



Briefing on the Conflict in Uganda:

Hope for a Negotiated Solution

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I want to thank Senators Brownback and Landrieu and their staffs for organizing this briefing on the crisis in Uganda and for their co-sponsorship of Senate bill 2264 last year requiring reports on the situation in Uganda. Uganda, which made dramatic strides towards democratization in the late 80s and early 90s under the leadership of President Museveni, now deserves more careful scrutiny. The potential amending of the constitution to allow President Museveni to run for a 3rd term in early 2006, the government's polarization of the north, and the horrific atrocities being perpetrated by the Lord's Resistance Army (LRA) on innocent people bear not just attention, but action. The U.S. is well positioned to act and to exert pressure where needed. As David Westbrook has written¹, "To say, as some of his critics do, that Museveni is controlled by the US is an overstatement, but to deny that he is influenced by them is naive."

In my remarks today, I would like to focus on the ongoing peace process, only the second in two decades to obtain the trust and engagement of both the President and Joseph Kony, leader of the rebel LRA. There are two main points I would like to make today: 1) a military solution is neither viable nor sustainable over the long term, and 2) the peace process led by mediator Betty Bigombe requires support. Finally, I will offer recommendations for how the U.S. can contribute to securing a viable peace for the people of Uganda.

¹ Westbrook, David (2000). The Torment of Northern Uganda: A Legacy of Missed Opportunities. The Online Journal of Peace and Conflict Resolution. http://www.trinstitute.org/ojpcr/3_2westbrook.htm

The conflict

Although there is inadequate time this morning to address the causes of this protracted war that has displaced 1.6 million people and seen children and innocent civilians targeted by both government and LRA, we would be mistaken to simplify this as a conflict in Northern Uganda and one between the LRA and the people of the north. Although it may serve President Museveni's purpose to perpetuate the belief that this conflict is regional and not national, the war between the LRA and the government of Uganda is a national issue and one that will have to address past and current injustices and grievances.

The fact that Joseph Kony is a mystical character with alleged supernatural powers who is often deemed to be crazy allows the President to dismiss the LRA as a bunch of "bandits" or "terrorists" and not to engage seriously in talks. Indeed, this dismissal of the LRA and their grievances against the government means that Ugandans outside of the north have been able to ignore the war and are often less informed about the situation in the north than are many in the U.S. and Europe.

The LRA launched its war in 1987 with the support of the Acholi religious leaders and elders; the Acholi people have longstanding grievances against the National Resistance Movement of President Museveni that will need to be addressed if this conflict is to be resolved and not just settled².

Can the war be won militarily?

President Museveni has often been quoted as saying that Kony is on the run and almost "finished." Many believed that the pressure on the LRA would be insurmountable with the

² See Gersony, Robert (1997). *The Anguish of Northern Uganda: Results of a Field-Based Assessment of the Civil Conflicts in Northern Uganda*. USAID paper.

signing of the peace agreement in neighboring Sudan this past January, with a bilateral agreement between Sudan and Uganda to allow the UPDF to fight the LRA on Sudanese soil, and with the International Criminal Court (ICC) pursuing arrest warrants against Kony and his top commanders. Yet six months after the Sudan peace agreement, despite the defection and killing of many LRA commanders, the war continues.

The war continues for a number of reasons: the LRA is highly mobile and moves in small groups. These groups are difficult to track in terrain they know intimately. They may even hide among the civilian population - a population alternately terrorized by the LRA and yet knowing them as their brothers, sisters, and children. More importantly, the LRA ruthlessly abducts children and adults to serve as porters, soldiers, and sex slaves³. Thus when the Ugandan Peoples Defense Forces (UPDF) claims it has killed more rebels, it has generally killed more abductees who constitute an unknown number of the LRA, but probably over 70%. These youth and adults who are forced to serve as LRA soldiers provide a never-ending supply of human labor and fodder.

Another reason the war continues is that since 1994, the LRA has been harbored and supplied by the Government of Sudan in exchange for President Museveni's support of the Sudanese People's Liberation Movement/Army. While that support has dramatically diminished if not entirely ended, it helped sustain the war for more than a decade. And finally, as in any protracted war, there are those who profit from the war -- some financially, others politically. There have been allegations of corruption in the UPDF. In 1999, Thomas Ofcansky, Analyst for the State Department, wrote in a review of Museveni's book, Sowing the Mustard Seed:

³ In a perverted twist of reality, many people inside and outside of Uganda refer to the girls and women who are abducted, raped, and tortured by the LRA as "wives."

On a broader level, Sowing the Mustard Seed raises the inevitable question about how Museveni, who was such a masterful guerrilla leader, has proven to be such an inept commander-in-chief. The military situation is worse now than at anytime since he came to power. Gross corruption plagues all levels of the UPDF... Museveni's Combined Arms Element counterinsurgency strategy, which calls for the use of heavy weapons such as tanks, armored personnel carriers, helicopter gun ships and fighter aircraft, has been a dismal failure. Apart from lacking the capabilities and personnel to operate and maintain such equipment, command and control is nebulous at best... Acknowledging and resolving these problems requires a circumspect and capable personality rather than one imbued with an exaggerated sense of military infallibility... Despite these growing problems, Museveni refuses to negotiate with any of the rebel groups, preferring instead to seek a military victory over his adversaries. However, his repeated threats to crush the insurgents have failed to produce any tangible results⁴.

In fact, the UPDF is accused of committing atrocities against the citizens of the north, including extra-judicial killings, rape, and torture. It has forcibly displaced over a million people saying it was for the people's own good that they be relocated to "protected" camps. But the UPDF has failed to protect civilians; indeed, the government of Uganda has failed its sovereign responsibility to protect its citizens⁵. I recall a conversation I had in spring 2000 with some military officers. We were sitting under a tree next to the Gulu barracks and the commanding officer was telling me that there were two groups of LRA within 20 miles of where we were sitting. I asked if they knew where they were, why they didn't do something. That caused much laughter and there was no response.

Westbrook noted in 2000, before the launch of Operation Iron First, that few people believed a military solution was possible, "The list of those who believe that there is no suitable

⁴ Ofcansky, Thomas P. (Spring 1999), Museveni's War and the Ugandan Conflict. The Journal of Conflict Studies. <http://www.lib.unb.ca/Texts/JCS/spring99/contents.htm>.

⁵ Evans, Gareth and Mohamed Sahnoun (2002). The Responsibility to Protect. Foreign Affairs, November/December.

resolution through military means leaves Museveni and Kony looking like gladiators who turned up at the coliseum centuries after the fall of Rome.”⁶

Nonetheless, the U.S. government sends a message to Museveni to continue the thus-far unsuccessful military option by sending military assistance to Uganda⁷. While these funds may have had some negligible impact on the effectiveness of the UPDF, it has served to support Museveni’s belief that a military victory is feasible and has failed to hold him accountable⁸ for the lack of protection of civilians. For those of us who have talked to people in the north, including military officers, an all-out victory seems unlikely. For each step forward believing that the time is propitious for an all-out defeat of the LRA, there are several steps backward. If we look at the history of the conflict, we see 19 years of military engagement that have yielded no peace and even more destruction.

We are left to ask if the war could be won militarily, should it be. Will the conflict be concluded with a military defeat of the LRA? If Kony is killed or otherwise removed, will this end the war? All available evidence would tend to dictate answers in the negative. Kony’s war was a follow-on to a battle waged by Alice Lakwena against Museveni and the National Resistance Movement (NRM). The Acholi people supported the war at the outset and although

⁶ Westbrook, David (2000).

⁷ In 2004, non-lethal military assistance in the amount of \$4.9 million was provided. Testimony to the Congressional Human Rights Caucus in the House of Representatives by Donald Yamamoto, Deputy Assistant Secretary of State for African Affairs (April 14, 2005).

⁸ These funds were to become available only “if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Uganda has made significant progress in: (1) the protection of human rights, especially preventing acts of torture; (2) the protection of civilians in northern and eastern Uganda; and (3) the professionalization of the Ugandan armed forces...” from “Division D--Foreign Operations, Export Financing, And Related Programs Appropriations Act, 2005.” From the Defense Institute Security Assistance Management website. <http://www.disam.dsca.mil/pubs/USG/DIVISION%20D.htm>.

most have not supported the LRA for some time, this should not be construed as support for the President or his no-party system. As I mentioned earlier, the Acholi people have grievances against what they perceive as unjust treatment at the hands of the NRM. The raiding of hundreds of thousands of cattle which constituted much of the wealth of the Acholi people has been blamed on the NRM. These losses have never been compensated. The displacement of over a quarter of the population of the north into IDP camps is viewed increasingly with suspicion as a plot by the government to steal Acholi land just as their cattle were taken two decades ago.

If the LRA is defeated militarily by the government, it is likely that the Acholi people will not think that justice has been done or that their voices have been heard. While the people of the north will no doubt be pleased to finally see an end to this war, there will not be a just peace - that is, a peace marked by amicable relations that allows lives to resume normally. It is not enough that these people have seen their children killed or maimed for life psychologically and/or physically, but they also face a bleak future with no educated generation to follow because of 20 years of war. If a military victory is treated by the government as the end of the war, without further dialogue with the Acholi people, it is probable that there will be continued fighting and struggle. Over the past 20 years, the government, and indeed, the people of southern Uganda have shown little empathy or concern about the inequitable conditions in the north. While development aid flows into Uganda, it has not benefited the people of the north who remain marginalized both because of the war and because of historical grievances that make the war a good cover to continue isolating them from the benefits accruing to the people in the south. Without negotiations that take into consideration the suffering and injustices suffered by the Acholi people at the

hands of both the LRA and the government, another Joseph Kony or Alice Lakwena may find fertile ground. One of the best predictors of war is an unresolved previous war⁹.

The peace process: Is there hope for a negotiated solution?

In mid-March 2004, Joseph Kony re-established contact with Betty Bigombe, former Minister for Pacification of the North, who now lives in Washington, DC but who spearheaded the 1994 talks that ended when Museveni issued an ultimatum to the LRA to surrender. In late March, at Kony's urging as well as at the request of USAID, Ms. Bigombe returned to Uganda to begin what has become more than a year long process.

During the past year, what has this peace process achieved and why does it deserve the support of the U.S. government? It has accomplished several breakthroughs: first, this is the first peace process in a decade that has the trust of both President Museveni and Joseph Kony. Second, it marks the first time in almost 20 years of war that representatives of the Government of Uganda have met with the LRA. Third, we have seen more commitment from the government to engage in talks with the LRA than we have before, as witnessed by the three unilateral ceasefires the government offered to the LRA to begin plans for talks. Fourth, more LRA commanders have defected and/or sent their "wives" and children out of the bush to safety. I will come back to this because it has presented opportunities and challenges. Fifth, the attention of the international community has been slowly drawn to the humanitarian disaster in the north in some part because of the publicity given to the peace process.

⁹ Walter, Barbara F. (2002). Committing to Peace: The Successful Settlement of Civil Wars. Princeton, NJ: Princeton University Press.

One has to acknowledge that the progress made towards peace is due not just to this mediator, as talented, trusted, and persistent as she is. The military pressure on the LRA is real and the LRA has been on the move for months. Kony has lost many of his top commanders through death or defection. Sudan has stopped providing shelter for the LRA and LRA forces are now hunted inside both Uganda and Sudan. And there is the fear of indictment by the International Criminal Court, which would ensure that Kony and his top commanders could not take advantage of the amnesty law in effect in Uganda or in traditional Acholi reconciliation processes.

There are some in the international community who believe that the process has stalemated with the failed signing of a joint ceasefire December 31, 2004. Many are offering to jump in, including the African Union and nongovernmental organizations based in the west, but they have little comparative advantage¹⁰. There is the old saying, "Stick with the one that brung you," and I believe it is instructive to note that throughout the year, through successes and failures, President Museveni and the LRA have regularly urged Ms. Bigombe to continue work on the peace process and have remained in almost constant contact. President Museveni most recently spoke with Ms. Bigombe May 29 to reaffirm his commitment to the peace process. This sustained commitment by the President to pursuing a peace process is unique in the war's 20-year history.

¹⁰ The African Union (AU), of which Uganda and Museveni are prominent and supportive members, would have trouble criticizing a member state – even more, the AU would have difficulty both logistically and philosophically holding Museveni's feet to the fire during this process. Other interested mediators include Sant'Egidio (Rome) which has been encouraged by some members of the Acholi Religious Leaders Peace Initiative who have proposed peace talks be held in Rome. Sant'Egidio has neither the confidence of the LRA nor the government and at this point, especially given possible indictments of Joseph Kony and his top commanders by the International Criminal Court, it seems unlikely that talks could be held outside the region.

Recognizing this, Ms. Bigombe has continued despite the personal sacrifices that this has entailed in terms of her family and gainful employment. She is aware that others are offering to mediate but knows that offering parties in conflict alternative negotiating tables is a recipe for the breakdown of talks as it confuses them, leads them to believe that they can attain unrealistic outcomes, and finally, discourages them from talking at all. This is a situation we have seen all too often in the past with the LRA and that we saw demonstrated during the war in Bosnia where there were nine different mediators during the height of the conflict. Peace in Northern Uganda cannot be deferred because of a “who’s on first” game with who will act as mediator. Changing partners, so to speak, may be advisable at some point, but it is not now. Whether we agree or not, there is a process in play and time is of the essence.

Just as the intervention of multiple mediators presents a challenge to the ongoing process, so too do the defections or surrenders of high level LRA commanders. When Sam Kolo, the spokesperson for the LRA and chief interlocutor with Betty Bigombe, came out of the bush in mid-February, this negatively impacted the process. Kolo, as spokesperson, was an articulate and helpful contact. Before he became the main interlocutor with Ms. Bigombe, and since he has left the bush, contacts have been directly with Kony and Vincent Otti, Kony’s second-in-command. Those communications have been more difficult. With Kolo’s surrender has come the opportunity to learn more about the workings of Kony and the LRA although Kolo remains loyal to the LRA and Kony and so the value of his information is uncertain. Kony is, nonetheless, more and more isolated and wary with the loss of his command. He has already sent many of his “wives” and children out to safety. The LRA has increased attacks on innocent Acholi civilians and it is not always clear if these are orchestrated methods of

showing that the LRA is still a force to be reckoned with or whether these are attacks by splinter groups not under Kony's control.

Because of the contributing factors of military pressure, lack of support from Sudan, the threat of international justice through the ICC, and, critically, a trusted mediator who can offer a way out, we are faced with a "ripe moment" to resolve the conflict in Uganda. There is a window of opportunity now to resolve the conflict. It is impossible to know how long this window will be open, but it must be pursued as long as there is the faintest murmur of a heartbeat for peace. Thus far, support for this peace process has met with enthusiasm from all. Just after the groundbreaking December talks, an Acholi singer created a song about peace coming to Acholiland that became an instant hit. The international community has also been enthusiastic, with many ambassadors and foreign emissaries lending support. But more is needed.

Recommendations to support a peaceful resolution to the conflict

Senate bill 2264, "A bill to require a report on the conflict in Uganda," sponsored by Senator Feingold and co-sponsored by a bipartisan group of eight other senators, is a good start and provides a framework for much of the work that will need to be done to secure a just and sustainable peace. It calls for U.S. support for a peaceful resolution to the conflict; sufficient resources for relief and development; assistance to abductees, child soldiers, and other children affected by the conflict; adequate resources for the demobilization and reintegration of combatants; the professionalism of the military, specifically with respect to human rights and civilian protection; and the provision of international human rights monitors in Northern Uganda. Finally, it also stipulates that U.S. - Sudan relations will not improve unless the Government of Sudan ceases all support for the LRA.

Within this framework, I would like to address recommendations for the peace process as well as for the stabilization of the country. These are actions that the U.S. could undertake to promote peace, human rights, and security in Northern Uganda.

A. Peace process recommendations

1. Appointment of a special envoy¹¹. The appointment of a U.S. special envoy will raise the visibility of the peace process within Uganda and within the Government of Uganda and help pressure President Museveni to understand that the international community is putting most of its eggs (if not all) into the peaceful resolution basket. It will hold Museveni accountable for the pursuit of peace. The envoy needs to possess excellent negotiating skills as well as display patience and persistence - that is, s/he has to make it clear that the U.S. will not be deterred from holding all parties accountable for peace with justice for the people of Uganda. The envoy cannot be drawn from the pool of people who have been working on Sudan as this would entirely negate the impact of a special envoy. Most of the U.S. government people who have worked on Sudan know Museveni well and have been supporting him for years because of his support of John Garang and the Sudanese Peoples Liberation Army/Movement (SPLA/M). Thus, in some cases there is a "chummy" relationship that would not lend itself well to the application of serious pressure on Museveni and his military. The envoy will also need to apply pressure on Khartoum to ensure that assistance and shelter for the LRA have stopped and will remain stopped.

2. The U.S. should provide support for the ongoing peace process - to date, the Norwegians, Dutch, and British have been the primary supporters but most support has been in-kind: provision of a car and driver for Ms. Bigombe, a security specialist, a logistics person,

¹¹ This was also recommended in the International Crisis Group in "Shock therapy for Northern Uganda's peace process" (Africa Briefing No. 23, April 11, 2005).

etc. For the past year, the peace process has been a shoe-string operation with expenses covered out of personal funds provided by myself, Ms. Bigombe, and others. In the absence of adequate financial support, my organization, the Joan B. Kroc Institute for Peace & Justice, sought and received a small private grant that has provided some modest assistance. Financial assistance provided by the U.S. in consultation with the troika (the Netherlands, Norway, and the UK) would be a most helpful.

3. Media training. The media, including governmental, military, and independent channels, have been unprofessional and, at times, irresponsible in their reporting on this conflict. Reading New Vision last year with counts of the number of LRA killed or defected, one would have had to conclude that "with only 50 LRA left," the LRA went into the minus category. There has been either ignorance or a lack of empathy for the people of the north by the press in displaying bodies of dead LRA on the front pages of the newspapers - these are often the bodies of abductees, not hardened criminals. Parents do not celebrate the death of their children, no matter what these children may have done. This kind of media attention further aggravates tensions between the north and south.

In the mid-late 1990s, Voice of America undertook a study to determine how radio could help mitigate conflict. Subsequently, they helped promote radio programs that highlighted common ground between perpetrators and victims of conflict. The U.S. has scholars and NGOs who work to promote a free and fair media. Responsible broadcasting would help provide a safer environment that would promote successful demobilization and reintegration and make inroads into national reconciliation.

4. Condition future military support on improvements within the military. The U.S. should make clear to President Museveni that it will not support a military that lacks

accountability in terms of human rights abuses and corruption. The military must protect the citizens of the north, and must not re-recruit escaped or freed LRA soldiers¹²

B. Recommendations to promote a sustainable peace, human rights, and security

1. Support work with women's and youth groups in Internally Displaced Persons (IDP) camps as well as in the towns. These are the people who will be instrumental in the development and security of the north. There has been a focus within Uganda, but especially from the international community, on working with the traditional and religious leaders in the north. These are men who are mostly located in the towns. While they have the respect of most of the community, they can no longer be said to represent the majority of the people. Wars change the locus of power; in the case of Uganda as has been true in many other recent wars, women and youth are disproportionately affected by the conflict and have taken on untraditional roles that a life in peacetime would not have presented. They require our encouragement, support, and funding. It is at the community level that reintegration is occurring, and there are already serious problems with acceptance by the community of former combatants. The support of women - mothers, sisters, grandmothers, aunts - is key to the safety of the north.

2. With the Government of Uganda and the international community, provide mental health services. The people of the north are resourceful and have done an admirable job of coping with a desperate situation. The World Vision and GUSCO psycho-social centers deal with those coming out of the bush. But they have little in the way of resources and cannot

¹² The recruitment of former abductees and LRA soldiers into the UPDF is common and successful because of the lack of alternatives these children and adults face in the north. They fear they will not be successfully reintegrated into their communities due to the atrocities they may have committed. With little to no education because of having been abducted as children, they realize there is little hope beyond the military. Many, perhaps most, of these former rebels are traumatized, "programmed," and potentially dangerous. Giving these former rebels weapons legitimately through the UPDF would be asking for trouble.

adequately cope with the trauma experienced by those living in the IDP camps, those terrorized by the LRA, and those coming out of the LRA. Far more resources are needed: medical doctors, psychiatrists, psychologists, social workers, who can begin to address the massive and protracted societal trauma that the people of the north have endured. The conflict will never be resolved if it lives on inside people.

3. Encourage national dialogue. Uganda is a country split in many different ways - between religious groups, political groups, and ethnic groups. It is divided between the largely Bantu south and the Nilotic north. President Museveni has done very little to promote national unity. As one of his final acts as President,¹³ he could use his leadership to bring Ugandans of all stripes together for a national dialogue to share their vision for the future of the country and determine development and educational priorities, for example.

4. Provide and support development assistance to the north. The returning LRA combatants are going into the military because there is nothing else they can do. Unemployment is high; there are few opportunities in the north. Yet the north has fertile soil and could easily be self-sufficient.

5. Ensure property rights are respected. Over 25% of the population has been displaced for some years. Will they return to their own land or will someone else have taken their land? Who has the right to what land? As the war is settled and resolved, there will be more and more disputes over property rights. The U.S. needs to be clear to the Government of Uganda that the people's lands cannot be confiscated - a fear increasingly expressed by Acholis. The U.S. could assist by providing experts on property and land rights to help set up a commission to determine ownership and to set up an ombudsperson's office for grievances.

¹³ This is assuming, contrary to expectations, that he will not amend the constitution and run for a third term in March 2006.

Finally, there has been and continues to be a great deal of talk of reconciliation in the international community. The U.S. government's Northern Uganda Peace Initiative has been convening seminars on reconciliation. It is naïve to believe that reconciliation will occur if we bring people together without addressing the root causes of their fears, anger, and suffering. It is naïve to believe that the Acholi people have a traditional reconciliation process that will magically make everyone forgive each other. All of this talk of reconciliation also makes those affected by the war wonder what is wrong with them if they cannot "just get along together." What is even worse for the Acholi people is that the people they are trying to reconcile with in many cases are their children. Who can imagine the guilt of parents wanting to love children they haven't seen in years and yet who they know have killed and committed untold atrocities? How can they not love their own child and yet how can they?

After 20 years of war, one would have to be superhuman to forgive a government that turned its back on the war and to forgive those who made life a living hell for so long. Local reconciliation mechanisms are being stretched beyond the breaking point. Returning combatants are not being reintegrated. We should not romanticize the Acholi people - they are not superhuman and will not forget or forgive easily. A focus on reconciliation without clear and unambiguous support for the first viable peace process in a decade and without the influx of millions of dollars in funds for demobilization and reintegration and development from the Government of Uganda together with its international partners, will leave the Acholi people alone and marginalized yet again.