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The complexity of applying
UN Resolution 1325 in post
conflict reintegration processes:
The case of Northern Uganda



By Dr Grace Maina

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List of Acronyms

DDR	Demilitarisation, demobilisation and reintegration
DRC	Democratic Republic of the Congo
HIV/AIDS	Human immunodeficiency virus/ Acquired immune deficiency syndrome
IRIN	Integrated Regional Information Networks
IDP	Internally displaced people
ICTJ	International Centre for Transitional Justice
UNAIDS	Joint United Nations Programme on HIV/AIDS
LRA	Lord's Resistance Army
NGO	Non-governmental organisation
PRDP	Peace Recovery Development Programme
SPLA	Sudan People's Liberation Army
SPRING	Stability Peace and Reconciliation in Uganda
STD	Sexually transmitted disease
SWAY	Survey of War Affected Youth
UNLA	Uganda National Liberation Army
UPDF	Uganda People's Defence Force
UPDA	Uganda's People Democratic Army
UNDP	United Nations Development Programme
UNHCR	United Nations High Commission for Refugees
OCHA	UN Office for the Coordination of Humanitarian Affairs

Abstract

The United Nations (UN) Security Council Resolution 1325 calls on all actors involved to address the special needs of women and girls during rehabilitation, reintegration and post-conflict reconstruction. This study endeavors to analyse the reintegration experience of women and girls in post-conflict Uganda. In this country, the recruitment of combatants by the Lord's Resistance Army (LRA) has been characterised by the forcible abduction of young boys and girls, and the eventual deployment of child soldiers. The government of Uganda, in its attempt to defeat the LRA and in recognition of the fact that the LRA forcibly conscripted children to wage their cause, offered amnesties to all individuals who returned or were rescued from the LRA. This process has had consequences for the general female population of the Acholi community in northern Uganda.

There has been scant research done on the long-term impact of the LRA war on the Acholi community, and more especially on those who were abducted. While little is known about the war's impact on the male population, even less is known about the female children abducted and forced to become servants and "wives" of LRA male combatants. It is vital to note that the experiences of abduction, violence and even return for women and girls have been different to that of men and boys. This paper explores these issues.

About the author

Grace Maina heads the Knowledge Production Department at ACCORD. She joined ACCORD after completing her Doctoral Research at the University of Bradford, UK. Grace's research interests include: Post conflict peace-building in Africa; Human Security; Preventive Action; and Youth. Grace has an MA in Development Studies from the Nelson Mandela Metropolitan University in South Africa. She also has a Bachelor in Arts (BA) degree majoring in Political Science and Sociology from the University of Nairobi, and a Bachelor of Laws (LL.B) degree from the University of

Nairobi. She also has post graduate diplomas in Research Methodology (University of Bradford), and Law (Kenya School of Law). She has also published a number of scholarly articles.

Introduction

The nature of violent conflict in the world has evolved to be more complex in recent years. This has resulted in so-called “new wars”, which are often described as internal or civil wars, often carried out by privately organised groups for financial gain and which usually result in large-scale violations of human rights (Kaldor, 2001). Unlike the traditional understanding of security, where wars were between different states, recent conflicts have been internal and now often target civilians and not necessarily other combatants (Kaldor, 1999; Paris, 2004). It is the complex nature of these wars that has seen rebel armed groups – and, in particular cases, government forces – recruit children to be soldiers. Most of these groups have had to increase their militaristic might and capacity, and the need for more soldiers has driven them to enlist massive numbers of underage children for war. These wars have also had adverse impacts on the local populations resident in conflict-torn areas. In most of these areas there has also been a high level of displacement as a result of the war.

This work is a study of the conflict in northern Uganda, where the resident Acholi community has been adversely affected by the war between the government of President Yoweri Kaguta Museveni and the LRA for over two decades. More specifically, this work looks to understand the plight of women following this war. It is widely acknowledged and evident that women bear the harshest brunt of conflict, and this is no different in the Acholi community of northern Uganda. The LRA war has been imposed upon the northern Ugandan population over a number of years and has resulted in a substantial displacement of the Acholi community from their ancestral villages to government-ordered internally displaced people’s (IDP) camps. Most of these displaced individuals are women and girls (Lehrer, 2008).

The northern Uganda war has been ongoing for over two decades and is known for its terrible consequences on civilians. The LRA has been notorious for abducting children and conscripting them to fight against government forces. In the 1980s alone about 25 000 children were abducted by the LRA (Coalition to Stop the Use of Child Soldiers, 2008). The number of abductions rose after 2002, with an estimated 10 000 children abducted between May 2002 and May 2003 alone (Coalition to Stop the Use of Child Soldiers, 2008). This forced other children who were not in captivity to become night commuters and to seek security in the town areas of Gulu, Kitgum and Pader, so as to reduce their risk of being abducted. The Berkeley-Tulane Initiative on Vulnerable Populations reported that, as of 2007, as many as 38 000 children had been abducted and recruited into the LRA.

Children abducted by the LRA were often forced to participate in combat activities, carry out raids, and kill and violently injure other children, members of the communities and even members of their families. The killing of family members often characterised the initiation of these forcefully recruited children into the LRA (Blattman and Annan, 2008). It is important to note that girls were also victims of LRA abductions, and girls as young as 12 years old were used in combat and for other military purposes, as well as for sexual slavery (Blattman and Annan, 2008; Coalition to Stop the Use of Child Soldiers, 2008). Many of these girls were raped, and many gave birth to children while in the LRA ranks. These girls were often looked upon as the “wives” of the commanders.

This study first analyses the northern Ugandan war – its causes and dynamics, as well as its effects. Special attention is paid to the consequences of the conflict on women and girls. The study also makes a critical analysis of the application and implementation of Resolution 1325 in the ongoing post-conflict reconstruction processes in Uganda – in particular, the demilitarisation, demobilisation and reintegration (DDR) programmes. The paper ends with recommendations, more poignantly arguing that the integration of gender issues is imperative for any successful reintegration process.

Women and conflict: a look at the trajectories

The world has increasingly acknowledged the impact of conflict on women. This was clearly evidenced by the recognition in the Beijing Platform for Action and subsequent government commitments, and now in the enactment and implementation of Security Council Resolution 1325. Previously civil conflicts were analysed through a traditional lens and understanding of security, and emphasis was placed on the relationships of states to each other. Following the Cold War, there has been a realisation that security must include the needs of the individual and freedom of that individual from fear and want. In this new view, security is not peculiar to relations between different states; rather, it has as its basis the social contract between the state and its citizens in which citizens have traded their rights for the guarantee of protection by their Leviathan from acts of war (Hobbes, 1985). This new idea of security encompasses two ideas: safety, which goes beyond the concept of physical security in the traditional sense; and “social security”, which ensures that people’s livelihoods are guaranteed (Tadjbakhsh, 2005).

The application of Resolution 1325 in post-conflict settings

In October 2000, the Security Council of the United Nations adopted Resolution 1325, which recognises the role of women’s participation in the promotion and maintenance of peace and security. This resolution was adopted as the result of the work of non-governmental organisations (NGOs), civil society groups and women’s organisations that had, for many years, lobbied for the acknowledgement of the role of women in peace processes around the world. The unanimous adoption of Resolution 1325 in October 2000 stemmed from the recognition that there has been very little regard and recognition of the needs of women in conflict and post-conflict situations, and that civilians – particularly women and children – account for the vast majority of those adversely affected by armed conflicts. The United Nations Security Council Resolution 1325 on Women, Peace and

Security is one of the international advocacy mechanisms recognised as a vital rallying point for organisations and individuals around the world. This resolution demonstrates a resolve by the Security Council not to only pay attention to, but also to address, the disproportionate and unique implications that armed conflict has on women (Lukatela, 2010). It calls for the implementation of international humanitarian and human rights law, institutional arrangements to guarantee the protection of women and girls, and their full participation in peace processes and the implementation of peace agreements by spelling out actions needed to be taken by all actors, including governments and the United Nations. It requests member states to increase the representation of women at all levels of decision-making for the prevention, management and resolution of conflict. Resolution 1325 seeks to expand the role of women in field-based operations and supports the inclusion of a gender perspective in peacekeeping operations (Lukatela, 2010).

Resolution 1325 goes beyond recognising the negative impact of war on women to highlight the critical role played by women in the protection of women's rights in conflict and post-conflict situations; and in conflict prevention, peacekeeping, conflict resolution and peacebuilding. It also encourages the equal and full participation of women in issues of peace and security. The resolution recognises women as vital agents of change, and moves away from common notions that render women as mere victims. Resolution 1325 therefore emphasises the need to increase the participation of women in peace processes, strengthening protection mechanisms and enhancing gender equality in post-conflict states (Lukatela, 2010; Zuckerman and Greenberg, 2004). Resolution 1325 focuses on different categories that concern the role and place of women in relation to conflict. These can be categorised into four pillars: prevention, participation, protection, and relief and reintegration. While recognising these different pillars, this paper is devoted to discussing the implementation of Resolution 1325 in livelihood issues – specifically the social, economic and political dimensions of a post-conflict context. There is a pertinent need to understand how women are reintegrated into normal life following conflict – and there are social,

cultural and economic concerns to be considered when dealing with the relief and reintegration of women following conflicts. It is in these situations that Resolution 1325 must be applied so as to give life to the provisions that speak to relief and reintegration.

Analysing the implementation of Resolution 1325 is imperative for various reasons. The return of ex-combatants in post-conflict settings has had an impact on the female population. In the context of the northern Uganda conflict, the government of Uganda made a strategic decision in 2000 to offer amnesty to those who returned from LRA factions. This has had implications for the girls and women of northern Uganda communities – both those who served as part of the rebel factions and those who did not. As such, an interrogation of the reasoning behind the adoption of amnesty and the application of DDR programmes for returnees is necessary. The study also focuses on the implications of the return and reintegration process on the female population of northern Uganda. Recommendations will emerge from the study findings on how the experiences of female returnees and locals in northern Uganda can be positively enhanced by Resolution 1325.

Overview of the LRA–northern Ugandan conflict

Uganda has suffered through a violent past from colonialism, the struggle for independence and post-independence fissures, to coups and wars. Every presidential regime in Uganda, including the current incumbent, came to power through violent coups. Furley and Roy (2006), in discussing the security environment of Africa, argue that most African states are located between the endpoints of a peace/war continuum. They further note that peace in the African context does not automatically imply an absence of violence. They refer to this form of peace as “negative peace”, which they argue is unsustainable and is the condition of most African states (Furley and Roy, 2006). Northern Uganda has been relatively calm in recent times, with reduced violent attacks from the Lord’s Resistance Army (LRA) following the signing of a cessation of hostilities agreement in 2006, which opened doors for peace talks in Juba. There are those who argue that the

conflict in northern Uganda ended with this cessation agreement because the LRA has been crippled, and they point to the return home of people previously settled in IDP camps as evidence of the closure of this brutal chapter (International Rescue Committee, 2006). Indeed, reports indicate that most of these IDP camps have closed down, and more than 85% of IDPs have returned to their ancestral homes (Conflict and Recovery Briefing Report, October 2009–March 2010). In the recent past, however, attempts to come to a peace agreement have failed, with the head of the LRA, Joseph Kony, finally refusing to sign the peace agreement on 14 December 2008 after the Uganda People's Defence Force (UPDF) attacked an LRA base in Garamba. Despite the positive attempts and developments geared to establishing normalcy in the north, the failed peace agreement is a concern for many northerners who live in considerable fear of LRA attacks. Such a situation is characteristic of what is referred to as negative peace (Furley and Roy, 2006).

Galtung (1996) defines negative peace as the mere absence of violence, especially after a ceasefire is enacted. However, this situation is fragile, because the absence of direct violence might not be synonymous with the resolution of the issues that fuelled the conflict in the first place (Galtung, 1996). The concept of positive peace, on the other hand, posits that unless the root causes of violence and inequalities are addressed, peace may remain elusive. Concerns about negative peace are also applicable to the current case, as observers, scholars and practitioners fear that northern Uganda can revert back to war if the root challenges of this conflict are not addressed.

The LRA conflict was initially restricted to the Acholi-inhabited districts of Gulu, Pader, Kitgum and Amuru. However, it became a national concern when the conflict shifted to include the eastern districts of Soroti, Katakwi and Palisa, and the West Nile districts of Arua and Adjumani. It is estimated that about 12 000 people have been killed as a result of this conflict, with many more dying as a result of disease and malnutrition (Russia Today, 2009). Today the LRA is a regional concern following its activities in the Central Africa Republic (CAR), Democratic Republic of Congo and even in south Sudan.



Map of LRA-affected areas

In most post-colonial African states, African leaders are faced with the unique dilemma of how to rule groups of people that are inherently different. To engage properly with the current crisis in northern Uganda, this understanding of colonial heritage is imperative – this is because out of contingency, the past continues to intrude into post-independence African relations (Young, 1995). Like most African states, the consolidation of the state in Uganda remains an issue (Herbst, 2000). A fundamental characteristic of any state is its ability to control the territory defined by its borders, to be able to assert its power and gain the loyalty of its citizens. The Ugandan central government has failed to exercise its control over what is now referred to as post-colonial Uganda (Herbst, 2000). It is this failure to control the activities within its borders legitimately that has resulted in a history of violence and civil war. Uganda's political outcomes are the result of human agencies interacting with powerful geographical and historic forces (Herbst, 2000). It is these historical and geographical dynamics that explain the origins, causes and actions of the rebel factions that have characterised Uganda's past, and more specific to this report, those of the LRA.

Causes of the LRA civil war

The LRA war has often been dismissed as a war without cause and the actions of a lunatic. However, from studying the LRA's history and origins, one cannot simply dismiss this as a war without intention. The social order inherited by the Museveni government was ailing, and these inherited issues grew into the root causes for Uganda's continued mutiny (Van Acker, 2004). These causes are clear in the wars and revolts by the Uganda's People Democratic Army (UPDA), the creation and massive following of the Holy Spirit Movement and in the initial actions of the LRA – which consistently claimed to be fighting for the emancipation of the Acholi people. Various reasons have been cited to be contributing factors to civil war in Uganda. These factors apply to the LRA war, but are not limited to that war – they can also be relevant explanations for the constant upheavals that have marked Uganda's past.

The north–south divide: In explaining the causes of the LRA war, the social and economic marginalisation of the northern population has often been named as a fundamental reason (Refugee Law Project, 2004). The gap between the north and south of Uganda emanated from its colonial history, where the British introduced cash crop production in the south and made the north a reservoir of cheap labour that could be employed by the south (Doom and Vlassenroot, 1999). The north also became the recruitment pool for armed forces, while civil employment became the domain of the southerners (Doom and Vlassenroot, 1999). Ali Mazrui (1975), in discussing Acholi history, states that this ethnic grouping, far from being born warriors, was transformed to a military ethnocracy. The British socio-economic structures inherited by independent Uganda further worked to divide the north and south, and consequently led to the extreme marginalisation of the north (Doom and Vlassenroot, 1999). Young (1988) argues that the pathologies of modern African states can be traced to the particularities of their colonial history. He continues to argue that there is a need to review the complex phenomenon of colonial rule so as to understand properly the crises that have defined African states (Young, 1988).

The militarisation of politics: Since colonial times, northern Uganda has served as a reservoir of cheap labour from which the British recruited their soldiers. This structure remained intact in the post-colonial period. With every regime change there was a tendency to replace the old soldiers with a new group that was loyal to the government of the day. This meant that there was a substantial stock of former Uganda National Liberation Army (UNLA) soldiers who had served under the previous regime of Tito Okello, who were left despondent on Museveni's rise to power. It is these elements that act as catalysts to rebellion and provide a fertile ground for rebel recruitment (Van Acker, 2004). Most of these soldiers were well-trained, equipped and had served under previous regimes and their unrest, dissatisfaction, idleness and differing intention fed into rebel groups in the north.

State failure: It is becoming more apparent in the development of post-colonial African states that leaders are failing to govern their core. In the case of Uganda, the vicious cycle of coups is an indicator of the inability of the state to consolidate itself under one rule. The excessive formation of rebel groups in Uganda – such as the LRA – is indicative of the inability of the government to exercise control within the confines of its borders (Herbst, 2000).

The regional factor: In explaining the LRA conflict, one of the most cited causes has been the proximity of Sudan to northern Uganda. Sudan has, over the years, had its own share of conflict and for years had no central government with effective control of its southern area. This meant that there was an easy proliferation of arms through the Sudanese–Ugandan border (Lajour Consultancy, 2003). There was also a proliferation of small arms from the neighboring Democratic Republic of the Congo (DRC) (Lajour Consultancy, 2003). The open support of the LRA by the Sudanese government, in terms of logistical support and weapons, effectively made the LRA a crucial force in the destabilisation of Uganda and of the Sudan People’s Liberation Army (SPLA), a force that was openly supported by the Museveni regime (Van Acker, 2004). This conflict has, over time, become embedded in regional dynamics and, as a consequence, has grown to be even more dangerous, with LRA attacks now in the DRC [United Nations High Commission for Refugees (UNHCR), 2010] and Central African Republic (Afrique Avenir, 2010).

Current state of affairs in northern Uganda

Northern Uganda is a haven of grave human insecurities. The Acholi region continues to lag behind in basic human development indicators, with the poverty line in the north increasing in contrast to other parts of the country (Ministry of Finance, Planning and Economic Development, 2003). To understand the causes of the armed struggles in the north and the

marginalisation of the region effectively, it is imperative that the various human insecurities that have plagued northern Uganda are spelt out.

Uganda was ranked number 157 out of 177 countries in terms of its human development indicators, according to the United Nations Development Programme's (UNDP) 2007 Human Development Report. The country's population of 32.3 million people (Population Reference Bureau, 2010) has an estimated life expectancy of 52 years, and depends on an external budget to fund at least half of its national budget (UNDP, 2005). Some 38.8% of its population lives below the poverty line, and at least 63% of these people live in the northern region (UNDP, 2005). This means that a sizeable proportion of the north's populations are unemployed and poor, and unable to sustain themselves. The Gulu district, for example, suffers from low productivity, low levels of business and investment, low-sanitation living in the IDP camps and gender disparities in terms of access to education, resources and development activities (Baines, Stover and Wierda, 2006).

During the war, about 1.8 million people were displaced from their homes to IDP camps and it is only recently that people have started returning home. Displacement is a crucial indicator of human insecurity and is also related to other aspects of human security – such as the protection of civilians in armed conflict, war-affected children and the observance of internal humanitarian law and human rights (Von Tigerstorm, 2007). IDPs are described as the largest at-risk population in the world (Cohen and Deng, 1998). They are not regarded as refugees as they have not left their state of origin. This has meant that, in order to provide assistance, organisations and agents of the international community had to intervene in the affairs of the sovereign state. The quality of life in these camps was severe, and characterised by water shortages and serious sanitation problems, making camp residents prone to epidemics. Some of the consequences of this phase continue to characterise life in northern Uganda.

Health services in northern Uganda are generally poor. Health centres are inadequately staffed, run out of drugs, and have unmanageable patient to medical personnel ratios. Mortality rates in northern Uganda are still

much higher than the rest of Uganda. In 2005, the primary causes of death (in order) among children and adults were malaria/fever, HIV/AIDS and violence (Ministry of Health, 2005). The HIV prevalence in northern Uganda is considerably higher than in neighbouring “non-conflict” districts. The 2005 Mortality Survey, carried out in Gulu, Kitgum and Pader districts in July 2005, estimated “under-five mortality rates at 1.54/10 000/day and 3.18/10 000/day respectively, well in excess of the emergency threshold of 1/10 000/day” (Ministry of Health, 2005). This was supported by the UN Office for the Coordination of Humanitarian Affairs’ (OCHA) 2006 report that 41% of all deaths in northern Uganda were children under five years. Survey findings also indicated that the leading causes of mortality were malaria, diarrhoea, violence and HIV/AIDS. Malnutrition, HIV/AIDS and limited access to quality health services compounded the problem (OCHA, 2006).

Another visible adverse impact has been the psychosocial aspect of the war. Psychosocial support to victimised children and the community at large is needed – yet is rare, due to a scarcity of resources. Most children in these communities have witnessed parents, relatives and friends being killed and their environment being destroyed around them (Onyango, 1998). As a result, some children have developed behavioural disorders and have become fearful, extremely restless or aggressive (Geltman and Stover, 1998; Save the Children, 1996). Others feel confused, or hopeless and lethargic (Boyden and Gibbs, 1997). This environment of terror results in people constantly fearing for their lives. More specific to this report is the common practice of government soldiers or rebel troops systematically raping girls in times of intrastate conflict. In military camps, girls are often compelled to provide ongoing sexual favours to soldiers in return for food and/or to ensure a degree of physical protection (Butler, 1998; Machel, 2001). As a result of these sexual practices, the transmission of sexually transmitted diseases (STDs) – including HIV – has become more widespread in this conflict area, and more generally in conflict areas around the continent (Machel, 1996). With the return of ex-combatants to communities, the consequences

of moral depravity continue to characterise the lives of many in northern Uganda, especially women.

Northern Uganda is also characterised by food shortages. In the humanitarian crisis, those in IDP camps have been recipients of food aid. In general, the lack of food and poor diet has led to rampant malnutrition. By 2002, the percentage of stunted children in northern Uganda had risen to 50% (World Vision, 2006). In a survey carried out by the International Centre for Transitional Justice (ICTJ) and the Human Rights Centre at the University of California, in which respondents were asked to state their most immediate need and concern, many highlighted the great need for food, and the unavailability of food supplies was a concern to most people in northern Uganda (ICTJ, 2007). During the war, transport networks in rural villages, and the food production sites were rendered inaccessible. This, in turn, affected food production and availability as food supplies become scarcer and prices inevitably rose.

Though the north has become relatively safe with the decline of rebel activities in recent years, the security situation still remains unstable without a signed peace agreement and the formal cessation of conflict. There are real fears that LRA rebels will continue to commit human rights abuses and atrocities against the population, abducting children and women, looting, brutally maiming people and killing civilians. Despite the relative calm in northern Uganda at present, there are still restrictions on movement for displaced populations, limiting their movements outside the camps to a few hours a day. Access to farmland, firewood collection, hunting and other livelihood activities is therefore greatly limited (OCHA, 2006).

Youth education has also been greatly inhibited by the intrastate conflict (Onyango, 1998). According to an Integrated Regional Information Networks (IRIN) report (2010), 25% of primary school-going age children were out of school, despite the government's free primary education programme. The right of children to education has been fundamentally undermined, and the state is unable to restore many of the institutions that were destroyed in the war. This has resulted in many unskilled and uneducated people, which becomes a grave security concern. The state's

pre-eminent focus on defence expenditure, has diverted resources away from education, which could be a useful tool in sustaining the desired peace.

Then there is the question of granting amnesty to all ex-combatants. Ideally, all returnees should be accorded amnesty packs to assist them to adapt to normal life. In practice, however, this is distinctively different, with most of them not having access to or receiving any form of amnesty reinsertion support once they have given up arms. This situation forces some individuals to adopt aggressive ways to ensure their survival.

There has been concern about rehabilitation and development being administered in this post conflict area. Development in an environment that can only absorb relief aid is a critical factor to consider when discussing the internal dynamics that sustain conflict (Van Acker, 2004). Human security concerns, such as those raised in this paper, need to be addressed to enable an environment in which the economy is recapitalised and positive growth is ensured (Van Acker, 2004). While all these human security challenges bear heavily on the local communities, the impact of these on women is cause for concern.

Amnesty – moving towards a more peaceful northern Uganda

Many societies and warring parties around the world, have emerged from civil conflicts by drawing on amnesties as a channel to promote reconciliation and peace. Amnesties have been criticised as highly ineffective on different fronts, as they promote a cycle of impunity with gross atrocities going unpunished, unacknowledged and without redress (Bloomfield, Barnes and Huyse, 2003). There have been numerous debates as to whether amnesties hinder or facilitate reconciliation.

More specific to this report is the question of the impact that amnesties have on the female population, both in terms of their relationships and their socio-economic roles.

The Optional Protocol II of the Geneva Convention, which relates to non-international armed conflict, provides for amnesty by stating that “at the end of hostilities, the authorities in power shall endeavor to

grant the broadest possible amnesty to persons who have participated in the armed conflict, or those deprived of their liberty for reasons related to the armed conflict, whether they are interned or detained". This protocol, while providing for amnesty, stipulates that amnesty will and should not be granted for war crimes and crimes against humanity, which are always punishable as stipulated in the Convention of the Non-applicability of Statutory Limitations to War Crimes and Crimes Against Humanity. In practice, however, this has not been the case, as broad and blanket amnesties have been granted even for these atrocities. These forms of amnesty have covered heinous crimes, such as sexual violations and other forms of physical violence committed against women in the course of war.

The government of Uganda, in an attempt to resolve the conflict in the north, granted amnesty on the basis of the Amnesty Act of 2000 for those who returned from the LRA ranks and those accused of committing treason. This Amnesty Act presented a radical response to the ongoing conflict in the country, and balanced the need for resolving conflict with the longer-term demand for justice (Refugee Law Project, 2005). The Act lays emphasis on restorative forms of justice – as opposed to retributive forms of justice – to end the violence and create conditions for sustainable peace, by granting amnesty to any returnees – regardless of the crimes they have committed (Refugee Law Project, 2005).

This law has raised serious and complex issues on how justice will be served by granting amnesty to those who have violated the aggrieved communities in the north. However, the context in which amnesty was viewed as a solution is critical to this argument. Northern Uganda has been victim to continuing cycles of armed conflict, and it is on this basis and the desire to bring the war in the north to an end that the Amnesty Act was drafted and passed as law (Refugee Law Project, 2005). It is now practice that all ex-combatants who return from the bush are granted amnesty, upon which they are taken through the process of DDR. The Amnesty Act's primary objective is to persuade and convince rebels to take advantage of

amnesty and to encourage communities to reconcile with those who have committed great atrocities against them.¹ The significant question one has to ask is why the government of Uganda has chosen to grant amnesty to the rebels who have brutalised the people of the north.

There have been various arguments advanced to explain amnesty. First, Uganda has been characterised by violent and bloody coups and, as such, the ruling government has also been responsible for its share of the bloodshed that marks Ugandan history (Refugee Law Project, 2005). The government does not have clean hands in dealing with the conflict in the north, and has no moral authority to demand pure retributive justice. As a result, the government has engaged broader concepts of amnesty in an effort to restore calm in northern Uganda.

Second, the government seeks to pursue peace at all costs for the people of the north. Its commitment to protecting the northern population has been severely criticised, with many arguing that the government had no will or interest in protecting the Acholi community (Branch, 2005). The desire to protect these communities can now be interpreted as yielding to international pressure, following the recognition that the northern Ugandan situation was considered to be one of the world's worst humanitarian crises (Agence France-Presse, 2003).

Third, the government has, on different occasions, tried to defeat the LRA through military techniques and attacks, but due to a number of variables has been unable to secure victory (Van Acker, 2004). The strategy of giving amnesty to rebels, therefore, is the government's effort to weaken the LRA and to isolate the top leadership of the movement.

A final reason for granting amnesty has been the fact that most rebels are victims themselves. Most LRA rebels are abducted children and this begs the question of whether these children should be regarded as victims or offenders. In the midst of conflicting provisions, international law has been clear that a child cannot be held liable for crimes that they committed in the course of their childhood and as a result of undue pressure (Happold,

1 This objective is clearly articulated in Section 5.1.1 of the Amnesty Commission Handbook of Uganda.

2005). In different post-conflict environments, it is impossible to draw a clear distinction between victims and perpetrators (Bloomfield, Barnes and Huyse, 2003) and it is on this basis that the Ugandan government has granted amnesty certificates to returning combatants.

It is worth noting that through the amnesty a number of combatants were able to abandon the LRA rebellion and return home. The efficacy of this process, however, remains questionable. The amnesty process was not a community initiative and fails to embrace the tenets of northern community life. It is this support that is now considered important if amnesty is, in reality, going to be a fundamental contributor to peace. Once instituted, the amnesty process is followed by the DDR process, which is formulated and supported by the government, the international community and civil society organisations.

Unfinished business – the DDR process in northern Uganda

Many intrastate conflicts have come to an end as a result of negotiated peace agreements monitored by the international community. It is at the end, or in some cases the anticipated end, of these conflicts that the international community, along with local and national actors, usually set in motion a number of interventions and mechanisms that assist in stabilising and supporting the development of peace and the transition to a peaceful environment. One such fundamental intervention is the DDR programme. DDR refers to the process of demilitarising both official and unofficial armed groups by controlling and reducing the possession and use of arms, disbanding non-state armed groups, reducing the size of state security services, and assisting former combatants to reintegrate into civilian life (Ball and Van de Goor, 2006).

DDR resides in the nexus of development and security agendas. It is critical for development and to prevent future wars, and is therefore considered a core component of any peace agreement (Pouligny, 2004). Ozerdem (2002) argues that there is an inter-relationship between successful DDR and sustainable peace-building processes. The Brahimi Report

referred to DDR as key to post-war stability and to reducing the likelihood of recurring conflict (United Nations, 2000). DDR is seen as having the potential to create significant opportunities for sustainable peace and human development (Kingma, 2002). Ozerdem (2009: 2) provides that DDR is regarded as a peacebuilding component through which the post-conflict socio-economic needs of combatants are addressed, in order to reduce the likelihood of reversion back into war. DDR is therefore a tool for achieving human security, and it is the two-faced nature of this process – to embrace both development and security – which ensures that people are free from want and fear.

To entrench the DDR process, the government of Uganda and the LRA/Movement signed an agreement on DDR in Juba, Sudan, in 2008. The parties affirmed a commitment to ensure that necessary actions are taken to achieve the overall purpose of the DDR process. Clause 2 (14), (15) of the agreement has special recognition of women's issues, stipulating that the process shall incorporate fully the special rights and needs of women. More specific to this report is the fact that there was inadvertently in this agreement recognition of the needs and rights of women that have been provided for under the provisions of Security Council Resolution 1325.² These rights safeguard their protection, prevention, participation, and their relief and reintegration in matters of peace and conflict.

All DDR-type initiatives undertaken in Uganda since 2000 occur within the framework of the Amnesty Act. In trying to attain peaceful resolution to the LRA conflict in the north of the country, the Parliament of Uganda enacted a comprehensive Amnesty Act in 2000. This Act provides that “any Ugandan wishing to abandon rebellion after participating in combat, collaboration with perpetrators of violence, committing crimes

2 Section (10) of the Accountability and Reconciliation Agreement states that, in the implementation of this agreement, a gender-sensitive approach shall be promoted and in particular, implementers of this agreement shall strive to prevent and eliminate any gender inequalities that may arise. Section 11 of the same agreement provides for women and girls and states that, in the implementation of this agreement, the experiences, views and concerns of women and girls will be recognised and taken into account, and the dignity, privacy and security of women and girls will be protected and that they will be encouraged to participate in the implementation of this agreement.

that furthered the war or assisting or aiding the conduct of war will be granted amnesty, without risk of criminal prosecution or punishment in a national court for offenses related to the insurgency”³. The Act provides that individuals will be granted amnesty if they report to the nearest government unit, denounce their involvement in war, surrender any weapons in their possession, and are issued with a certificate of amnesty. This return is followed by a process of DDR, which is facilitated and funded by both the government and the international community. The reintegration process has, however, faced fundamental challenges, which this section seeks to examine.

DDR processes are complex, more especially in post-conflict environments. Each case presents its own specific challenges, rooted in particular environments (Gomes Porto, Alden and Parsons, 2007). DDR must be understood and approached as a process and not a programme. While DDR consists of different programmes, it is necessary to note that these programmes exist within a long-term dynamic process. For DDR programmes to have a lasting impact, Berdal (1996) argues that they must be a part of the wider, long-term attempt to create a necessary political and psychological environment. This must be complemented by the necessary mechanisms and institutions to address unresolved tensions and issues without resulting in violence. DDR needs to be designed and managed more efficiently if we are to ensure the emergence of a peaceful society. This will involve treating the DDR process as a whole, linking one component of the process to the other, ensuring flexibility and improvisation to make certain that the programmes are matched to their environments (Berdal, 1996). It is clear that intrastate wars take place in weak states with fragile institutions. Berdal (1996) argues that external funding should concentrate on strengthening local structures and capacities. Such action will ensure sustainability of the efforts made in the process of reconstruction. The development needs of the country in question will also be stimulated by the international support accorded, further reducing long-term costs and donor dependency, and encouraging that country’s productivity (Berdal, 1996).

3 Section 3 and 4 of the Amnesty Act of 2000.

The DDR process must, therefore, be considered realistically to ensure that it is effective and helpful in transforming children, who have been both victims and perpetrators of war, into useful civilians in society (Ball and Van de Goor, 2006).

Successful DDR must include a state of peace and a restoration of human rights and dignity. The success of any such initiative must ensure that human insecurities prevalent in a region are addressed. This is because addressing issues of fear and want will, in many cases, be addressing the root causes of societal fault lines that may lead to war. Long-term adverse implications are likely if ex-combatants fail to reintegrate. DDR needs to be linked to the overall economic and development policy framework. The process should also take into consideration the specific psychological, social, economic and structural impacts of war on both the combatants and the local communities. Special groups – female combatants, children, the ill and handicapped – must be taken into consideration when formulating policies. Such policies must operate in the environment of the community, and reintegration support must benefit the entire community to ensure that the DDR process does not serve to provide more inequalities but presents a process in which reconciliation and healing is possible.

Implications of amnesty and the DDR process on gender

Little is known about how the LRA war has impacted on the female population of the Acholi community, particularly women who were abducted. What seems clear is that the female experiences of abduction, violence and even return have been fundamentally different to those of their male counterparts (Annan, Blattman, Carlson and Mazurana, 2008). While the experiences of abducted women and girls have been recorded less than their male counterparts, even far less is known about the impact of the reintegration process on female members of the Acholi community. Very little research has been done to find out what their experiences with reintegration have been and how they have coped with the return process.

It does seem that girls and women in the recipient communities have had limited access to benefits in the context of peace and demobilisation (De Watteville, 2002). This is also true for those females who were not abducted by the LRA. In their defence, reintegration actors in the region have argued for equal treatment to be given to girls and boys, men and women in the process. Analysing the concerns of the reintegration process summarises the problems; mismatched programming, social and psychosocial concerns, and economic concerns.

Mismatched programming

Women have special needs that should be taken into consideration in the course of reintegration if the process is to be considered effective. A fundamental problem with current reintegration programmes is that they fail to recognise the special circumstances of girls and women, for example, women that return with children, or increased exposure to sexually transmitted diseases. These factors are often not considered when designing reintegration programmes (Agwako, 2008). Gender has been treated as a side issue in the reintegration debate. However, it is imperative that more consideration be given to gender issues so that post-conflict recovery processes can be enhanced. Without a greater understanding of who is at risk of violence (and from whom), what factors affect violence and acceptance, and a sense of the long-term impacts of war violence, it will be impossible to design effective and relevant reintegration programmes. Failing to understand the plight of a special group in a community will often lead to wrong programming, based on immediate and observable needs – and possibly erroneous assumptions – about who needs help and what sort of help ought to be provided (Annan, Blattman, Carlson and Mazurana, 2008).⁴

When girls join the LRA forces, they are subject to brutal treatment, and are often forced to become “wives” of commanders, or serve as slaves or porters. In the course of their abduction, many of the girls are raped

4 See also Survey of War Affected Youth (SWAY) report 2008.

and become pregnant. They give birth in harsh conditions and may even face the possibility of being abandoned and left to die along the way, if they are unable to cope with the conditions of the armed groups (Fox, 2004). The Survey of War Affected Youth (SWAY) reports that over one quarter of the girls abducted are forcibly married and over 11% of the girls return with children, making their reintegration needs unique (Annan, Blattman, Carlson and Mazurana, 2008). Yet, in practice, it is found that, because the girls did not play an active combat role, they are often not seen as a primary group of respondents in need of assistance and, in many instances, they are short-changed when it comes to receiving reintegration assistance.

Social and psychosocial concerns

A significant number of LRA females return to their communities with children, and reintegration programmes fail to cater for their special circumstances. Studies on the experiences of female returnees in northern Uganda reveal worrisome findings. Returning to the community is very difficult for those who come back with children (Annan, Blattman, Carlson and Mazurana, 2008). Many of them are shunned by their communities, with their families refusing to accept responsibility for the “bush babies”.⁵ Many communities regard these children as “Kony’s children” and have a difficult time accepting the children – which is even more psychologically traumatising for the mothers, who have to accept and care for these children. When discussing labelling with the researcher, many of the girls admitted that they had been subjected to excessive labelling⁶ and abuse. They also complained that they were often treated as outsiders by the community.

A large number of females had psychosocial challenges with returning to normal life. Since Acholi culture values women’s chastity, most of these girls now had no hope of marrying, and the prospect of having to provide for them for a lifetime results in their families rejecting them. The likelihood of finding a suitor in the community after their experiences is minuscule

5 These are babies that the girls had as a result of the sexual relationships they were forced to have in the bush.

6 Stereotypical name-calling.

and, even in the rare instances where this happened, most of the girls were so traumatised that they were unable to maintain these relationships (Opong, 2008). This is different to the male experience, where most of them marry easily – and while this may not necessarily be supported by the community wholeheartedly, there is evidence that it has not plagued the men as it has for the women. The traditional cleansing ceremonies that seem to work well for the men are insufficient for the female abductees, and many of them remain in need of additional psychological help to readjust to society. It is also difficult to resocialise the girls to the patriarchal structure of society, once they have been accustomed to power and after long absences from their communities. Many of the girls often resort to violence, because they have been hardened by their experiences, and the traditional systems of power make no sense upon their return to the community (CVI Official, 2008).

Many of these girls also face the risk of contracting STDs (including HIV/AIDS) as a result of sexual exploitation during their abduction. Health risks, however, are a concern even for the female members of the community who were not abducted. With most returnees having been exposed to risky sexual experiences while in the bush, many of them face a great risk of contracting STDs. Their health is primarily dependent on free access to health facilities. In a recent review done on the programmes supported by Save the Children, it was found that children had been tested for HIV and other medical conditions in some of the reception facilities. However, children were unaware of their results, and were not always empowered enough to understand what the tests were for and how they could access the results (Hassan, 2008). The fact that not all the returning children were tested – and that those tested were not informed of the results – is indicative of a larger health problem (Hassan, 2008). It is even more concerning that, in order to encourage reconciliation, many returning individuals (who have been exposed to STDs) are encouraged to marry girls in the community. The consequence is that there is a widespread incidence of HIV/AIDS in the north. Currently, HIV prevalence in northern Uganda is twice that of the rest of Uganda, and 59% of those living with AIDS in the north are women, according to a 2008 Joint United Nations Programme on HIV/AIDS

(UNAIDS) report. The burden of caring for individuals who return with STDs or other health complications is one that the local community has to bear. Accepting and reconciling with a large mass of people who need or will need assistance and may infect others is a tragic impact that the planners of reintegration programmes did not seem to take into account, and is a demonstration of the weakness of the reintegration process.

Economic concerns

The reintegration process only targets returnees as the recipients of benefits. Most of these individuals fall into family units and, in many cases, the returning males are encouraged to marry local girls. The programmes, however, fail to recognise that these family units need support. As these men have been socialised differently, there is a tendency for them to misappropriate the limited resources they are given (Okello, 2008). Therefore, it is important that, if reinsertion packages are to make a difference to the reintegration process, that these are given in the context of the family unit for the well-being of all.

For returnee girls who are supported by family members and relatives in taking care of their children, this privilege comes at a price – and increased burdens for both the families and affected communities. In addition, the girls' chances of upward social mobility and livelihood improvement are greatly reduced by having a child. Most girls who return from the bush are unable to go to school or to join any vocation teaching centre, because they bear the responsibility of taking care of their children (Sister Rosemary, 2008). In northern Uganda, one in every five females has no education and only one in every three is functionally literate – partly because most returning females with children are unable to or are prevented from attending school (Annan, Blattman, Carlson and Mazurana, 2008).

The lack of skills or education among many of the females means that their access to economic opportunities is greatly challenged. Subsequently, the economic burden on their family units is substantial, for a number of reasons. First, income earned by females, and days worked, is less than their male counterparts. Second, there is a lack of income-generation

opportunities for many of the returning females. Consequently, the return of female former child-combatants puts a strain on their families, who already live in the harsh conditions of IDP camps.

The war in northern Uganda meant that many young men were taken into the ranks of the LRA, leaving a productivity vacuum in their communities. To fill in this gap, the women left behind had to take up economic and breadwinning roles. Paradoxically, upon reintegration, these roles are conferred back to the returning males, thereby undoing the labour advances that women had made during the war. As most of the manual labour and farming is done in the north, it becomes easier to hire returning males, reducing opportunities for women and girls to find work. This has had grave implications for many women who are widows and are responsible for households. The failure of reintegration programmes to take the plight of working women in the north into account upon the return of ex-combatants speaks to the inefficacy of these programmes.

Another economic impediment has to do with access to land. Land is an essential commodity in any successful reintegration strategy, as it is a means by which returnees can make a living. First, the return of more men from the LRA ranks has had adverse repercussions on women hoping to get land to support their survival and that of their families. Second, due to the patriarchal structure of the Acholi community, it is difficult for females to have access to or ownership of land when local communities return to their ancestral lands. Since women in the Acholi community do not own the means of production, they are more likely to be employed for meager wages. Against such a background it is important for effective reintegration processes to make a case for land distribution to female members of societies, to ensure that they have the opportunity to support themselves economically.

Recommendations on the application of Resolution 1325

While Resolution 1325 has been in existence for 10 years and has been functional in advocating for the involvement of women in issues of

peace and security, very few women – especially at grassroots – know of its existence, let alone its content (Otim Denis, 2010). The majority of women in local communities lack understanding in the meaning and implications of this policy document – a situation that curtails their involvement in issues of peacebuilding and post-conflict reconstruction. There is the need, therefore, to engage in meaningful and context-responsive education of the provisions of Resolution 1325, to raise awareness among and promote involvement of the women that this policy document seeks to protect. It is important to promote advocacy and action around issues of Resolution 1325 at all levels – discussions have to move from the top level to meaningful engagement with the grassroots if the provisions of the resolution are to have significance.

A study of northern Uganda communities reveals that issues of gender involvement in peace and security are a recent and nascent occurrence. Societies affected by war in northern Uganda are paternalistic and patriarchal, with issues of community leadership resting largely with the men. Women tend to be more involved in the domestic spheres of social life, and make their contribution by carrying out what can be referred to as domestic and nurturing roles (Otim Denis, 2010). Policy documents that guide the reconstruction and development of northern Uganda – such as the Peace Recovery Development Programme (PRDP)⁷ and the Stability Peace and Reconciliation in Uganda (SPRING)⁸ programmes – also gave no special recognition to the circumstances of women following war, or the need to enhance their inclusion in leadership in the post-conflict period (Otim Denis, 2010). To engage women effectively in post-conflict northern Uganda,

7 The overall goal of the PRDP was to bring about stabilisation to regain peace, recovery and development through the consolidation of state authority, rebuilding and empowering communities, and revitalisation of the northern economy, peacebuilding and reconciliation.

8 SPRING was a three-year stabilisation project designed to mitigate the causes and consequences of conflicts in northern Uganda through an integrated approach of ensuring economic security and social inclusion, peace and reconciliation, and access to justice activities.

there is an urgent need for the recognition of their unique experiences in war and the effects of reintegration on them.

It is fact that, while peace and return marks the successful end of war, this process has adverse implications on women in northern Uganda. For most women the end of war is marked with the excessive effects of trauma and shame, following activities of war and violence. There are numerous accounts of rape and forced marriages that undermine the social position of these women in society. Due to these circumstances, many women struggle to rise to positions of leadership and responsibility. These negative implications must be mitigated if we are to talk of successful or durable peace. The psychosocial component of rebuilding war-torn societies cannot be undermined, as a lot of work needs to be done to enhance the role of women as equal citizens. This must be matched with educating society on the need for women's involvement in creating a peaceful northern Uganda.

Following a recent period of relative calm in northern Uganda, communities have begun to return to their ancestral homes from IDP camps. This return process and resettlement has had serious implications on women. The social groupings women formed in the confines of the IDP camps, which served as powerful tools in advancing the plight of women, are often broken following the move back to traditional communities (Otim Denis, 2010). Long distances curtail the association of women to learn and to advance their own meaningful reintegration into society. This has rendered the engagement of women in post-conflict settings weak, and has continued to foster a male dominance that is unaware of the specific needs of the female populace. There is an urgent need for critical thinking on how to engage women with each other, and how to educate communities – and, more specifically, men – on the importance of women's involvement in discussions and activities of creating peace. Actions that ignore the contribution of educating society (including men) of the need to involve women and to address their specific difficulties following conflict are often rendered unsustainable.

Conclusion

Applying the provisions of Resolution 1325, this study concludes that the ongoing reintegration process in northern Uganda raises a number of worrisome gender issues. The reintegration process in northern Uganda has only deepened the fear and needs of the female population. Their lack of skills, an absence of support to learn skills and their inability to get work has greatly reduced their capacity to provide for themselves. Their need has increased with the return of a larger population of males who have taken up traditional roles, thus displacing women. The violence, abuse and further stigmatisation of female returnees has also increased their level of fear. The programme currently in place only seeks to return people to the community. The reinsertion packages are the same for men and women, failing to take into account the particular dynamics of returning females. The fact that many of these girls have children is ignored, and the failure to address the real needs of the female returnees renders the process of reintegration weak.

To ensure that the reintegration process is successful, the gender impact and dynamics of the process must be taken into consideration. Sustainable peace processes require that all people live free from want and fear, and post-conflict reconstruction can only be considered effective if all members of the community gain positively from the process. Post-conflict reconstruction represents a moment in which societies can take stock and plan for a brighter future, and it is imperative that all members of these societies – and, more specifically, women – be involved in this process (Zuckerman and Greenberg, 2004).

Resolution 1325 is a critical tool in engaging with issues of peace and security following the aftermath of war. This policy document transcends the arguments of traditional security by recognising that security is freedom from fear and want. As the female populations in northern Uganda still struggle with deprivation, want and exclusion, it is difficult at this stage to speak of meaningful and durable peace. Communities in northern Uganda – especially women – must put their hands to the plough to create what they would see as peace. Resolution 1325 underscores that, while women

need peace, they must be critical instruments to creating that peace, in their various capacities and at several levels. It is not enough that women elites have an understanding of Resolution 1325 and a quest to implement it, this understanding must trickle down to communities at grassroots if peace is to be durable.

Resolution 1325 is a powerful policy instrument that has the potential to advocate for both the meaningful participation of women in issues of peace and to champion the plight of women in post-conflict settings, so as to ensure right intervention that improves the daily lives of women. The spirit of this resolution must be captured if northern Uganda is to achieve durable peace.

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