

The continuing insurgency in northern Uganda has slowly but surely undermined the country's image as a continental success story of stable governance and strong fiscal management. The war has accentuated the economic and developmental inequities between northern Uganda and the rest of the country.³ Until 2002, the war was considered small enough to be hidden and ignored by the authorities and forgotten by the international community.

Uganda is located within the Great Lakes Region, an area that has suffered significant civil strife over the past decade, including genocide in Rwanda in 1994, intermittent conflict in Burundi and a continuing war in the eastern part of the Democratic Republic of Congo (DRC). In that regional context, Uganda has been depicted as a stable state and its northern conflict as an "internal or localised affair". Moreover, greater international humanitarian attention has been focussed on more telegenic disasters such as those in Iraq, Darfur and Afghanistan.

The war in Uganda received belated international recognition when the UN's new Emergency Relief Co-ordinator (ERC), Jan Egeland, visited the war affected northern districts of the country in November 2003. He described the environment in northern Uganda as the "world's largest forgotten emergency".⁴ It was a statement that secured rapid attention from the donors and the international media.

Although the war between the Ugandan government and the Lord's Resistance Army (LRA) began in 1987, by 1996 the rural populations in Acholiland had been uprooted from their settlements and put into "protected villages" by the government in a rushed and unplanned manner. Unfortunately, the people displaced by this counter-insurgency strategy did not find the protection they needed and expected in these new settlements. By being grouped together without effective protection from the Uganda People's Defence Force (UPDF), the settlements constituted an easy target for the LRA, who brutally killed civilians and abducted their children,⁵ who in turn became the LRA's main combatants. The girls who were abducted were often relegated to being sex slaves and subjected to rape and unwanted pregnancies.

The year 2002 witnessed a worsening of the war, with an increased level of violence towards civilians as a result of Operation Iron Fist I. This new UPDF strategy saw its forces operating in Sudan for the first time, in order to flush the LRA out of their bases there. As it pushed many LRA combatants into northern Uganda, Iron Fist I caused massive new internal displacement in northern Uganda. The incursion of the rebels into the Teso and Lango sub-regions in 2003 seriously compromised the effectiveness of the military option, as well as undermining the credibility of the UPDF and the government.⁶ While at the end of 2003, the overall trend of operations had seen a shift of LRA activities from the Teso sub-region northwards to the Acholi districts, Lira, Apac and Katakwi districts are still affected by their actions.

With internal displacement affecting more than 90 percent of the population in the Acholi districts, it became increasingly difficult to ignore the scale of the displacement crisis, as the number of IDPs had tripled from some 500,000 to 1.3 million in less than a year.⁷

The "protected villages" were a tawdry euphemism for camps. The internally displaced people (IDPs) were forced to live in extremely squalid and congested conditions. They lost access to their land: their principal source of livelihood. They also lost their freedom of movement by being compelled to remain within a certain perimeter outside the camps. Anyone outside this perimeter could be accused of being a rebel collaborator and could be shot or assaulted by the UPDF if they ventured too far into the bush. One instance of the UPDF's approach was evident at Awach camp in Gulu District in March 2005, when at least two IDPs, who went out on a local hunting expedition, were killed by the army.

Uganda has remained deeply divided since independence. Geographical distortions in colonial investment and infrastructure have not been adequately redressed since independence. There have been 22 rebellions since President Museveni took power in 1986, the LRA war being the most damaging and protracted. It is slightly easier to trace the origins of the hostilities in northern Uganda than to provide definitive explanations for why, for nearly twenty years, the war has defied attempts to bring it to an end.⁸ These rebellions have taken “place in a country hailed as one of Africa’s development success stories.”⁹

Uganda has a lengthy history of successive insurgencies, and while political and military power belonged to northern ethnic groups for over 20 years after independence,¹⁰ with the victory of Yoweri Museveni’s National Resistance Army (NRA), power and patronage shifted to south-western Uganda. President Museveni had to deal with rebellions within six months of seizing power. Virtually all of the violent challenges to his presidency were militarily defeated. Many of the rebels from areas such as Teso and West Nile have been, to a reasonable degree, re-integrated. Furthermore, a number of rebel leaders have been co-opted into senior government positions at a national and local level.

Since 1986, there have been four rebellions in Acholiland. One critical and new Acholi grievance began when the short-lived military government of General Tito Okello agreed an interim peace pact in December 1985 with the NRA under the command of Yoweri Museveni. This agreement, which was mediated by President Moi of Kenya, was then broken when the NRA invaded Kampala and took over the government in January 1986. Many Acholi have never forgiven this betrayal of the peace agreement. Moreover, when the NRM took power, the pacification activities of the NRA in the north and east resulted in a number of human rights abuses and killings.

As a result of these NRA military campaigns, in July 1986, soldiers of the former national army, the Uganda National Liberation Army (UNLA) fled to the Sudan and then returned to northern Uganda to mount the first rebellion against the Museveni government. They named themselves the Uganda People’s Democratic Army (UPDA). The remnants of the former army then joined with senior Acholi politicians to form the Uganda People’s Democratic Movement (UPDM).¹¹

A peace agreement signed in Gulu in 1988 brought most of the fighters out of the bush.¹² However, there remained a distinct lack of trust among Acholi combatants about the goodwill of the Museveni government. The vestigial forces of the UDPA, which had refused to be part of any peace negotiations with the government, joined Alice Auma “Lakwena” and her “Holy Spirit Movement (HSM)” in 1987. Lakwena became a virtual “priestess” and claimed to derive her spiritual powers from a dead Italian soldier. Although defeated by the government in Jinja 1988, Lakwena had by then managed to gather a large number of followers within and beyond the Acholi region. The government seriously underestimated the effectiveness of the Holy Spirit rebellion (as it has with the LRA) and allowed Alice Lakwena’s guerrillas to occupy, albeit temporarily, large areas of central Uganda.

The HSM was an Acholi millennial movement with a syncretic mixture of Christian and traditional eschatology. It partly mirrored other historical cult movements which challenged British rule during the colonial era. The priestess Lakwena saw her leadership leading to a cathartic revival of Acholi social discipline and martial prowess.

Having been defeated near to Jinja, Lakwena fled into exile in Kenya where she has remained ever since as a refugee, although the Ugandan government continues to negotiate her return with an offer of a house and cash. Her return to Uganda has been seen as another way of bringing additional pressure on to the LRA to stop their insurgency. Her father, Severino Lukoya, continued the guerrilla struggle for nearly six months, until Joseph Kony became the new leader of what was initially known as the “Lord’s Salvation Army” in 1987, and which became at a later

stage, the Lord's Resistance Army. In retrospect, both the UPDA and HSM were similar in that they both articulated reasons for rebellion with which most Acholi sympathised at the time, including grievances against the new government for depriving the Acholi of their political, military and economic power.¹³

Kony's ideological foundation for the rebellion took up the themes of the UPDA and HSM insurgencies, but soon the LRA would distinguish itself by its more extreme millennial beliefs and excessively violent methods. Unlike the military campaigns of the HSM, which were aimed at the Ugandan army, the main victims of this violence were the Acholi themselves. The LRA launched the most vicious attacks on both displaced and rural populations. Their strategy was one of terror, with child abductions, maiming and mutilating being the preferred methods. The ferocity of this war against children marks out the LRA's campaign as an unprecedented assault on childhood in the modern era.

Despite an early approval from the Acholi elders to continue the struggle against the government, Kony would quickly lose popular support among the Acholi. Quasi-prophetic edicts would come from his base in Sudan which would unleash new violence against the Acholi. At times, he talked about creating a new Acholi nation, one that had been punished, cleansed and purged by violence. He remains an enigmatic and fearful presence in Sudan and Uganda. In the eyes of the more embittered Acholi diaspora, the LRA, despite its extreme violence, enjoys a measure of legitimacy, derived from its continued challenge to the legitimacy of the Museveni Government. The LRA also remains valuable to the Sudanese government, in making northern Uganda a highly unstable area, and has been a constant irritant to the Sudan People's Liberation Army's (SPLA) war against the Khartoum government.

The LRA war is unusual as it is not been dominated by a more conventional guerrilla strategy aimed at territorial conquest. Its more devastating impact has been at the psychological level. There is now immense and stark fear of the LRA and of Kony himself, who is often perceived by the IDPs as having magical and super-natural powers. There has been a complete absence within the LRA of any "hearts and minds" strategy with the Acholi people. The LRA has remained a highly mobile and stealthy movement. At the height of its military effectiveness (in 2002), it probably did not amount to more than 2,000 combatants – most of whom were abducted boys. This small group has caused massive displacement and has pinned down nearly 30,000 army and militia in northern Uganda. Yet the LRA controls no roads, no natural resources, no water points and no counties, but they have effectively de-populated all of rural Acholiland.

There is also a minimal war economy in northern Uganda. Corrupt elements within the officer corps of the UPDF have reaped benefits from "ghost soldiers" on their payrolls, but the LRA have made few demands in regards to resources in any negotiations with the current mediator, Betty Bigombe or with the religious leaders.

In 1991, the Ugandan government launched a series of major attacks, but failed to defeat the insurgents. As a response, the "rebels unleashed fresh terror on the civilian population. This was to characterise the war from this point onwards."¹⁴ While one can be astonished as to why the LRA would target the Acholi people considering they are themselves Acholi, one explanation lies in the LRA's will to both discredit the government and force the Acholi people into submission. Sudan's support for the LRA after 1994 brought a new and more complex regional dimension to the conflict.¹⁵ Southern Sudan became a safe haven for the LRA who would migrate there to recuperate after sustaining military loss, to train newly abducted children, receive medical treatment if sustained injuries, harvest crops but most importantly receive arms supplies. Sudanese support was partly in retaliation for Uganda's support of the SPLA. Although both parties have continuously denied to be providing material aid to the other's rebels, the flow of arms and ammunition to the LRA, including anti-tank mines, although not thoroughly documented, continued regularly until at least the end of 2002.

Since 1989, the Sudanese government has been consistent in trying to undermine the stability of the Ugandan government. Ugandan rebel groups with differing regional political aims, such as the Allied Democratic Front (ADF) and the West Nile Bank Front (WNBF), were strongly anti-Museveni but enjoyed overt support from Khartoum. However, the LRA was the most lethal of all the proxy groups used by the Sudan government. The consistency of this support inevitably pushed the Museveni government into increasing its support to the SPLA.

The primary responsibility for ensuring protection and, by extension, respect for international human rights and international humanitarian law lies with the national authorities. Has the government tried by all means to protect its citizens and, if not, why not?

Many Ugandan citizens from the south and west of the country believe that the Acholi people were responsible for the wrongs perpetrated against civilians during the Obote II period of government.¹⁶ The 1980 election, which brought Obote to power for the second time, was riddled with electoral irregularities. Yoweri Museveni, who headed the Uganda Patriotic Movement (UPM), took the election struggle back to the bush and formed the NRA. The UNLA's approach in dealing with the NRA insurgency was to create concentration camps and free fire zones. As many as 500,000 people were killed and massacred during the Luwero Triangle war and the UNLA's atrocities and widespread indiscipline went unchecked. The war was described by a number of analysts as "slow genocide." The UNLA was perceived as Lango and Acholi led, with the rank-and-file soldiers coming from the poorer Acholi districts such as Kitgum.

This is how some analysts have explained the relative indifference to the overwhelming suffering of the civilians in northern Uganda since the LRA conflict started.¹⁷ There has been no real national resolve to tackle the northern insurgency and minimal outrage about the levels of displacement in the north. Although the desire for revenge has dissipated, most of Uganda, with the exception of the north and east, remains apathetic about the effects of the war. It is merely seen as an Acholi problem. This inevitably enhances the sometimes cynical view of Uganda being two countries – a developing and more prosperous south and a lawless and under-developed north.

It is important to stress that one key part of President Museveni's new political policy in 1986 was to rid Uganda of religious and ethnic factionalism. A completely new political structure was created to this effect, but in 2005 Uganda remains a very divided country, and the LRA war the most visible sign that there are still chronic ethnic divisions within the Ugandan polity.

In March 2002, under a new UPDF strategy called Operation Iron Fist I, more than 10,000 Ugandan troops moved onto Sudanese soil with the agreement of the Khartoum government.¹⁸ This massive operation, far from achieving its objective of crushing the LRA bases in southern Sudan, had a reverse effect. The bulk of the LRA troops moved back to northern Uganda with new military equipment and committed numerous massacres. In June 2003, the LRA expanded their operations to the Lango and Teso regions. The humanitarian consequences were drastic, as masses of villagers moved closer to the municipalities for protection.

The government's failure to defeat the LRA was due to the very high level of abductions in 2003.¹⁹ Children, some as young as 6 years old, were the favoured target of the LRA. This tactic persuaded many parents that it was safer to have their children leave the camps at night for the main district towns in Acholiland to avoid abduction. This unique phenomenon is known as "night commuting".²⁰ Night commuting now has become embedded into the lives of children who are living in camps close to Gulu, Kitgum and Kalongo towns. There is even migration of children at night from the periphery of many camps to structures such as schools and health centres in the centre of those camps. What has become more worrying is a night commuter routine now, where children still venture into night commuter shelters, even when there is a reduced threat of LRA actions.

Despite evidence that the military solution was not a conclusive one, the Ugandan government constantly claimed military victory over the LRA, often qualifying the LRA rebels as “terrorists”, “thugs” or “criminals.” The excessively optimistic views of some politicians and part of the army about the war being over have often led to more LRA actions.

Far from being translated into a more secure environment for the civilians, these casual remarks by both national and local politicians and UPDF officers elicited a response in the form of more LRA attacks and massacres.²¹ In response to UPDF attacks, the LRA, in total disrespect of humanitarian law has targeted civilians. The strategy also sadly displays the government’s ineffectual attempts to protect its civilians.

As reported by an IDP interviewed in Bobi camp, in Gulu district, “the government has failed to protect us and for many years it has minimised the problem and thus allowed it to drag on and on”.²² This is a widely held view in all of the 200 IDP camps in northern and eastern Uganda.

The international community, especially the UN agencies, have a vital role to play in supporting the government to protect its civilians. Until the end of 2003, the only UN agency to provide substantial assistance to the people in northern Uganda was the World Food Programme (WFP). The weak UN presence was compounded by a weak NGO presence. Although this very large caseload of IDPs, which makes Uganda, Africa’s fourth largest country with displaced populations after Sudan, Angola and DRC, it was not until the first brief given by the current Under Secretary-General (USG) for Humanitarian Affairs, Jan Egeland²³ that northern Uganda was discussed at the UN Security Council.

Because of the risk of LRA activities, cultivation is seldom undertaken beyond one to three kilometres from the camps. Hence, the overwhelming majority of the population is dependent on food aid.

Health and education²⁴ services have collapsed as a large number of trained district health workers and teachers have fled the conflict areas for safety elsewhere in the country. Squalid and overcrowded conditions in camps have led to cholera outbreaks. Recent researches conducted have shown evidence that incidences of sexual gender based violence (SGBV) are alarming in the camps where rape, defilement, forced and early marriages, assault and prostitution are common place. Displacement and camp congestion, acute poverty, unemployment, lack of human rights awareness, minimal policing and ignorance of legal procedures and the pernicious influence of alcohol have created a fertile ground for exploitation and violence.²⁵ Of 53 IDP camps in Gulu District, only 3 have a small police presence. The camps have become a highly militarised environment where there is little accountability for indiscipline and excessive control by the UPDF. The movement of the population is highly curtailed and there is casual exploitation and abuse of women and girls.

The Ugandan government and the humanitarian agencies have a shared responsibility to ensure the protection of the displaced population. It was only in 2004 that protection became an overriding priority for the UN.

The general indifference of the media

Despite the unique aspects of the LRA conflict, the absence of people dying “en masse” from starvation also prevented Uganda from getting the media’s attention. Local newspapers have covered the war in great depth from 2004. However, this coverage has had limited impact in mobilising public opinion.

The mass media will focus on a story or on a country for a week or a month perhaps, but not for 19 years. As one of the correspondents of an international radio pointed out in an informal discussion in March 2005: “We have covered

the night commuters already, now that there are no massacres anymore in the north, what else can we talk about...". The only media that has had a more direct impact in this conflict is the radio.²⁶ The radio talk show on Mega FM in Gulu has reportedly contributed to the increasing number of reporters choosing to benefit from the Amnesty Law. While its benefits recognised, this initiative was not replicated in the other Acholi districts where fewer rebel surrenders have been reported. The most recent initiative to access the remaining rebels that was launched on 27 July 2005, consisted in airing a short message from a group of donors every 3 hours for 21 days in a row to invite the LRA to re-establish contact and resume peace talks.

However, perhaps too many assumptions have been made about the power of the radio. An inter-agency IDP survey conducted in Gulu in 19 camps in October 2004, showed that only 9 percent of households had access to a radio.

The scaling-up of humanitarian assistance and increased international attention

The visit to Gulu and Kitgum by the UN's Jan Egeland in November 2003 was a critical moment in raising the alarm of the seriousness of the displacement problem. It was the first time²⁷ that a high profile UN official acknowledged strongly and publicly that the effects of the war in northern Uganda was worse than presented by the government of Uganda, and that the UN and the international community were equally culpable for allowing the situation to deteriorate.²⁸ This visit had followed on from a visit made in August by Dr. Francis Deng, the UN Secretary General's Special Representative on Internal Displacement.

From January 2004 onwards, the humanitarian community stepped up its presence and programmes in the north.²⁹ While food aid had been well catered for by WFP,³⁰ the gaps in non-food assistance were immense. The restricted access to the IDP population due to security constraints has limited the knowledge of the scale of IDP needs and the level of assistance provided to them. Unusually, the UN has had a humanitarian access adviser working in the north for the last 2 years. Furthermore, the restrictive access regime which necessitates the use of military escorts for UN agencies and for some NGOs for a large number of camps is seriously inadequate to allow comprehensive non-food interventions.

The donors' improved response to humanitarian appeals from 2003 has allowed increased assistance to reach the beneficiaries. There has been a critical expansion of NGO programmes, particularly in Lira, Pader and Kitgum. The increase in aid had been prompted by the sharp increase in donor missions to the affected areas.³¹

Some improved access to camps has contributed to sustain the lives of IDPs in the camps. In 2003, IDPs accessed on average 1 to 2 litres of water per person per day; in mid-2005 it had increased to an average of 4 litres. These quantities are still seriously short of international minimum standards. The SPHERE standards recommend a minimum of 15 litres per day per person.³² Sanitation coverage is equally poor in most of the camps.

Education services also remain extremely poor. Some 250,000 children are not attending school in the war-affected areas. There are few female teachers and large numbers of untrained teachers. The teacher – pupil ratios are, on average, 1 to 90, but in some schools, classroom sizes reach 150 pupils. Furthermore the teaching day is much shorter than the rest of Uganda. This educational crisis will leave a damaging legacy in the north.

At the field level, there has been significant progress on improving protection coordination and capacity, including the establishment of protection monitoring mechanisms. UNICEF has deployed international child protection officers and protection officers in the field tasked with documenting protection concerns, taking forward operational advocacy and practical capacity building for humanitarian protection. Capacity for the promotion and protection of human

rights is set to expand with the deployment of an Office of the High Commissioner for Human Rights (OHCHR) field operation, which will place human rights officers in the conflict-affected areas. UNHCR has also recruited a protection adviser. There is also a stronger NGO presence in protection with agencies such as the Norwegian Refugee Council (NRC), Human Rights Focus and International Rescue Committee (IRC) playing an important field role in protection oversight.

Very significant gaps, however, still remain for the health, shelter, agriculture and education sectors. UN agencies are struggling to find sufficient NGOs to implement their programmes. Fortunately, the ICRC is now beginning to play a vital role in delivering health and water services in the more inaccessible camps and playing an important role in protection.

Although the increase of humanitarian aid has been significant over the past two years, limits have been reached in terms of what humanitarian aid can and cannot provide. More medicines and drug supplies may be available, but the acute shortage of health workers in camps has serious implications in reducing the mortality and morbidity levels in the camps. Staff retention should be addressed as a key priority through incentives to work in insecure areas.

Unfortunately, very little attention has been given to the psychological impact of the LRA's visitation in the north. An absence of education hinders both the protection of children and their mental well being. Over 20,000 children have been abducted since the beginning of the LRA conflict. More children have been orphaned and there are extremely high numbers of vulnerable children in all the camps. Insufficient attention has been given to the difficult problems of reconciliation for the abducted children. Nor has there been sufficient investment in the camps to enhance their re-integration.

While it is difficult to assess the impact external pressures have had on President Museveni in his management of the crisis in the north, there have been signs within the last year of a willingness to tolerate a dual approach to the war – a continuing military campaign, but peace attempts too.

Members of Parliament, especially those from the affected districts, have increased pressure on the government to address the humanitarian crisis in northern Uganda in a more systemic way.³³ However, despite donor pressure, the President refused to implement a parliamentary resolution declaring northern Uganda a disaster area.

The Office of the Prime Minister – Department of Disaster Preparedness and Refugees (OPM/DDPR) is the lead agency for the protection and assistance of the IDPs.³⁴ It has lacked the funding and political support, however, to provide adequate coordination and guidance in dealing with the humanitarian assistance required to the conflict affected districts. Because of this general lack of any political impetus, the involvement of line ministries in addressing the relief and protection problems in northern Uganda has been marginal. Only the Ministry of Health has developed guidelines for service delivery to IDPs in partnership with UNICEF and WHO. The Ministry of Education took part in a task force to plan for emergencies and coordinate post conflict interventions and set-up a desk to coordinate educational activities in the north and eastern Uganda.³⁵ Uganda has an advanced decentralised political system, so the burden of assisting the IDPs has fallen on impoverished district councils in war affected areas.

At the district level, the District Disaster Management Committee (DDMC) is the lead agency for the protection of IDPs.³⁶ However, district authorities and Chief Administrative Officers (CAOs), in particular, who are chairing these committees, are overstretched and lacking guidance and funding from the central government to handle the emergency.

By adopting a National Policy for Internally Displaced Persons (IDP Policy),³⁷ Uganda seeks to protect its citizens against involuntary displacement and to protect and

assist IDPs during displacement, return, resettlement and reintegration. The policy is comprehensive. It covers all phases of displacement and despite some gaps, it is in line with international standards, especially the UN Guiding Principles on Internal Displacement. The policy should serve as a guide for the government, the security forces, the UN, other international agencies, NGOs, civil society and IDP communities in promoting, supporting and monitoring the fulfillment of the rights of IDPs.

The United Nations Development Programme (UNDP) has also supported the OPM in the recruitment of district disaster coordinators whose task will be to support the councils in managing the IDP policy. Moreover, the President has appointed civil-military affairs officers in the war affected districts within the UPDF to improved IDP protection and the liaison between the army, the IDPs and the humanitarian agencies.

However, there are a number of serious constraints in implementing the IDP policy. Central government funding to the districts is hedged in by quite severe constraints on how budgets can be used. It is an absurd factor in northern Uganda, that districts receive funds for development, when for the last 3 years, 90 percent of their populations are living in camps. The revenue base for all the war affected districts has been decimated. Budget money is often returned to the Treasury because the guidelines for spending the money cannot be met. Remarkably, there is an absence of any direct emergency funding to the councils from central government, despite the scale of the displacement in the north.

The Government's regard for its citizens in northern Uganda challenges plausible reasoning on why this displacement crisis has been allowed to continue. However, until an end is put to the conflict, the majority of the displaced will remain in camps, unable to cultivate enough to cater for their food needs. Because of the perceived decline of traditional and cultural norms, and because the bulk of the affected population remain in camps, the measures aimed at the reintegration of former rebels within their community will be compromised. No durable solution to this crisis is possible without ending the war. There are some differences of opinion, however, when it comes to the means of ending the conflict.

Towards a peace deal with the rebels

The limited military successes of Operation Iron Fist I and II have put increased pressure on the government to explore a peaceful solution to ending the war. Donors, formerly reluctant to comment on "internal" matters, gradually began to support the peaceful means of ending the war.³⁸ The government responded to this growing international pressure by re-opening space for dialogue, while still maintaining a strong stand on the LRA rebels: this position is best illustrated in the letter sent by the Permanent Representative of Uganda to the UN to the President of the Security Council in which the GoU "reiterates its earlier call for the terrorists to end their evil campaign and go for a dialogue ... so that this problem is resolved."³⁹

The chances for peace have been for the past year led by an Acholi woman, Betty Bigombe. She has already achieved what many would not have thought possible: she established a link with the "other side" – rebels that many claimed too deranged and violent to even consider dialogue as an option. Her main asset is that she benefits from the confidence of both the government and the LRA, while previous peace efforts have failed due to the continuous mutual suspicion between the LRA and government. Although the LRA's desire for genuine dialogue appears minimal, the government has rarely acted in good faith either when a variety of actors have sought to promote a settlement.⁴⁰

While the government's two pronged approach is tacitly accepted, the strategy appears to have inherent limitations. The UPDF has been and continues to be blamed for spoiling the chances of a peaceful settlement.⁴¹ It appears that though

the government is tolerating Ms. Bigombe's activities, it has not instructed the UPDF leadership to engage with the rebels by any other means than through war. The second limitation to this approach is that it will not engender the trust of the LRA leadership and will therefore not contribute to the de-escalation of the conflict.

The "best possible scenario" if this approach is pursued is that the LRA military power, that has been subject amongst other factors, to combined pressure from hunger, reduction of its officer ranks through defections and death, and the UPDF's incremental successes will continue to weaken. The rebel's capacity to inflict large civilian casualties has undoubtedly weakened over the past months, and loss or damage of communication equipment has caused difficulties in maintaining regular dialogue with the rebels.

Ms. Bigombe's current efforts reflects her strenuous attempts in 1993–1994 when she, in her function as Minister for the "Pacification of the North", explored ways to end the war with the LRA. She initiated talks which led to a formal ceasefire on 2 February 1994 that was then broken four days later. Many commentators said that the President's insistence on a 7-day deadline for the LRA undermined the hope of a ceasefire and subsequent peace agreement. Ms. Bigombe is not the only Ugandan to have explored the possibility of dialogue with the LRA. In 2001, the Gulu Council Chairman, Colonel Walter Ochora, met with a group of rebels under the command of Lt Colonel Onen Kamdulu just outside Gulu town, leading to a period of heightened hope. The UPDF agreed to set up a de-militarised zone at Awoo Nyim in Aswa county in exchange for assurance that the LRA would not loot or harm civilians.

At around the same time, another contingent of the LRA under Commander Tabuley also approached religious and traditional leaders in Pajule, in Pader district.⁴² Acholi and national religious leaders have indeed been closely associated with the dialogue process in the North from the beginning of the conflict. In 1997, the Catholic, Orthodox, Anglican and Muslim religious leaders of the Acholi formalised their increasing co-operation on peace issues by setting up the Acholi Religious Leaders' Peace Initiative (ARLPI)⁴³ Besides the ARLPI, many new groups have emerged, all willing to help the healing process. The religious initiatives have often met with contempt from the government, which has accused the bishops of being collaborators.

A range of international policy institutes such as the Carter Center, the Centre for Humanitarian Dialogue and the International Crisis Group (ICG) have also made interventions in securing a peaceful solution.

If it is difficult to assess the level of commitment of the government, it is even harder to know that of the rebels. Despite several calls from the government, donor representatives, the UN and civil society to the leadership of the LRA to renounce violence, to enter into a process of peace, and avail themselves of the Amnesty process, no successful peace pact has gone through. Hopes were raised in December 2004, when the Government called a 3-week ceasefire. The main LRA negotiator, Sam Kolo, felt that this was not long enough, particularly in view of the logistical difficulties of communicating with Joseph Kony. The President announced in Gulu the end of the ceasefire on New Years Eve 2004. The UPDF then attacked the former ceasefire zone on New Years Day, 2005. The surrender of Sam Kolo in February 2005 drew this phase of peace negotiations to a close. Ms Bigombe and her support team of donors and the UN have been struggling to sustain contact with Joseph Kony or the LRA's Chief of Staff, Vincent Otii since then.

Whether the LRA wants a serious dialogue or just a breathing space to re-group is extremely difficult to assess. However, the lessons learned from the 1994 negotiations and the December 2004 ceasefire suggest that the LRA needs to be given longer deadlines to decide on a more lasting ceasefire.

A peaceful southern Sudan under the SPLM government would make the territory less hospitable for the LRA. The late SPLM Chairman, John Garang, said in Gulu in January 2005 that the ejection of the LRA from Equatoria would be a priority. This has not been the case so far, as the LRA continues to kill people close to Juba and Torit. They also have unfettered access to the border areas and launched some violent assaults in Kitgum and Pader in June and July 2005.

However, with the gradual removal of Khartoum garrisons from south Sudan in the next few months, it is possible that the SPLM/A under the new leadership of Vice President Salva Kiir may decide to move finally against the LRA. The withdrawal of Khartoum's troops should also close off any covert support which Khartoum continues to give to the LRA.

Kony though was believed to have spent all of June in Gulu District in his home area – an annual pilgrimage to revive his messianic powers. This would suggest that he could survive in northern Uganda. It also highlights again the weaknesses of the UPDF's ability to hunt him down.

Return of the Internally Displaced Populations (IDPs)

While more security is needed to stop the continuous killing/abductions of innocent people, only a secure environment will enable the return of civilians to their area of origin. According to the Uganda Parliamentary Select Committee on the Humanitarian and Security Situation in the Acholi, Teso and Lango sub-regions, "the primary and most important requirement for the restoration of hope to northern and eastern Uganda was to restore security in the region."

Despite continuous encouragement for the government to strengthen security in and around the settlements, including the recruitment of additional policemen and women in the camps, no significant increase has been observed.⁴⁴ In fact the UN and NGOs feel that there has been a reduction of troops in northern Uganda in the last few months.

The deployment of local militia and Local Defence Units (LDUs) over the affected areas has deterred LRA attacks to a certain effect, especially in the Teso region. However, being ill-trained, and often not being paid for up to six months at a time has caused considerable militia indiscipline. The militia are seen as a hydra-headed monster which will be difficult to control and disarm once peace does come. Their recruitment inevitably contributes to an over-militarisation of the country, which could have damaging long-term consequences.

Pursuant to the IDP Policy, the Government of Uganda "commits itself to "promote the right of IDPs to return voluntarily, in safety and dignity, to their homes or places of habitual residence or to resettle voluntarily in another part of the country."

The Policy is being undermined by illegal curfews in the camps, draconian restrictions on land access and forced removals. Return policies on the government side are poorly thought through. Currently, there is a wave of new optimism from the Government and the UPDF that now sees the war in its final stages of "mopping up" operations. There is great deal of talk about return, but the IDPs themselves are insistent that there must be peace, before they can realistically return. Again the strong fear of even a weakened LRA creates widespread anxiety amongst the IDP population. Joseph Kony alone remains the greatest fear for the displaced people.

Re-integration and reconciliation

Does the war have a purpose now? Is the LRA now into a routine of violence that has become entrenched? What would the basis of any negotiations be – just the safety of the LRA leadership, or would Acholi grievances be discussed in any rational way? It is already alarming that the UPDF is happy to absorb the former

LRA combatants in large numbers. However, could the most senior LRA officers trust this flawed integration?

While there has been much speculation about Kony's ideological intentions, which most experts now limit to a desire of revenge against the President, not enough attention may have been given to the reason why the hard core of LRA officers remain in the bush. Again, a series of explanations are possible: lack of incentives to return, fear of reprisals by the army or the community, lack of real integration prospects. A former LRA commander argued that "why would the LRA return with nothing in a community that has nothing either."⁴⁵

The LRA leadership have also identified the International Criminal Court⁴⁶ as one of their primary concerns in negotiating a settlement. Most stakeholders would agree that there "needs to be a process of national reconciliation and peace building which will ensure a real and sustainable peace."⁴⁷ Although the aim of the ICC⁴⁸ is to bring justice to the people, potentially bad timing and an inappropriate communication strategy have been seen as undermining the efforts of the locally-based civil society groups to support the peaceful return and reintegration of combatants under the Amnesty Law.⁴⁹ Up to now the Amnesty Law⁵⁰ has provided the only incentive for rebels to leave the LRA and the ICC intervention has been seen by some civil society organisations as blocking the provision of an alternative exit strategy for the LRA. Often depicted as in accord with Acholi traditions, the amnesty process receives wide support especially in the north. However, more emphasis has been placed on receiving former combatants and returning them to the community than on specific procedures for reconciliation and accountability.⁵¹ A survey on the perception towards peace and justice showed that many people felt that some form of acknowledgement and/or retribution should be required of those granted amnesty thus meeting more adequately victims' expectations.⁵² An additional challenge is that the Amnesty Commission currently does not have an investigation capacity to cross-check information. It would be opportune to make use the full ambit of the amnesty law as the Amnesty Act provides for the application of appropriate reconciliation and justice mechanisms which could provide for accountability by perpetrators.⁵³ This multifaceted transitional justice process would be one that embraces trials, limited amnesties, truth telling, reparations, reintegration, and community rebuilding.

However, although Sudan is not a signatory of the Rome Statute, the ICC referral has put pressure on the Sudanese authorities in Khartoum to stop their military support to the LRA. On various occasions, the Office of the ICC Prosecutor has indicated that unless there is credible peace process, they will proceed with the prosecution of the LRA leadership. With the peace process faltering this could mean the issuance of arrest warrants in the next few weeks.

The process of integrating former LRA fighters into their communities is proceeding poorly.⁵⁴ The capacity and willingness of the communities to accept and effectively reintegrate former LRA in large numbers remains untested, especially for women and girls who are returning with children born in the bush.

It is equally important to strike the right balance between providing incentives for the reintegration of ex-rebels into the community and a semblance of justice for the victims of the conflict. Too much provision for former combatants might engender resentment from the community, whereas a credible demobilisation, disarmament and reintegration (DDR) programme that also include benefits for the overall community might improve community harmony.

The Acholi have advanced systems and rituals for conflict mediation and resolution which have historically allowed them to effectively neutralise disputes between clans and ethnic groups. There is no provision for the death penalty and prison sentences in the Acholi form of criminal justice, but there is punishment and accountability. Furthermore, this type of local criminal justice is seen as a conflict resolution mechanism. The ICC appears to have taken on board recommendations

Conclusion

from the civil society to ensure complementarities between the international justice and local ideas of justice. Justice should also not be seen in a narrow way only through the arrest and prosecution of the criminals but should also include socio-economic justice.

While the ICC focus is mainly on the LRA leadership, more attention and efforts ought to be put on the restoration of the rule of law in northern Uganda and on monitoring, redressing human right violations that are perpetrated on a daily basis. Authorities and agencies should also invest more time and effort on monitoring the re-integration of formerly abducted children.⁵⁵ The government needs to lead emerging efforts towards a peaceful solution including reconciliation within the Acholi community, between communities in the north and in the entire country, and discourage any action that has the potential to fuel renewed ethnic tension.

The protection of rights will inspire confidence in the communities and encourage unity between state and civil society at a time when reconciliation is key to efforts at peace.⁵⁶ While it has been reported that some elements within the government and the UPDF have profited from the conflict, the end of the war could result in a two percentage point gain in GDP growth and improve significantly all the poverty eradication indicators as targeted in the MDGs and the PEAP.⁵⁷

Not every means have been explored to resolve the conflict, and while all parties have shown increased concern towards the plight of the victims, they remain ineffectual in taking more radical approaches in ending the conflict. A much longer ceasefire gesture from the government could be a useful start. While some actors, especially among the civil society, have called for an international intervention to force a ceasefire and organise peace talks, this remains unlikely as it will expose the government's weakness in failing to end this war."⁵⁸ The President has rebuffed efforts from the Africa Union (AU) to mediate, insisting that the war is a matter for Uganda only to deal with.

In October 2005, the ICC issued 5 arrest warrants against the LRA leadership, and there is some fear that the LRA may unleash a new campaign of violence in both Sudan and Uganda as its retaliation to these prosecutions. The flight of Vincent Otti, the LRA Chief of staff, to the Garamba National Park in north-eastern Congo in September 2005 came as a complete surprise. The move was probably aided by the Khartoum government. However, it is too early to ascertain what the purpose of this migration is. The SPLA see the move as an attempt to revive an anti-Museveni coalition made up of the ADF, WBNF, the People's Redemption Army and the LRA. The Garamba Park has been the historic base for Khartoum's support to the WBNF and ADF. Is this a revival of this support? Joseph Kony remains well protected at his base in Kit in Eastern Equatoria. If these analyses are correct, then Khartoum is already breaching key principles of the Comprehensive Peace Agreement it made with the SPLM.

The UPDF has also accused elements within the Congolese forces of aiding Otti. Southern Sudan has now become a new battleground with the LRA now terrorising Central Equatoria as well as Eastern Equatoria. The SPLA has been forced to engage when the LRA moved west across the Nile for the first time. Despite its reduced numbers, the LRA has moved back into Teso too. The LRA has become again a shadowy and malevolent force in regional politics, exacerbating the already deeply rooted mistrust that exists between Uganda, Sudan and DRC.

Civil society views still reflect some faint optimism. The war might end because the gain is now so little for the main individuals concerned: for the President to be granted a third mandate would be easier if peace in the north was part of the third term plan. This would ease donor opposition to what is already described by many as an emergence of dictatorship and "big man" politics. With the pressure of the ICC, the Khartoum government would not be wise to revamp its support to the rebel group, while for the LRA, "they have lost so much, they are seeing fellow commanders being killed.[...] many want to come back to rescue the situation for

the people in the north.”⁵⁹ While he was still with the UPDA, Kony is believed to have said that “[...] the struggle would last until no one had the wish to fight any longer [...]”⁶⁰

However, the ICC warrants may have effectively killed off the Bigombe initiative. So does the war now continue, as there appears to be no escape route for Kony and his key lieutenants, as they face the prospect of a long prison sentence in The Hague if captured?

- 1 Héloïse Ruauudel was the Special Assistant to the UN Humanitarian Co-ordinator in Uganda. Andrew Timpson worked as the National IDP Adviser and Head of the OCHA sub-office in Gulu district.
- 2 Quote – Jan Egeland, the United Nations Under-Secretary-General for Humanitarian Affairs and ERC who received the 2005 Roger E. Joseph Prize, 22 May 2005, New York.
- 3 The northern part of Uganda is constituted of 18 districts. Reference is made in the article to the districts affected by the conflict; particularly the 3 districts which comprise Acholiland.
- 4 Statement made by Jan Egeland during his mission to Uganda on 7–10 November 2003.
- 5 “The LRA has utilised abduction as a military strategy since the beginning of its rebellion, though it was only in 1994 that they began to engage in abductions in earnest, following President Museveni’s 7-day ultimatum which undermined the Bigombe peace initiative.” Extract from *Nowhere to Hide*, Humanitarian Protection Threats in Northern Uganda, CSOPNU, December 2004.
- 6 President Museveni had promised that the war would end by December 2002, RLP Position Paper on the announcement of investigations of the LRA by the Chief Prosecutor of the ICC and its implications on the search of peaceful solutions to the war in northern Uganda, February 2004.
- 7 As of 30 June 2005, the number of IDPs is about 1.6 million, CAP 2005, MYR. An unknown number of unregistered displaced persons live with relatives in towns or in camps and settlements in Adjumani, Gulu, Apac, Kaberamaido, Katakwi, Lira, Masindi, Kampala and Soroti.
- 8 Justice Resources, Law and Disorder, *The Impact of Conflict on Access to justice in Northern Uganda*, A report commissioned by the Royal Netherlands Embassy, November 2004.
- 9 Tim Large, AlertNet, *Crisis Profile-What’s going on in northern Uganda?* 21 September 2004.
- 10 Since independence, Uganda was governed by Milton Obote for 2 periods, a Lango from Apac and Idi Amin Dada from Koboko in West Nile (Obote’s army chief) and for a short period in 1985, General Tito Okello from Kitgum in Acholiland.
- 11 RLP, Working Paper N.11, *Behind the Violence: Causes, Consequences and the Search for Solutions to the War in Northern Uganda* February 2004, p 5.
- 12 The Government signed a more conclusive peace agreement with the political wing of the rebellion, the Uganda People’s Democratic Movement (UPDM) in July 1990 in Addis Ababa.
- 13 Ibid.
- 14 *Pursuing Peace in Northern Uganda, Lessons from Peace initiatives*, CSNOPNU, May 2003, p 3.
- 15 Ibid, p 1.
- 16 The armed forces that committed atrocities against the civilian population between 1980 and 1986, especially in the Luwero triangle were perceived to be the northern followers of Milton Obote’s Uganda People’s Congress (UPC) – extract from *Nowhere to Hide*, Humanitarian Protection Threats in Northern Uganda, CSOPNU, December 2004.
- 17 *Nowhere to Hide*, Humanitarian Protection Threats in Northern Uganda, CSOPNU, December 2004, p 30.
- 18 Chris Dolan and Emmanuel Bagenda, *Militarization and its Impacts*, Northern Uganda Strategic Conflict Assessment, February 2004.
- 19 UNICEF estimates that 25,000 children have been abducted in the course of the conflict – 10,000 in 2003 alone. According to a UNICEF official, some 20,000 have returned from the bush while over 3,000 are expected to have died.
- 20 In July 2004 the number of night commuters in Gulu, Kitgum and Kalongo reached 50,000.
- 21 From OCHA sources: On International Women’s Day in 2005, a senior UPDF officer said that the LRA were now a tiny presence in West Nile, two days later the LRA killed 8 people in Adjumani. The Resident District Commissioner in Kitgum was quoted recently saying that the war was nearly over. Since that time, the district has been infested by the LRA, and there been numerous killings, ambushes and mutilations. The massacre in Barlonyo in February 2004 was the LRA’s response to a number of statements the President had made in saying that the war is over. Brigadier Sam Kolo, the former spokesman of the LRA confirmed that these casual political and over optimistic comments constantly irritate the LRA leadership.
- 22 Acholi Religious Leaders’ Peace Initiative, *Position Paper on Possibility of Intervention by the ICC in the Northern Uganda Conflict*, April 2004, p 8.
- 23 Jan Egeland first brief to the UN SC was on 14 April 2004.
- 24 On average, only 2 percent of children aged 3–5 have access to Early Childhood Development (ECD) sites. An estimated 25 percent of children of primary school age are out of school. 60 percent of the 1,229 primary schools in Gulu, Kitgum, Pader, Lira and Apac are non-functional. Taken from UNICEF Humanitarian Action, Donor update, 14 June 2005.

- 25 Akumu Christine Okot, Amony Isabella and Otim Gerald, *Suffering in Silence: A Study of Sexual and Gender Based Violence in Pabbo Camp, Gulu District, Northern Uganda*, commissioned by Gulu District sub Working Group on SGBV, January 2005.
- 26 While the LRA has limited access to print media, it has been reported by returnees that the rebels were listening to the radio.
- 27 The head of ECHO and the Representative of the Secretary-General on Internal Displacement, Dr. Francis Deng, had also raised their concern.
- 28 RLP Position Paper on the announcement of investigations of the LRA by the Chief Prosecutor of the ICC and its implications on the search of peaceful solutions to the war in northern Uganda, February 2004.
- 29 Between January and March 2004, OCHA strengthened its office in Gulu and set-up offices in Lira, Kitgum and Soroti districts. In January 2005, an office was also established in Pader.
- 30 WFP has had operations in northern Uganda since 1996.
- 31 OCHA's increased presence in Kampala and in the affected districts has participated in raising the attention of the international community over the plight of the IDPs.
- 32 From the CAP Mid Year Review, June 2005.
- 33 In November 2003, the Speaker of Parliament appointed a 10 member Committee to review the humanitarian and security situation in the Acholi, Teso and Lango sub-regions. The report was published in June 2004.
- 34 Office of the Prime Minister, Department of Disaster Preparedness and Refugees, *The National Policy for Internally Displaced Persons (IDP Policy)*, August 2004, p 3.
- 35 Parliament of Uganda, Report of the Selected Committee on Humanitarian and Security Situation in the Acholi, Teso and Lango sub-regions, June 2004, p 18 and 21.
- 36 Office of the Prime Minister, Department of Disaster Preparedness and Refugees, *The National Policy for Internally Displaced Persons (IDP Policy)*, August 2004, p 3.
- 37 Drafted in 2002 with the technical assistance of OCHA, the document was only adopted in August 2004 and officially launched in February 2005.
- 38 Donor Groups such as the Donor Group on Northern Uganda, Amnesty and Recovery from Conflict (DG NARC) took a stronger stance in persuading the government to engage into a peaceful dialogue with the rebels.
- 39 Letter dated 14 May 2004 from the Permanent Representative of Uganda to the United Nations addressed to the President of the Security Council.
- 40 ICG Africa Report N. 77: Northern Uganda: Understanding and solving the conflict, 14 April 2004
- 41 In Aug. 2002, the UPDF arrested and shot Father Carlos Rodriguez while he was meeting with the rebels.
- 42 *Pursuing Peace in Northern Uganda, Lessons from Peace initiatives*, CSNOPNU, May 2003, p 5.
- 43 *Pursuing Peace in Northern Uganda, Lessons from Peace initiatives*, CSNOPNU, May 2003, p 8.
- 44 According to OCHA estimates, there is an average of 70 soldiers per camp but almost no policemen. In Pabbo, the biggest IDP camp in Gulu District which hosts 64,000 people there are 3 policemen and one policewoman.
- 45 Quote attributed to former LRA rebel, Sam Kolo, interviewed by UN staff in July 2005.
- 46 On 29 January 2004, the Chief Prosecutor of the ICC, Mr. Luis Moreno Ocampo, in a joint press conference with the President of Uganda, Yoweri Museveni announced that his office would begin investigating crimes committed by the LRA. This followed Museveni's formal referral for the ICC in December 2003. The ICC commenced formal investigations into the crimes in northern Uganda in July 2004.
- 47 Statement by Martin O Fainin, Head of Mission, Embassy of Ireland and Chairperson of the Donor Group on Northern Uganda, Amnesty and Recovery from Conflict (DG NARC) at the occasion of the international Day of Peace, 25 September 2004, Gulu.
- 48 The President of Uganda's request only concerned the LRA, but the prosecutor's investigative powers extend to crimes committed by any party in Uganda, James A. Goldson and Chidi Anselm Odinkalu, *A Crucial Case for the International Criminal Court, justice for Uganda*, 27 February 2004, International Herald Tribune.
- 49 Northern Uganda-human Security Update, *Pursuing Peace and Justice: International and Local Initiatives, Conflict and Development Programme*, Liu institute for Global Issues, May 2005, p 1.
- 50 The Amnesty Act was signed into law on 17 January 2000. It provide, in its section 3, "amnesty for any Ugandan who has at any time since 26 January 1986 engaged in or is engaging in war or armed rebellion against the GoU by actual participation in combat, collaboration with perpetrators of the war or armed rebellion, committing any other crime in the furtherance of war or armed rebellion or aiding the conduct or prosecution of the war or armed rebellion...the spirit of the act is that of reconciliation. Once a person is granted amnesty, he can no longer be prosecuted or punished by the state for any crime committed in the process of rebellion".
- 51 Justice Resources, Law and Disorder, *The Impact of Conflict on Access to justice in Northern Uganda*, A report commissioned by the Royal Netherlands Embassy, November 2004, p 52.
- 52 "The survey indicates that while 65 percent of the respondents support the amnesty process for LRA members, only 4 percent said that amnesties should be granted unconditionally," Human Rights Center, University of Berkley and the International Center for Transitional Justice, *Forgotten Voices, A Population-Based Survey of Attitudes and Justice in Northern Uganda*, July 2005.
- 53 Ibid, p 53.
- 54 International Crisis Group (ICG) Africa Briefing N. 23: *Shock Therapy for northern Uganda's Peace Process*, 11 April 2005, p 1.

- 55 A recent evaluation at the Gulu Support the Children Organisation (GUSCO) reception centre for formerly abducted children (FAC) found that only 30 percent of the children passing through the centre have received comprehensive follow-up and monitoring, in addition to the basic healthcare and psychosocial counselling services available. UNICEF Humanitarian Action, Uganda, Donor Update, 14 June 2005.
- 56 Pursuing Peace in Northern Uganda, Lessons from Peace initiatives, CSNOPNU, May 2003, p 14.
- 57 Estimate of the United Nations Resident and Humanitarian Coordinator.
- 58 Quote from an IDP in Palenga camp, Gulu, Acholi Religious Leaders' Peace Initiative, Position Paper on Possibility of Intervention by the ICC in the Northern Uganda Conflict, April 2004, p 9.
- 59 Crisis Group interview of LRA returnees, May 2005, International Crisis Group (ICG) Africa Briefing N. 27: Building a Comprehensive Peace Strategy for northern Uganda, 23 June 2005, p 3.
- 60 Refugee Law Project (RLP) Working Paper No. 11, Behind the Violence: Causes, Consequences and the Search for Solutions to the War in Northern Uganda, February 2004, p 14.