinator of the *Kavoke Madit*, London, 12 June 1999.

about their experiences. Both took formerly abducted children to KM98 to speak about their experience. When interviewed in May 1999, GUSCO did not identify seeking to influence exiles (or the LRA) as a goal, but it is difficult to see what else taking children to KM98 was aiming to achieve.<sup>70</sup>

207. WVU also sponsored two elders, one from Gulu and one from Kitgum, to attend KM 98. The elders spoke both about child abduction and LRA violence and about poor conditions in camps. WVU have facilitated children to attend international meetings in Canada and the Netherlands where they have also taken the opportunity to meet and address Acholi in the diaspora.
208. This work appears to have had an impact. In early June 1997 the LRA leadership is reported to have held a meeting in Khartoum to discuss the *Kacoke Madit*. They are said to have been disturbed by the hostile reception the organization had received from Acholi. One of the outcomes was the appointment of a London-based exile as Secretary for Human Rights. While it seems that the post was intended to be a propaganda tool (it is noteworthy that it was a London-based exile that was appointed), it does appear that the man in question was reasonably serious about trying to improve the human rights behaviour of LRA fighters. He is reported to have proposed that he organize training on the basic provisions of international humanitarian law in camps in Sudan. However, in-fighting within the LRM leadership in London led to his dismissal after three months. His replacement has made the dissemination of allegations about human rights abuses by government forces the main focus of her role. The LRA officially boycotted KM98.
209. In December 1997, three months after Amnesty International published a report on the LRA, some Acholi based in London (led by the former LRA Secretary for Human Rights) invited the organization to contribute to a discussion-meeting within the community on abuses in northern Uganda. The next year the organisation was one of two non-Acholi institutions invited by the organisers of KM98 to make a presentation to the gathering.<sup>71</sup>

## Obstacles

210. Exposing exiles to credible information has been difficult. First, until the creation of the *Kacoke Madit* there was a problem of access. To an extent this remains. It is expensive to travel to Europe.
211. Secondly, the credibility of the small community of Ugandan human rights and humanitarian actors is quickly questioned by reference to ethnic origin or perceived lack of neutrality. The most effective criticism of the LRA seems to have been that which has been voiced by persons outside the formal political sphere who are also known to be outspoken critics of the government (and who are therefore seen as neutral).
212. This also applies to international organizations. For example, within the exile community reports by Amnesty International have been historically used as weapons to criticize the Ugandan government. This appears to have added some weight to the reception of the organization's 1997 report on the LRA. In 1998, however, this was somewhat spoiled by AI's failure to deliver a publicly promised report on human rights violations by government forces until well after the advertised date. Some Acholi exiles were quick to argue that this demonstrated that the organization had been bought by the Ugandan government.

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<sup>70</sup> Ochora-Ochitti, Deputy Programme Coordinator, Stella Akello, Senior Social Worker, John Komakech, Advocacy and Information Officer, Emmanuel Ocaya Otto, Assistant Social Worker, GUSCO, Gulu, 14 May 1999.

<sup>71</sup> The other was Dennis Pain, author of a consultancy report *The Bending of Spears* into community-based reconciliation and peace work..

## STRATEGIES TO INFLUENCE THE LRA: CREATING CONDITIONS FOR RETURN

213. For reasons explained earlier in this paper (in chapter 5), Ugandan human rights and humanitarian actors have made peace-building the main focus of advocacy work.
214. For northern Ugandan human rights and humanitarian actors the project to build peace involves work with at least five different groups of people. The first is the government. The task is to persuade them that the war can only be resolved by peaceful means. The second is civil society in the rest of Uganda. The task is to persuade them to engage seriously with the situation in the north. The third is the Acholi diaspora. The task is to persuade them that peace is essential and the war must end. The fourth is the general public in northern Uganda. The task is to persuade them that pursuing vengeance against LRA leaders and soldiers is counter-productive. The fifth is the LRA. The task is to convince them that they should engage with the government about peace.<sup>72</sup>
215. The churches are the leading actors in seeking to move the LRA towards peace, though other actors, including some humanitarian and human rights organizations, have also made initiatives.
216. Serious practical obstacles to direct contact with the LRA, the belief that dealing directly with the Sudanese authorities is politically (and practically) out of the question, and the expense and uncertain effectiveness of seeking to influence Acholi exiles means that the bulk of work by human rights and humanitarian actors is directed towards creating an internal environment in which LRA leaders can lay down their arms.
217. This chapter opens with a brief discussion of the (limited) number of initiatives that appear to have been made to contact the LRA directly by those advocating peace.
218. Most human rights and humanitarian actors believe that pursuing illegal vengeance (or judicial accountability) in relation to LRA leaders and soldiers is counter-productive. Another area of work, therefore, aims to promote reconciliation between the community and returning members of the LRA.
219. This takes two main forms. The first involves work with returning child soldiers. Although neither WVU and GUSCO, the two organizations in Gulu working most directly on the reintegration of former LRA child soldiers, identify their work with the children as orientated towards influencing the LRA it appears to have an impact on the armed group. This is discussed in the second section.
220. The second area of work is promoting “traditional” methods of conflict resolution involving the elders. While such work is indirectly addressed towards the LRA, its practice tends to be more directed towards government. It is discussed briefly in the third section.
221. The fourth section discusses the lobby by civil society for unconditional amnesty for LRA members. While outsiders may feel this poses some dilemmas for human rights work, most Ugandan actors (at least those who recognize the dilemmas) identify them as secondary to the main goal of peace.

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<sup>72</sup> Bishop Macleod Baker Ochola, Kitgum, 17 May 1999.

## Contacting the LRA

222. Churches and elders have made efforts to communicate with the LRA directly. Church leaders have sought to meet with LRA representatives outside Uganda, meeting LRA spokespersons based in Nairobi at the KM97 in London and other persons based in London claiming to represent the LRA on the fringes of KM98, as described in section 7.2. Their conclusion is that the persons they met had no decision-making authority.
223. The formation of the Acholi Religious Leaders' Peace Initiative (ARLPI) in late 1997 provoked an approach from the LRA in June 1998 at a time when the churches were preparing to attend KM98 in London. However, it was not until November 1998 that a church leader finally met with an LRA commander in northern Uganda. The discussion focussed on how to establish communication links and how to make direct contact with Joseph Kony. The issue of human rights was not touched until the LRA commander himself is reported to have offered to free 30 recent captives as a sign of good faith.<sup>73</sup> Contact in northern Uganda has since proved impossible because the LRA is back in bases inside Sudan.<sup>74</sup>
224. At least one initiative has involved seeking to get access to the LRA in Sudan. So far this has not been successful.
225. The **obstacles** to direct contact between the LRA and human rights and humanitarian actors in Uganda are immense. They are a mix of the practical and the political.
226. In the words of a member of the ARLPI:
- [talking to the LRA in Uganda]“ is difficult. There is fear. The intelligence boys have responded badly and Kony has said that contact should be with him and not with “small people” in the field”.<sup>75</sup>
227. This fear is both of the government and of the LRA's response if they believe they are being manipulated or betrayed. In March 1996 40 Acholi elders, led by *Rwot* Acana who some (but not all) Acholi regard as the senior *rwot*, approached the President about establishing a peace process. They were authorized to continue. In April 1996 Joseph Kony responded to messages sent by elders and agreed to talk with them. The authorities were approached about funding the initiative and in secrecy offered a substantial amount. This was leaked to the press by someone within government. The story implied that the elders had been bought by the authorities and were profiteering out of the war.
228. The LRA interpreted this as a betrayal. In June 1996 the LRA is reported to arranged a meeting with the main intermediary (known as a “coordinator” in Uganda). He and another elder went to a meeting place (the brother of one of the LRA's senior commanders). Both men were killed, apparently by the LRA.<sup>76</sup> The elders' initiative collapsed in recriminations.
229. Different parts of the government and the military react with hostility to sectors of civil society who seek to pursue initiatives without authorization or with which the government disagrees. Persons who are suspected of unauthorized contact or of advocating policies which are not in keeping with the government's approach run the risk of being publicly labelled “rebel collaborators”. Over the years hundreds of other alleged rebel collaborators in villages have been detained, beaten up and, in some cases, extrajudicially executed. Others have been arrested and charged with treason. The allegation of rebel collaboration is therefore a serious threat.

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<sup>73</sup> Interview with Bishop Nelson Onono-Onweng, Gulu, 14 May 1999.

<sup>74</sup> This initiative continues through other means.

<sup>75</sup> Interview with Lam Oryem Cosmas, Kampala, 5 May 1999.

<sup>76</sup> Interview with *Rwot* Acana and other elders, Gulu, 14 May 1999.

230. In May 1997 seven Roman Catholic priests were accused of being “rebel collaborators” by the UPDF over local radio and subsequently in the national media. In different individual and uncoordinated ways these men had either sought to publicize human rights abuses by soldiers in their parishes or had been outspoken about the need for a peaceful approach to ending the war. Some were suspected to have direct contact with the LRA. Although in the end nothing actually happened to the priests, for several months the effect of the accusation was to fuel resentment against the government and to cause them and others to suspend activities.
231. Many actors interviewed for this study pointed out that even when the government appears to authorize peace work, the messages are confusing. A striking example of this was played out during the fieldwork for this report.
232. In May 1999 when the Presidential Adviser on Political Affairs, who runs a clandestine security organization in northern Uganda, accused the Gulu Resident District Commissioner (RDC), who is the President’s personal representative in the district, and the Chairman of Gulu District Council, an army officer on sabbatical leave, of being “rebel collaborators”. For the past 10 months they had been seeking to develop a peace process (with the support of the local army command) and in order to do this were trying to contact the LRA.
233. Shortly after this accusation was made, the President himself visited northern Uganda (and made his announcement about legislation to grant total amnesty to LRA leaders). Elected district leaders, including district NRM officials, confronted the president about the allegations made by his adviser against the RDC. The president gave an ambiguous response about what action he might take (and to this date nothing appears to have happened). The message received was that central government was not backing local government. The RDC later told me that he had not even been granted audience by the president to allow him to explain his side of what was going on.<sup>77</sup>

## Working with children

234. Most LRA soldiers, most of whom are children, who escape or who are captured in combat are not prosecuted. There is a *de facto* amnesty. It is recognised that many have committed terrible crimes but collectively the authorities and civil society have agreed that this is because they have been forced to do so, as indeed many have.
235. The established practice is for escaping or captured members of the LRA to be taken to the army which then debriefs them and hands them over to WVU or GUSCO within (theoretically) a few days.<sup>78</sup> Since 1995 the army has handed over several thousand former LRA members to WVU and (since 1996) to GUSCO to pass through psychosocial and (limited) vocational training programs. Among the soldiers are often people who have spent several years with the LRA; some have been in the bush since 1986. While the two organizations approach their work in slightly different ways, both provide medical and social care for former soldiers, trace their families and facilitate reunification. Further, both work with the wider community on the issue of accepting former soldiers back. They report that fear of former soldiers (especially, perhaps, in the years 1995 and 1996) has sometimes led to community rejection and the stigmatization of returning members of the LRA. In some cases they report that families have used violence to revenge themselves on individual former soldiers.
236. The ideology of their work is rooted in the interests of the individual child within the community. It is heavily influenced by ideas that have been developed by child-focussed aid

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<sup>77</sup> Peter Odok w’Ocieng, RDC Gulu, 14 May 1999.

<sup>78</sup> This happens to most -- but not all. In August 1996 four persons (two of whom were under the age of 18) alleged to be captured LRA soldiers were extrajudicially executed by senior UPDF commanders in Gulu town.

agencies such as members of the Save the Children Fund Alliance and UNICEF. When interviewed, no staff from either organization saw their work within the framework of influencing the LRA. However, the work is entirely consistent with the peace-building project of the churches.

237. Over the years 1997 and 1998 significant numbers of LRA soldiers have deserted (or escaped) and it is possible that the existence of the WVU and GUSCO programs as safe havens has helped establish a recognizable route for former soldiers out of the LRA and back into the community. The programs give LRA members the confidence that once they have managed to escape they will be treated well.
238. That the majority of LRA soldiers are abducted children has allowed the fact that a minority are neither children nor abducted, and could therefore possibly be considered responsible for their actions, to be collectively over-looked. While the effect of this appears to have been to demonstrate to LRA members that it is possible for adults to return without fear of prosecution by the authorities, it has set up some anomalies for the criminal justice system. For example, persons suspected of collaborating with the LRA by supplying it with food are by and large at greater risk of prosecution than those who have fought and killed on its behalf.<sup>79</sup>
239. As far as I am aware, no-one has attempted to mount private prosecutions of former LRA members for crimes committed while part of the armed group. It is not clear why this is so -- but a basic lack of confidence in the effectiveness or capacity of the judicial system is likely to be an important factor.

#### **“Traditional” methods of conflict reconciliation**

240. Acholi human rights and humanitarian actors place considerable emphasis on the need for community reconciliation and a return to what are identified as Acholi traditional values of forgiveness. The Church of Uganda Bishop of Kitgum, who has taken the lead in articulating the philosophy of community reconciliation, stresses the importance of an Acholi traditional process of conflict resolution known as *mato oput*. This is a process mediated by elders that involves the restoration of broken relationships through the acknowledgement of wrongdoing, the acceptance of responsibility, a ceremony of reconciliation and the payment of compensation.<sup>80</sup> These ideas speak strongly to many Acholi in the elite who are experiencing the continuing war as a degradation and erosion of their cultural identity. A consultancy report commissioned by *Kacoke Madit* has helped spread knowledge of the approach widely within Uganda.<sup>81</sup>

#### **The lobby for unconditional amnesty**

241. Associated with the drive for community reconciliation is a lobby for unconditional amnesty for all LRA members, including leaders. The government has used presidential amnesties since June 1987 to help persuade rebels give themselves up. Such legislation has granted amnesty for treasonable acts but not crimes of violence such as murder, kidnap with intent to murder and rape. After the new constitution came into force in September 1995 (and especially after the first parliament was elected in May 1996) the question arose as to whether the presidential amnesty was still constitutional.

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<sup>79</sup> Amnesty International, *Uganda: Breaking the circle: protecting human rights in the northern war zone*, AFR 59/01/99, 17 March 1999.

<sup>80</sup> The Right Reverend Macleod Baker Ochola, Kitgum, 18 May 1999.

<sup>81</sup> Dennis Pain, *“The bending of spears”*: producing consensus for peace and development in northern Uganda, International Alert and *Kacoke Madit*, December 1997.

242. The idea that most people have been forced into the LRA logically implies that someone is responsible for forcing them. Especially after 1994 and the dramatic increase in child abduction, the authorities began to make a distinction between the LRA leadership and persons who had either been abducted or “mislead” into joining. On occasions the president or military spokespersons have announced that there are between 30 and 130 persons who they regard as LRA leaders and who will not benefit from amnesty because their crimes are so heinous. The president has represented this position as one of principle in support of the basic human rights value that there should be no impunity for human rights abusers.
243. Ugandan human rights and humanitarian actors regard this official position as yet more evidence that central government’s strategy to end the war involves the military liquidation of the LRA. The role of a partial amnesty is seen as a counter-insurgency strategy to weaken the armed group by coaxing people out of it. However, few Ugandan human rights and humanitarian actors believe that the war can be ended by a purely military approach. They believe that the closest northern Uganda has come to peace was during the Bigombe peace process. When the military approach has had the upper hand there has been little sign of an end to war.
244. Over the past four years there has been a growing lobby for an unconditional amnesty to cover all crimes linked to the conflict. This is associated with the promotion of reconciliation and what are said to be Acholi traditional values of forgiveness described above.
245. In September 1998 the government tabled a draft parliamentary Amnesty Bill which effectively reiterated the terms of previous presidential amnesties. Persons who gave themselves up would receive amnesty for political offences. However, they were not to be protected from prosecution for acts of genocide, murder, kidnap with intent to murder, rape and defilement. In October 1998 a hasty process of national consultation followed in which a series of ministerial delegations visited different parts of the country that had been or were affected by armed rebellion.
246. In Gulu the Minister for Internal Affairs held a meeting with district leaders, the churches and NGOs (in other words, with elite groups).<sup>82</sup> Although none of these actors had consulted with each other before the meeting or had discussed the mechanisms of amnesty, the unanimous recommendation was that there should be a blanket amnesty for all persons involved in armed opposition groups for all crimes. Other ministerial teams in other districts in Uganda received the same message. In May 1999 President Museveni announced while in Gulu that although he was personally against the idea he was prepared to bow to public opinion.<sup>83</sup>
247. Consultation with various humanitarian and human rights actors in Kampala, Kitgum and Gulu for this study made it clear that the idea of unconditional amnesty is regarded as so obvious that there has been little discussion about it. Mainly this is because within civil society few actors can see how it is possible to end the war if LRA leaders are not able to come out of the bush. However, there remain many inconsistencies and poorly thought through ideas associated with the lobby (which are discussed in section 10.2, below).
248. Some human rights actors are explicit that this position is a statement of desperation.<sup>84</sup> The call for unconditional amnesty betrays a deep lack of confidence that genuine, principled accountability for human rights abuses in Uganda is possible. As a human rights activist in Gulu put it:

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<sup>82</sup> Reportedly attended by HURIFO, LAP, PVP, WVU, GUSCO, district councillors, elders, senior district officials and head-teachers (James Otto and Paulinus Nyeko, HURIFO, Gulu, 11 May 1999).

<sup>83</sup> President Yoweri Museveni, Gulu District Hall, 13 May 1999.

<sup>84</sup> For example, Margaret Sekaggya, Chairperson of the UHRC, 20 May 1999.

Every regime that has come to power in Uganda has protected themselves with “Legal Notice No 1”: ‘no-one is to be prosecuted for lives and properties lost in the cause of taking state power’.<sup>85</sup>

249. In other words, in terms of Ugandan history not prosecuting Kony and other LRA leaders is neither unusual nor exceptional.
250. A striking feature of northern Ugandan advocacy around the issue of amnesty and traditional methods of conflict resolution is the absence of clear proposals for the role of the state. It seems that the main role envisaged is that the state should get out of the way and allow Acholi themselves to get on with bringing the war to a close. This reflects the historical experience of isolation, the deep mistrust of central government and what is perceived to have been the disastrous impact of militaristic approaches to ending the war.
251. The paradox is that in order for this to be achieved there is a strong belief in northern Uganda that the war should be recognised as a national and not a local issue.

### **CREATING LINKS: DOCUMENTATION AND PUBLICITY BY INTERNATIONAL ACTORS**

252. Over the period 1996 to 1999 the creation of links and loose associations between diverse international and Ugandan organizations has played an extremely important role in raising the profile of human rights abuse by the LRA.
253. Much of this work has focussed on human rights abuses against children which has proved to be an emotive and powerful mobilizing issue. Organizations with different strengths and very different institutional profiles have co-operated in a loosely structured and largely *ad hoc* manner. Co-operation has put the issue of child abduction (and LRA violence) on the international agenda, has provided a “political” umbrella for increased work by Ugandan organizations within the country and has helped the process of breaking down the isolation of northern Ugandan bodies from the rest of Ugandan civil society.
254. The mutual reinforcing of initiatives and the heightened international media interest that this has involved appears to have added to other pressures on the LRA (for example, pressure from the Acholi elite at KM97). That the LRA felt pressure is partly indicated by press statements in late 1997 and early 1998 attacking Amnesty International (AI) and Robert Gersony and by the publication in April 1998 and June 1998 of documents seeking to put forward the LRA’s point of view.<sup>86</sup> These were not widely distributed but do appear to have circulated in exile circles in London.

### **Documentation and publicity by international human rights organizations**

255. As has already been described, during 1996 (especially once major internal displacement began in September and the Aboke abduction took place in October) many different (non-northern) Ugandan bodies and international organizations based in the country became concerned about the impact of the war in the north. Among them were USAID, UNICEF (the key UN agency that has played a significant role in relation to the LRA)<sup>87</sup> and World Vision Uganda, which by 1996 was heavily engaged in work with former child soldiers.

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<sup>85</sup> James Otto, HURIFO, Gulu, 11 May 1999

<sup>86</sup> Lord’s Resistance Movement/Army, *Uganda: A nation under siege – a response to the Amnesty International and Robert Gersony reports*, London, April 1998; Lord’s Resistance Movement, *The strength for peace: building the future*, London, June 1998.

<sup>87</sup> Another member of the UN family has provided some support to recent peace initiatives by church leaders.

256. There was, however, an absence of systematically documented and analyzed information about the war from recognisably impartial sources. Although WVU and UNICEF did publish a collection of testimonies (described above) both recognised that this was insufficient. However, both also believed that the viability of their programs and the security of their staff might be compromised should they be seen to be engaging in human rights research, publicity and campaigning. UNICEF was concerned about the reaction of the government. Some national staff are reported to have considered the issue “fringe”.<sup>88</sup> Neither organization felt that they had the necessary expertise.
257. In early 1997 UNICEF’s country representative briefed HRW about the situation while visiting New York and offered support should HRW carry out research. In May HRW Child Rights Project sent a two person research team to Uganda with a very specific children’s focus. Meanwhile, an AI team also visited Uganda in May to do research. AI’s brief was not just to look at children (and therefore the LRA) but the team decided that the scale of the problem meant that this should become a priority. UNICEF provided information and limited support to both teams. Access to children formerly abducted by the LRA was facilitated by WVU and GUSCO who each devoted staff to working with the researchers (at least in part to protect the interests of interviewees). Other organizations and individuals who gave time and information to both teams included Sister Rachele Fassera, the Aboke CPA, PVP and HURIFO.
258. The AI and HRW teams met in Kampala as AI returned from Gulu and were, perhaps, not entirely pleased to find that both were exploring the same issue. However, at a staff level the decision was taken to cooperate. Once back in New York and London the lead researchers kept in contact with each other and with UNICEF. It seemed, to AI at least, that UNICEF was initially very uncertain about what degree of public acknowledgement it should make about contact with AI (because of AI’s parallel investigation of human rights violations by government forces). However, maintaining contacts, sending draft texts for comment (to UNICEF Kampala) and discussing plans led to a developing trust. AI made a second field visit to Gulu two months after the first research in order to give a preliminary report back to actors in northern Uganda. This allowed further input from institutions in Uganda on the direction and approach of AI’s work was taking.
259. In September 1997 it was decided that to maximize impact HRW, AI and UNICEF should pool resources to launch the two reports together on the same day. Carol Bellamy issued a press statement in support of the findings of the reports. HRW held a press conference in New York and AI a press conference in London which was addressed by the Director of the UK National Committee of UNICEF. UNICEF was provided with copies of the reports and circulated them round its international networks.
260. Meanwhile, in Uganda UNICEF also distributed several hundred reports to Ugandan opinion leaders. AI was also working closely with the Ugandan Human Rights Network (HURINET) who, with FHRI, had been sent draft copies of a text for comment. This consultation allowed Ugandan organizations to buy into the findings. The process of research by AI and HRW had brought Ugandan child rights organizations into contact with human rights organizations, in some cases for the first time. UNICEF and HURINET organized a public event to mark the publication of the two reports (that was not attended by either AI or HRW). This involved northern Ugandan actors such as church leaders, members of parliament, WVU, GUSCO and others. It was attended by a government Minister and received significant coverage in the Ugandan media.
261. In associated campaigning AI made the Sudanese Government a major target and aimed at provoking reaction from Ugandan exiles, the Ugandan human rights community, the Ugandan parliament and various theme mechanisms within the UN. Human Rights Watch concentrated on the US government and other institutions.

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<sup>88</sup> Keith Wright, UNICEF, Gulu, 7 May 1999.

262. The reports stimulated extensive international media interest about northern Uganda which lasted, unusually, for many months.<sup>89</sup> This was not just down to the compelling and emotional nature of child abduction, but also because access to the north by journalists was facilitated by UNICEF and WVU. In Gulu both WVU and GUSCO facilitated access to formerly abducted children to enable them to tell their stories directly. The Aboke CPA and Sister Rachele also made themselves available for scores of interviews. This gave journalists powerful copy that kept the issue alive.
263. The two reports had a significant impact. There seem to be several reasons for this.
264. Within Uganda they filled a need for public information at a time of significant general unease. The 1996/1997 Parliamentary Inquiry (and associated media coverage in Uganda) had raised the profile of the situation in the north but very little appeared to have happened as a result. Ugandan newspapers, however, were reporting continuing human rights abuses and the movement of hundreds of thousands of people into camps. Ugandan organizations from Kampala do not appear to have felt confident enough about the politics of the situation or about their own expertise to try and fill the need for analysis.
265. Further, although northern Ugandan actors wanted the human rights problem exposed, most appear to have felt overwhelmed and burnt out from being ignored. Some appear to have been suspicious of institutions from the south. For example, in May 1997 AI received excellent cooperation in its research from virtually everyone the organization met in northern Uganda, ranging from government opponents to the local authorities. It was striking, however, that many persons interviewed in May 1997 were distrustful of what sounded (to the AI team) like very similar ideas and initiatives from other Ugandan actors. In July 1997 a Commissioner from the Uganda Human Rights Commission told AI privately that he was finding it extremely difficult to persuade actors in Gulu to trust the Commission. He believed AI was receiving cooperation because neither the researchers nor the institution were identified as Ugandan.
266. External organizations with no operational basis in Uganda, especially campaigning organizations with the infrastructure to reach an international audience, were therefore well positioned to fill a need. However, neither report would have had as much influence if international and Ugandan NGOs and humanitarian actors had not responded, been prepared to concur publicly with the findings and build on them with their own action and publicity. At an international level neither report would have commanded the same authority if UNICEF had not lent its weight behind them and used them as part of its own lobbying. It is probable that neither report would have captured the imagination if they had not focussed on the fact of child abduction and violence against children.

### **Other important reports**

267. In October 1997 USAID made public an analytical report by Robert Gersony finalized in August.<sup>90</sup> This focussed on the causes of the war, the reasons for its continuation and made recommendations on how to bring it to a close. Within Uganda the report was considered to be highly significant. It concluded that peace negotiations were necessary and that the government's pursuit of a military solution was not likely to produce quick results. Further, it pointed out that the UPDF had not demonstrated either capacity or commitment to ending the war militarily. This

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<sup>89</sup> According to Mark Ogle, AI's then Director of Media, the AI report stimulated more media interest than any other report issued by the organization in the years 1997-1998.

<sup>90</sup> Robert Gersony, *The anguish of northern Uganda: results of a field based assessment of the civil conflicts in northern Uganda*, USAID Kampala, August 1997.

was identified by many Acholi as a direct challenge to government policy by the government's most powerful foreign ally and was interpreted as an indication that there was some shift beginning to take place in (what many Acholi claimed to be) unconditional US support for the government.

268. In December 1997 the *Kavoke Madit* and International Alert published a report by Dennis Pain on producing consensus for peace building and development, (described in section 8.3, above).<sup>91</sup> This report made clear (and helped give form to) the emerging Acholi consensus that both the LRA and the government had to find ways of resolving the war by peaceful means. It put a framework around the views of (mainly) male Acholi on conflict resolution and peace-building and was heavily inspired by the ideas of church-leaders. Unlike the work of AI, HRW and Robert Gersony, the Pain report spoke with an Acholi voice -- but was not, significantly, written by an Acholi or another Ugandan. This meant that, like the other publications, the report's findings could be considered, to an extent, outside of the ethnic divisions cross-cutting Ugandan society. The report has been influential within northern Uganda and in NGO circles in Kampala.
269. Neither report is focussed on the LRA. However, both received widespread attention within Uganda and within the Acholi community in exile. Like the AI and HRW work, the reports have provoked debate and appear to have strengthened the ability of northern Ugandan actors to promote their ideas about peace.

### **Consequences of international documentation**

270. The consequences of the various reports published in late 1997, the publicity surrounding them and the joint work that (some) involved appear to have been many.
271. First, they have enabled Ugandan human rights NGOs to speak out about issues they knew were important but did not feel they were in a position to research.
272. Secondly, after the AI and HRW reports were published, Kampala-based organizations were challenged by the Ugandan media about why they were not active in the north and this prompted some to reconsider their programs. For example, three weeks after the reports were launched Ugandan NGOs met in Kampala to discuss how they could strengthen their role in improving the human rights situation.<sup>92</sup>
273. Thirdly, the fact there was no backlash from the authorities emboldened some actors, including UNICEF, to be more outspoken and more assertive in their dealings with the government about the protection of children.<sup>93</sup>
274. Fourthly, they seem to have helped stimulate Ugandan organizations to find common points of interest for further joint work.
275. Fifthly, the AI and HRW reports in particular, in combination with work by UNICEF, appear to have helped galvanize action by some UN member states and other UN institutions.
276. Sixthly, and most importantly for this study, they contributed to communicating an Acholi, Ugandan and international message to the LRA that the scale of their abuse of the civilian population was unacceptable. In April 1997 KM97 provided a first focussed channel for this. The

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<sup>91</sup> Dennis Pain, *"The bending of spears": producing consensus for peace and development in northern Uganda*, International Alert and *Kavoke Madit*, December 1997.

<sup>92</sup> Norah Matovu Winyi, HURINET, Kampala, 6 May 1999.

<sup>93</sup> Keith Wright, UNICEF, 7 May 1999.

various reports later in 1997 and the long-lasting international publicity surrounding the AI and HRW reports reinforced the message from KM97 and added an international dimension to it.

277. Seventhly, the various reports and the, specifically, the international publicity appear to have increased pressure on the LRA and the government about seeking a peaceful way forward. As regards the Ugandan Government, the publicity appears to have coincided with donor government unease about the situation in the north.

### **Addressing the Sudan**

278. As previously described in section 2.5, most Ugandan human rights and humanitarian actors do not feel able to directly address the Sudanese authorities. However, international organizations are in a different position. The dilemma with Sudan, however, is that the government is itself a notorious violator of human rights, has not proved amenable to action on other human rights issues, and is internationally isolated.

279. Amnesty International has made putting public pressure on the Sudanese Government about intervention with the LRA a key part of its campaigning about human rights abuses by the armed group. This has included the use of AI's membership structures in mass letter-writing to key officials in the government and armed forces.

280. Inside Sudan itself, in March 1998 UNICEF sought the cooperation of the Sudanese authorities in securing the transfer of 14 Acholi children (and three adults) who had escaped from the LRA in Juba to Khartoum and, eventually, back to Uganda. UNICEF continues to investigate ways of taking forward initiatives in relation to the Sudanese authorities.

281. The Special Representative of the Secretary General on the impact of armed conflict on children, himself an Acholi from northern Uganda, has held a number of meetings with Sudanese government officials about the abduction of children by the LRA. In June 1998 he visited the Sudan and was able to travel to Juba. With UNICEF and UNHCR he arranged for three more child abductees to be transferred to Khartoum and from there to Uganda.

282. The **obstacles** to work of this kind inside Sudan were, however, revealed by the hostile reaction of Sudanese military intelligence in Juba to the transfer of children to Khartoum in June 1998. Risks to field staff and other programming act as a major disincentive to further similar initiatives of this kind by agencies based inside Sudan.

283. Divisions within the Sudanese government are a problem. Some political elements within the government in Khartoum identify action on behalf of children (including LRA abductees) as a way of demonstrating action in relation to human rights at limited cost to the regime. However, the attitude of military officials in southern Sudan appears to be that the LRA is a necessary ally and that action in relationship to it is not in the Sudan's military interest. Ugandan support for the SPLA is a major obstacle to the Sudanese military being persuaded otherwise.

284. However, there are currently grounds for believing that, as of mid-1999, the appropriate political conditions exist for persuading the Sudanese authorities that action in relation to the LRA may be in their interest. This, however, is outside the scope of this study.

### **Action at the UN: the Committee on the Rights of the Child and the Commission on Human Rights**

285. Uganda's initial report to the Committee on the Rights of the Child was considered in late

September 1997. Significantly, the State report made scant reference to the situation of children in northern Uganda. A parallel NGO report, drafted primarily by children's organizations based in southern and central Uganda, was little better. Amnesty International attended the hearing and lobbied the Committee in Geneva. The Committee included an expression of concern about human rights abuses against children in northern Uganda in its concluding observations but did not mention the LRA or the Sudanese Government by name.<sup>94</sup>

286. The Committee's fairly narrow interpretation of its mandate appears to have prevented it from taking any more vigorous action or making a particularly clear statement in relation to either the Sudan or the LRA.
287. However, on 22 April 1998 a resolution was passed under Item 20 (children) at the UN Commission of Human Rights condemning the abduction, torture, killing, rape, enslavement and forceful recruitment of children in northern Uganda by the LRA. The resolution called for the unconditional release and safe return of children and urged members states, international organizations, humanitarian bodies and others with influence to "exert all possible pressure on (the LRA) to release the children immediately". It requested the Secretary General to report on the implementation of the resolution to General Assembly and to the Commission.<sup>95</sup> The text referred to the concluding observations of the Committee on the Rights of the Child and reports issued in 1997 by both the UN and NGOs about the abuse of children by the LRA. Before being amended, the original draft, prepared by the Ugandan delegation, referred to reports by Amnesty International and Human Rights Watch by name and pointed out that they identified the Sudanese Government as the backer of the LRA.
288. The resolution was unprecedented in two respects. The first was that it was effectively a country resolution under a thematic agenda item. The international climate around the issue, however, made it difficult for country delegations who would normally have voted against such a resolution on procedural grounds to do so. Only Sudan voted against. Secondly, the resolution concerned a non-state actor.
289. Members of the Uganda Human Rights Commission took the lead in lobbying for the resolution. UNICEF lobbyists are also believed to have urged its adoption. Amnesty International lobbyists were less enthusiastic on the grounds of the precedent such a resolution might set for other governments seeking to find a public forum in which to condemn their own armed opposition groups and the risk that this would lead to yet further politicization of Commission resolutions.
290. Whether or not the resolution was a desirable precedent, at an international level it appears to have added to pressure on the Sudan Government about support for the LRA and to have ensured that the issue of human rights abuses by the LRA remained something states parties would have to consider on their agenda. Interestingly, on 26 April 1999 the UN Commission on Human Rights passed an identical resolution with a slightly increased majority thereby keeping the issue on the table.<sup>96</sup>
291. Perhaps significantly, with the exception of the Uganda Human Rights Commission, not a single Ugandan human rights or humanitarian actor interviewed for this study was aware of these resolutions at the UN Commission on Human Rights.

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<sup>94</sup> CRC/C/15/Add.80.

<sup>95</sup> The abduction of children from northern Uganda (1998/75). Adopted with 24 votes for, one against (Sudan) and 27 abstentions.

<sup>96</sup> Abduction of children from northern Uganda (1999/43). Adopted with 28 votes for, one against (Sudan) and 24 abstentions.

## CONCLUDING DISCUSSION

292. This final chapter seeks to draw out some of the lessons of work by human rights and humanitarian actors in relation to the LRA.

### Impact of work

293. This study has been in large measure a study of obstacles. Demonstrating the actual impact of any particular initiative or method of intervention in terms of changes in abusive practice by the LRA is not easy. However, non-governmental actors can claim some success in altering the political climate surrounding the war. The fact of war in northern Uganda is now recognized internationally. The impact of the war on the north is more clearly recognized by civil society and governmental actors in Kampala. The Ugandan Government appears to be under pressure from western (donor) governments to seek peaceful solutions to the conflict. Northern Ugandan human rights and humanitarian actors appear to be being taken more seriously than three or four years ago by their colleagues from Kampala who now appear to be seeking ways of engaging with the conflict. It appears that the isolation of northern Uganda is being broken down.

294. It seems that this is partly a result of the way that over the past three years international and national actors have worked together and have been able to build and draw on each other's initiatives in ways that have mutually reinforced each other's work. A key element to this appears to have been the focus on child abduction. The paradox is that, given the LRA's need for child soldiers, this is an issue on which it is almost impossible for the armed group to make any decisive move short of giving up armed struggle.

295. Most importantly for this study, some Ugandan actors claim to be able to identify changes in LRA behaviour towards civilians, beginning in late 1997, with a reduction in the frequency of violent assault. ICRC field staff also believe that in 1998 there was a reduction in the degree of violence directed against civilians.<sup>97</sup> There does not, however, appear to have been a significant reduction in child abduction (and abducted children still appear to be subjected to terror within the LRA).

296. The picture is not entirely clear. My own assessment is that there has been a reduction in violence against Acholi civilians but at the expense of the maintenance or even a slight increase in violence against civilians in neighbouring non-Acholi districts. In some ways, it could be argued that LRA violence has been displaced from Gulu and Kitgum to other areas.

297. Why this has happened is difficult to interpret. Increasing operational difficulty for the LRA caused by displaced camps in Gulu may be a factor. However, some Acholi opinion leaders believe that the combination of negative international publicity and criticism from within the Acholi community has played an important role in bringing this about.<sup>98</sup> The LRA appears to become sensitive to its loss of credibility within the Acholi community. This loss of credibility is the likely reason why since early 1999 the Sudanese have facilitated radio broadcasts to northern Uganda by the armed group in Luo (Acholi) and English (an hour a day).

298. Further, since February 1999 the LRA has not crossed back into Uganda from Sudan. Again, it is difficult to interpret why this is so. Increasingly effective UPDF control of the border may be a factor. However, in northern Uganda there are rumours that the Sudanese authorities have sought to rein the group in (and even that Joseph Kony is under house arrest in Khartoum). Further, there are unconfirmed reports that the LRA and Ugandan Government are engaged in confidential peace talks in London. I have not been able to establish whether any of this true

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<sup>97</sup> George Comninou, ICRC Head of Delegation, Kampala, 7 May 1999.

<sup>98</sup> Okumu Ronald Reagan, Kampala, 7 May 1999.

(and therefore what role the work of human rights and humanitarian actors may have played in helping bring it about).

### The challenge of accountability

299. The approaches to accountability by LRA fighters and leaders for human rights abuse being followed by Ugandan actors poses many dilemmas – especially to those who equate accountability with judicial processes.
300. The existing *de facto* amnesty for captured or escaping LRA soldiers is effectively based on the notion that most of these people are children and that abuses they may have committed were the result of compulsion. The statistical fact that most returning members of the LRA are children enables the fact that many have committed the most heinous atrocities to be dealt with within the framework of the child abuser as him or herself a victim, thereby maintaining the category of “innocent”. The focus on abduction and children enables the uncomfortable facts of that some may have volunteered and that a small proportion of returning soldiers are adults to be collectively over-looked.
301. As regards unconditional amnesty for LRA leaders, it became clear during interviews for this study that there is confusion among many non-governmental advocates of it about whether this should also apply to state actors. The issue of what consequence a total amnesty for state actors might have for military discipline does not appear to have been investigated or considered.
302. It is also unclear the extent to which ordinary villagers, the victims of the brunt of LRA violence, share the views of church leaders and other actors. Human rights actors identify as a goal convincing villagers that vengeance against the LRA is inappropriate – which rather suggests that many villagers may not be of like mind.
303. Other issues that appear to be deeply problematic include: First, the lack of clear identification of a role for the state. Secondly, no clear sign that amnesty proposals are embedded within a peace process. Current thinking is that amnesty should be automatic and not the result of a personal application involving a series of steps and commitments. Thirdly, a distinct lack of clarity whether in reality the elders (*rwodi*) have the cultural authority or the capacity to discharge the kinds of “traditional” ceremonies of reconciliation (involving acknowledgement of wrongdoing, acceptance of responsibility and payment of compensation) that are proposed (see section 8.3, above). Fourthly, whether such ceremonies (which historically were between social entities defined by kinship) can be adapted in a socially meaningful way to cope with the scale of LRA violence.
304. However, whatever the apparent difficulties and unresolved issues, the linking of unconditional amnesty with a process of community accountability and reconciliation does contain important elements that make a lot of sense in the context of northern Uganda. A key feature that has to be borne in mind is that it is primarily Acholi that have suffered at the hands of the LRA. While many are sickened by the actions of the armed group, its members are kin. Many Acholi, including middle class civilians, remain alienated from the government. The deep ethnic divisions that permeate Ugandan society mean that bringing the LRA out of the bush peacefully has to involve the Acholi community making it possible for leaders to return (and the state allowing this to happen).
305. Further, in the absence of a third party to enforce peace (and accountability for human rights abuses on both sides) or in the absence of an overwhelming military victory by one side or the other, a peace process that involves enabling LRA leaders to lay down their arms seems the only

viable way forward. In this context, an approach to accountability for human rights abuses that involves prosecution is simply out of the question.

306. The issue for human rights activists is how to build an effective and principled process for peace and accountability that has community and official acceptability and involvement – and which is acceptable to the LRA. Ugandan actors still seem to have a long road to travel on developing such a process.
307. Related to this (but not by any means the solution), it is worth recognizing how the process of psychosocial counselling that many returning children pass through involves the recognition of (and coming to terms with) wrongdoing. This is a somewhat individualized experience but does represent a form of accountability. Having said this, holding former soldiers accountable for their actions is not the aim of NGOs working with children. Rather, the assumption of WVU and GUSCO is that the children are “traumatized” by their experiences and they need help to become stable, productive members of society. In reality, the degree to which former LRA soldiers are traumatized varies as does the extent to which the counselling process involves coming to terms with wrongdoing.
308. In social terms villagers, the army and the local authorities already accept a period of time in the GUSCO and WVU centres as a rite of passage out of the LRA and into society. Former LRA soldiers who return directly to their communities are reported to risk ostracism and possibly assault – and arrest by the security forces. However, former soldiers who attend the centre are given a passing out paper and are regarded as “safe”. Again, while this is hardly accountability it is an important ritual marking a change of identity (and, with it, a social expectation of a change of behaviour).
309. Whether or not it would be possible to build in a more overt recognition of the principle of accountability for past actions into what is currently viewed as an almost exclusively therapeutic process is an interesting issue which, in my view, merits further investigation.

### **Some further conclusions**

310. Uganda is an ethnically divided nation with a complex history. The LRA is almost exclusively based on one ethnic group, an ethnic group that feels beleaguered and isolated within Uganda. Actors from this ethnic group have a key lead role in work aimed at creating LRA accountability. However, largely because of the history of ethnic politics, such actors have struggled to make others engage with them and with the human rights situation. Southern Ugandan actors have ignored the north. Now that they are starting to engage, they have difficulty in identifying appropriate roles.
311. Northern Ugandan actors believe that they have not been able to hold state agents and institutions accountable for human rights violations over time. This is despite the theoretical existence of appropriate mechanisms and official and internationally accepted rhetoric about government commitment to respect for human rights. Coupled with central government’s apparently exclusively military approach to ending the war, this has meant that “traditional” human rights documentation has not seemed particularly worthwhile. This “failure” to hold state actors accountable has contributed to the sense of isolation felt by human rights actors. The perception that it is not even possible to hold the government accountable for human rights abuses, reinforces a sense that seeking to hold the LRA accountable incident by incident is pointless. The main aim of the human rights project, therefore, is to end the war.
312. There has been plenty of news but a shortage of information. This is a consequence of the absence of systematic documentation and analysis. The work of certain Ugandan actors has been

of high quality. However, the ethnic origin or institutional location of authors have sometimes meant that accurate and powerful reports have been ignored.

313. International actors have played an important role by producing reports on the LRA (and northern Uganda) at a critical moment. Their work has helped create an umbrella of legitimacy for work by northern Ugandan actors (and others), has helped stimulate Kampala-based organizations to become engaged in issues arising from the war and has helped northern Ugandan institutions reach an international audience. The international reaction to reports by INGOs appears to have put pressure on both the LRA and the Ugandan Government (and possibly on the Sudanese Government).

314. Work by international bodies has helped drive home a message of LRA isolation. This has reinforced the message of Acholi actors to exiles (and the LRA) that the armed group's conduct is totally unacceptable. Few Acholi regard the LRA as legitimate. At the same time, Acholi actors have held out the promise that they will work to welcome home members and even leaders of the LRA if they lay down their arms. The message of isolation, therefore, is twinned by Acholi with a message of that individuals will be allowed to return.

315. In Uganda (where the political heartland has been experiencing increasing prosperity and some stability) the fact of abuses against children has proved a powerful mobilizer. Internationally, the reporting of human rights abuses against children has also been a vital ingredient in stimulating response. There is vastly more to the human rights situation in northern Uganda than abuses against children – but children have been the effective entry point.

316. In conclusion, the following factors are critical for effective work in relation to the LRA:

- cooperation and mutual reinforcement between international, national and local human rights and humanitarian actors. The experience is clearly that diverse institutions with differing organizational strengths, capacities and even goals working together, however loosely, has massively increased effectiveness. Not everyone needs to do the same thing (indeed, it is desirable that they do not);
- information, documentation and analysis delivered in a non-partisan manner;
- pressure on the Sudanese government at an international level;
- direct communication to the LRA and the Acholi diaspora by Acholi known to be critical of the government;
- establishing the fact of war in northern Uganda as a national rather than a local issue;
- work in relation to the state (the peace project, for example, is as much directed at the state as to the LRA). This includes improving the accountability of state actors for human rights violations (the Uganda Human Rights Commission has an important role to play here);
- creating (principled) conditions for the LRA to come home.

## ANNEX

The following persons were interviewed for this study:

1. Livingstone Sewanyana, Executive Director, Foundation for Human Rights Initiative, Kampala.
2. Lam Oryem Cosmas, Acholi Religious Leaders' Peace Initiative, Kampala.
3. Sam Tindifa, Director, Human Rights and Peace Centre, Kampala.
4. Taaka Awori, Consultant, Associates for Change, Kampala.
5. Sister Rachele Fassera, Deputy Headmistress St. Mary's School, Aboke, Kampala.
6. Norah Matovu Winyi, National Coordinator, Human Rights Network, Kampala.
7. Paul Brandrup, Consultant, UN Office of the High Commissioner for Humanitarian Affairs (New York), Kampala.
8. Robby Muhumuza, Country Director, World Vision Uganda, Kampala.
9. James Odong, Gulu Program Director, World Vision Uganda, Kampala and Gulu.
10. Aggrey Awori, Member of the Parliament of Uganda, Kampala.
11. George Comminos, Head of Delegation, International Committee of the Red Cross, Kampala.
12. Philip Lancaster, Resident Program Officer Juba (Sudan), UNICEF, Kampala.
13. Keith Wright, Acting Deputy Representative, UNICEF, Kampala.
14. Okumu Ronald Reagan, Member of the Parliament of Uganda, Kampala.
15. Johannes Thoolen, Country Representative, UNHCR, Kampala.
16. Okello Okello Livingstone, Member of the Parliament of Uganda, Kampala.
17. Omara Christopher, Gulu Youth Leadership Scheme, Gulu.
18. James Otto, Human Rights Focus, Gulu.
19. Paulinus Nyeko, Human Rights Focus, Gulu.
20. Adriano Kuepfer, Field Delegate, ICRC, Gulu.
21. Chris Dolan, Research Officer, ACORD, Gulu.
22. Komakech Charles Okot, Research Associate, ACORD, Gulu.
23. Yousif Adek, Acholi elder, Gulu.
24. Rosalba Oywa, Coordinator, People's Voice for Peace, and Deputy Program Coordinator, ACORD, Gulu.
25. Oketch Bitek, Journalist, *The Monitor*, Gulu.
26. John Muto Ono p'Lajur, Journalist, *The Monitor*, Gulu.
27. Monsignor Matthew Odong, Rector Lacor Seminary, ARLPI, Gulu.
28. Christopher Ojera, Gulu Program Director, ACORD, Gulu.
29. Rwot Acana, Acholi Paramount Chief (disputed), Gulu.
30. Martin Otinga, Acholi elder, Gulu.
31. Okello Alafonsio, Acholi elder, Gulu.
32. Nicholas Okoto Awan, Acholi elder, Gulu.
33. Mzee Ananias Okera, Acholi elder, Gulu.
34. Ola Omeda, Acholi elder, Gulu.
35. The Right Reverend Nelson Onono-Onweng, Bishop of Gulu, ARLPI, Gulu.
36. Peter Odok W'Ochieng, Gulu Resident District Commissioner, Gulu.
37. Ochora Ochitti, Deputy Program Coordinator, Gulu Support for Children Organization, Gulu.
38. Stella Akello, Senior Social Worker, Gulu Support for Children Organization, Gulu.
39. John Komakech, Advocacy and Information Officer, Gulu Support for Children Organization, Gulu.
40. Emmanuel Ocaya Otto, Assistant Social Worker, Gulu Support for Children Organization, Gulu.
41. Father Cyprien Ochien, Catholic Justice and Peace Committee, Gulu.
42. Major Walter Ochora Odoch, Chairman Local Council V, Gulu.
43. Louis Odong, Coordinator, Legal Aid Project, Gulu.

44. The Right Reverend Macleod Baker Ochola, Bishop of Kitgum, Kitgum.
45. Cindy Dubble, Psychosocial Program Manager, International Rescue Committee, Kitgum.
46. Father Carlos Rodriguez, Catholic Justice and Peace Committee, Kitgum.
47. Reverend Charles Oketch, Diocesan Education Secretary, Church of Uganda, Kitgum.
48. Reverend Canon Nicholas Odongpiny, Senior Archdeacon for Urban Affairs, Kitgum.
49. Reverend Kenneth Ogong, Assistant Mission Evangelism Coordinator, kitgum.
50. Mrs Jolly Waman, Mothers' Union, Kitgum.
51. Dr Milton Olara Odong, Planning, Development and Rehabilitation Officer, Kitgum Diocese, Kitgum.
52. Reverend Samuel Ongwec, Assistant Youth Worker, Kitgum Diocese, Kitgum.
53. Alex Opee, Chairman, Omiya Anyima Concerned Parents Association, Kitgum.
54. Annette, AVSI, Kitgum.
55. Mzee Tiberio Atwoma Okeny, leader of the National Liberal Party, Kitgum.
56. Margaret Sekaggya, Chairperson, Uganda Human Rights Commission, Kampala.
57. Commissioner Aliro Omara, Uganda Human Rights Commission, Kampala.
58. Simon Bond, Political Officer, UK High Commission, Kampala.
59. Ruth Ocieng, Director, Isis-WICCE, Kampala.
60. Jessica Nkuuhe, Program Officer, Isis-WICCE, Kampala.
61. Angelo K. Banya, Chairman, Acholi Development Association, Kampala.
62. Joe Oloka-Onyango, Dean of the Faculty of Law, Makerere University, Kampala.
63. Dan Silvey, Researcher, Amnesty International, London.
64. Patrick Otto, Coordinator, *Kacoke Madit*, London

In addition, the following representatives/organizations gave brief presentations of work programs at a meeting in Kampala on 21 May 1999 to discuss ways forward on northern Uganda:

65. Moses Musana, Chairman, Always Be Tolerant Organization, Kampala.
66. Henry Odraa Raga, Chairman, *Jamii ya Kupatanisha*, Kampala.
67. Apolo Kakaire, Foundation for Human Rights Initiative, Kampala.
68. Harriet Busingye, Executive Director, *Kituo cha Katiba*, Kampala.
69. Rose Othieno, Administrative Officer, Centre for Conflict Resolution, Kampala.
70. Ernest Niyongera, African Commission for Torture Victims (ACTV), Kampala.
71. Commissioner Mariam Wangadya, Uganda Commission for Human Rights, Kampala.